

41785
VENDOR'S ASSIGNMENT OF CONTRACT FOR SALE OF REAL PROPERTY
AND SPECIAL WARRANTY DEED

REL 151 PAGE 1869

GRANTOR (ASSIGNOR): BATTLECREEK PROPERTIES LTD. fka Battlecreek
Golf Course, Inc.

CONVEY AND ASSIGN TO

GRANTEE: WILLIAM G. STEVELEY and ELIZABETH R. STEVELEY,
husband and wife,

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
property described therein, who agrees to perform all Vendor's obligations contained
in said contract.

Dated: April 1, 1978

Unpaid Balance: \$ 406,161.70

Recorded:

Records for Marion County, Oregon.

Interest Paid To:

The present Purchaser is: C. Lynn Baxter

Legal Description: Set forth on Exhibit "A", attached hereto and by this
reference made a part hereof.

The Grantor hereby covenants and warrants that:

1. The property is free from encumbrances created or suffered by Grantor, and that
Grantor will warrant and defend the same against all persons who may lawfully claim
by, through or under Grantor, except as disclosed in said contract
2. Said contract is current, not in default, and that Grantor is the owner of the
Vendor's interest therein.
3. The Purchaser has no claims against Grantor.
4. If Grantor is a corporation, this has been signed and sealed by the authority of its
Board of Directors.
5. The true and actual consideration for this transfer is \$ 406,161.70.

DATED AND EXECUTED: December 29, 1978.

✓ Until a change is requested, all tax
statements shall be sent to the
following address:
1522 Madras St. SE, Salem, Oregon 97302.

STATE OF OREGON,

County of _____

Personally appeared the above named _____

and acknowledged the foregoing instru-
ment to be _____ voluntary act and deed.

Before me:

Notary Public for Oregon

My commission expires:

GRANTOR (ASSIGNOR):

BATTLECREEK PROPERTIES LTD.

By: William G. Steveley, Jr.
William G. Steveley, President
STATE OF OREGON, County of Marion) ss.
December 29, 1978

Personally appeared William G. Steveley and

each for himself and not one for the other, do hereby swear and affirm that he is the
president and that this deed is the

act of Battlecreek Properties Ltd. a corporation
and that the seal affixed to the foregoing instrument is the corporate seal
of said corporation and that said instrument was signed and sealed by the
full of said corporation by authority of its Board of Directors and each of
them acknowledged said instrument to be a voluntary act and deed.
Before me:

Notary Public for Oregon

My commission expires: 5-20-81

EXHIBIT "A"

Parcel I

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 102.97 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 200.60 feet to a point on the Westerly line of said highway; thence South 23° 44' East 33.09 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.

41785
STATE OF OREGON }
County of Marion } ss.

REEL 151 PAGE 1872

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

Reel 151 Page 1869

DEC 29 2 30 PM '78
EDWIN P. MORGAN
MARION COUNTY CLERK
BY Mm DEPUTY

gr

William G. Stevely
6173 Commercial S.E.
Salem, Oregon 97302