

04 DEC 13 AM 11:48

NA

ASSIGNMENT OF CONTRACT

Vol M04 Page 85078

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, hereinafter called the assignor, for the consideration hereinafter stated, has sold and assigned and hereby does grant, bargain, sell, assign and set over unto GENEVA A. SMITH, Trustee of the Geneva A. Smith Revocable Living Trust dated**
hereinafter called the assignee, and to assignee's heirs, successors and assigns, all of the vendor's right, title and interest in and to that certain contract for the sale of real estate dated _____, 19____, between AMERICAN EXCHANGE SERVICES, INC., an Oregon corporation _____ as seller and HENRY C. G. CHEYNE and CHERIE JEAN CHEYNE _____

as buyer, which contract is recorded in the Deed* Miscellaneous* Records of _____ Klamath _____ County, Oregon, in ~~book/reel~~/volume No. M04 at page 83507 and/or as fee/file/instrument/microfilm/reception No. _____ (indicate which), reference to that recorded contract hereby being expressly made, together with all the right, title and interest of the assignor in and to all moneys due and to become due thereon. The assignor also hereby conveys to the assignee the property described in the contract and the legal title thereto which is held to secure performance of the vendee's obligation created thereby. The assignor hereby expressly covenants and warrants to the above-named assignee that the assignor is the owner of the vendor's interest in the real estate described in the contract of sale and that the unpaid principal balance of the purchase price thereof is not less than \$ 630,000.00 with interest paid thereon to March 1, 2004, ~~19~~_____.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 1031 exchange _____.

① However, the actual consideration consists of or includes other property or value given or promised which is ^{part of the} ~~the whole~~ consideration (indicate which).① **December 21, 1999 (as subsequently amended June 27, 2003)

In construing this assignment, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this assignment shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the undersigned assignor has hereunto executed this assignment; if the undersigned is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

DATED: November 24, 2004, 19____.

AMERICAN EXCHANGE SERVICES, INC.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

By Paula M. Frey
Paula M. Frey, Asst. Secretary

STATE OF OREGON, County of Marion) ss.

This instrument was acknowledged before me on _____, 19____,
by _____

This instrument was acknowledged before me on November 24, 2002, ~~19~~____,
by Paula M. Frey
as Asst. Secretary
of American Exchange Services, Inc.



Teri Due
Notary Public for Oregon
My commission expires 11-17-05

* Strike inapplicable word. NOTE—If not applicable, delete the sentence between the symbols ①. If the contract is not already of record, it should be recorded.

AMERICAN EXCHANGE SERVICES, INC.
PO BOX 652
SALEM, OR 97308

Grantor's Name and Address
Geneva A. Smith, Trustee
10166 E. Langel Valley Rd.
Bonanza, OR 97623

Grantee's Name and Address

After recording return to (Name, Address, Zip):
Amer. Title Collection #64740
300 Klamath Avenue
Klamath Falls, OR 97601

Until requested otherwise send all tax statements to (Name, Address, Zip):

Henry C. G. Cheyne & Cherie Jean Cheyne
9961 E. Langel Valley Rd.
Bonanza, OR 97623

County of Klamath
Recorded 12/13/04 11:48a m
Vol M04 Pg 85078-79
Linda Smith, County Clerk
Fee \$ 26.00 # of Pgs 2

26.00
www

EXHIBIT "A"
LEGAL DESCRIPTION

Township 40 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon.

The W1/2 NW1/4 of Section 1 and Parcel 2 of Land Partition 17-04, said Land Partition being a replat of a portion of Parcel 1 of Minor Partition 18-86, situated in the N1/2 of Section 1, Township 40 South, Range 13 East, of the Willamette Meridian, Klamath County, Oregon

EXCEPTING THEREFROM those portions thereof conveyed to The United States of America for the Bussy Lateral, the Lorella Drain and the Campbell Drain by deed recorded July 8, 1924 in Volume 64, page 299, Deed Records of Klamath County, Oregon and by deed recorded June 13, 1927 in Volume 75, page 552, Deed Records of Klamath County, Oregon

AND EXCEPTING THEREFROM that portion of the N1/2 NW1/4 lying within the boundaries of East Langell Valley Road 1211.

Section 2: The NE1/4

EXCEPTING THEREFROM those portions thereof conveyed to The United States of America for the L-2 Lateral and the L-2-A Lateral by deed recorded February 16, 1926 in Volume 69, page 292, Deed Records of Klamath County, Oregon

AND EXCEPTING THEREFROM those portions thereof conveyed to The United States of America for the Lorella Drain by deed recorded May 15, 1926 in Volume 69, page 556, Deed Records of Klamath County, Oregon.

AND FURTHER EXCEPTING THEREFROM those portions thereof lying within the boundaries of East Langell Valley County Road 1211 and Walker Road No. 1225.