

VENDOR'S ASSIGNMENT OF CONTRACT  
AND WARRANTY DEED

VENDOR: BATTLECREEK PROPERTIES, LTD., an Oregon Corporation  
which took title as BATTLECREEK GOLF COURSE, INC.

CONVEYS AND ASSIGNS TO

VENDOR-ASSIGNEE: WILLIAM G. STEVELEY, ELIZABETH R. STEVELEY and PATRICIA  
A. CODRON, TRUSTEES U/A dated May 29, 1986

all Grantor's right, title and interest as Vendors in and to the following described contract for sale of real property, all monies due or to become due thereon and all the property described therein. Assignee, as the substituted Vendor, agrees to perform all Vendor's obligations contained in said contract, dated April 1, 1978, a Memorandum of which was recorded May 12, 1978 in Reel 123, Book 563, Records of Marion County, Oregon, said contract being modified by document dated August 29, 1984. The Purchaser was C. Lynn Baxter and the present unpaid balance with interest to May 19, 1986 is \$ 368,258.09.

The legal description of the above contract is attached as Exhibit A.

The Vendor covenants and warrants that the property is free from encumbrances created or suffered by Vendor and that Vendor will warrant and defend the same against all persons who may lawfully claim by, through or under Vendor, except as disclosed in said contract. The contract is not in default.

There is no change in the address to which tax statements shall be sent. The true and actual consideration for this transfer is \$10.00.

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 appropriate city or county planning department to verify approved uses.

DATED: JUNE 24, 1986

BATTLECREEK PROPERTIES, LTD.

By: William G. Steveley  
William G. Steveley, President

By: Elizabeth R. Steveley  
Elizabeth R. Steveley, Secretary

STATE OF OREGON )  
County of Marion ) ss

June 24, 1986

Personally appeared William G. Steveley AND Elizabeth R. Steveley, who being sworn, stated that they are the President and Secretary, respectively, of Vendor corporation and that this instrument was voluntarily signed on behalf of the corporation by authority of its Board of Directors. Before me:

Marilee J. Foppe  
Notary Public for Oregon  
My commission expires: 7/10/86

EXHIBIT "A"

Parcel 1

Beginning at the intersection of the North and South center line of Section 23 in Township 8 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; with the Westerly line of the Pacific Highway at a point which is 805.25 feet, more or less, South of the 1/4 corner of the North of said section, thence South 23° 44' East along the Westerly line of said Highway 222.35 feet, thence South 65° 58' West 98.50 feet to a point on the said center line, thence South along said center line, 133.84 feet to an iron pipe; thence South 65° 58' West 65.00 feet to an iron pipe; thence South 00° 08' East 108.97 feet to an iron pipe; thence North 65° 58' East 65.00 feet to the North and South center line of Section 23; thence South along said center to the angle corner in the North line of Lot 9, in Elderbrook tracts in said County and State, thence North 89° 14' West along the North line of said Elderbrook tracts 1779.75 feet to a point which is 858.00 feet South 89° 14' East from the West line of said Section, thence North parallel with the West line of said Section 1564.50 feet, more or less, thence South 89° 08' East 504.25 feet, more or less, thence North 470.00 feet to a point on the South line of Madras Street, thence Northeasterly along the arc of a 180.00 foot radius curve to the left (the chord of which bears North 63° 48' East 163.80 feet) a distance of 170.07 feet, thence North 36° 44' East along the Easterly line of said Street 78.35 feet, thence South 89° 08' East 864.78 feet to a point which is 200.00 feet South 66° 16' West from a point on the Westerly line of said Pacific Highway, thence North 66° 16' East 200.00 feet to a point on the Westerly line of said highway; thence South 23° 44' East 83.09 feet to the place of beginning.

SAVE AND EXCEPT that portion conveyed to Nu Pacific Co., by deed recorded in Reel 2, Page 372, Marion County Deed Records, described as follows:

Beginning at the Northwest corner of that tract of land as described in Volume 699, Page 812, Marion County Record of Deeds, which is recorded as being 239.225 feet North and 420.00 feet South 89° 08' East from the 1/4 corner on the West line of Section 23 in Township 8 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, said point being also on the Easterly line of 13th Avenue SE; thence South along said Easterly line 567.775 feet to a point on the North line of that tract of land as described in Volume 676, Page 085, Marion County Record of Deeds, said North line being also the North line of Lot 13, Elderbrook Tracts; thence South 89° 14' East 889.0 feet more or less, along said North line to a point which is 132.00 feet North 89° 14' West from the Northeast corner of said Lot 13; thence North 68° 30' West 286.00 feet; thence North 56° West 127.00 feet; thence North 36° West 100.00 feet; thence North 9° West 134.0 feet more or less, to a point on the West line of that tract of land described in Volume 670, Page 393, Marion County Record of Deeds, said point being 383.00 feet North of the Southwest corner of said tract of land; thence North 184.0 feet more or less, to the Northeast corner of said tract of land described in Volume 699, Page 812, Marion County Record of Deeds; thence North 89° 08' West 438.00 feet to the point of beginning.

TOGETHER WITH a permanent easement and right of way for pipeline, well and utilities installation and maintenance for irrigation purposes reserved to Grantor in that deed to NU PACIFIC CO., recorded in Reel 2, Page 372.

A strip 10 feet in width and 448 feet in length along the adjacent to the Southerly boundary of the property described in Reel 2, Page 372, Marion County Deed Records, then extending Northerly at right angles, 10 feet in width for an additional 383 feet to the property line of Battlecreek Golf Course, said additional 10 feet strip being parallel to the West boundary line of the above described tract. In the event the Grantees' development plans require a change in location of part of the pipeline, the parties hereto shall equally share the cost of such change and shall change the location thereof as necessary.

**Parcel II**

Beginning at the intersection of the Westerly line of the Pacific Highway with the South line of Madras Street at a point which is 495.00 feet South and 138.85 feet North 89° 00' West 67.10 feet South 23° 44' East from the 1/4 corner on the North line of Section 23 in Township 8 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence South 23° 44' East along the Westerly line of said Highway 195.80 feet, thence South 66° 16' West 200.00 feet, thence North 23° 44' West parallel with the Westerly line of said Highway 286.38 feet to a point on the South line of said Madras Street, thence South 89° 08' East 219.96 feet to the place of beginning.

**SUBJECT TO:**

1. An easement created by instrument, including the terms and provisions thereof dated April 21, 1970, recorded May 6, 1970 in Book 682, Page 641, Deed Records in favor of City of Salem for a 15 foot permanent right of way and easement for sewer pipeline.
2. An easement created by instrument, including the terms and provisions thereof, dated April 12, 1971, recorded April 19, 1971 in Book 701, Page 467, Deed Records in favor of City of Salem for permanent right of way and easement for sewer pipeline.
3. An easement created by instrument, including the terms and provisions thereof dated April 12, 1971, recorded April 19, 1971 in Book 701, Page 471, Deed Records in favor of City of Salem for permanent right of way and easement for sewer pipeline.
4. An easement created by instrument, including the terms and provisions thereof dated April 26, 1971, recorded April 30, 1971 in Book 701, Page 201, in favor of City of Salem for permanent right of way and easement for sewer pipeline.
5. City lien in favor of the City of Salem for street improvement, in the sum \$13,581.43, recorded pages 8075 and 8077, City Lien Docket. (Affects Parcels I & II)
6. City lien in favor of the City of Salem for water improvement, in the sum of \$256.87. (Affects Parcel II)
7. Drainage easement dated October 5, 1977, recorded December 8, 1977 in Reel 105, Page 1071, Marion County Deed Records.

STATE OF OREGON

County of Marion

I hereby certify  
that the within was  
received and duly  
recorded by me in  
Marion County  
records:

JUN 24 11 10 AM '86

ALAN H. DAVIDSON  
MARION COUNTY CLERK

BY 8 DEPUTY  
1300

Return: same

REEL  
470

PAGE  
28.