

OE 86521

ASSIGNMENT OF TRUST DEED BY BENEFICIARY OR HIS SUCCESSOR IN INTEREST

FOR VALUE RECEIVED, the undersigned who is the beneficiary or his successor in interest under that certain trust deed dated June 26th 1980 executed and delivered by THEODORE N. EMARD AND DOROTHY L. EMARD, as tenants by the entirety grantor, to WILLIAM L. SISEMORE, trustee, in which TOWN AND COUNTRY MORTGAGE AND INVESTMENT CO., INC., an Oregon corporation is the beneficiary, recorded on June 30, 1980, in book/reel/volume No. 1180 or as document/reel/file/instrument/microfilm No. 11944 (indicate which) of the Mortgage Records of Klamath County, Oregon, and conveying real property in said county described as follows:  
See description attached hereto and made a part hereof :

A parcel of land situated in Sections 14 and 15, Township 34 South, Range 7 East of the Willamette Meridian, being more particularly described as follows:

Beginning at the Southeast corner of the W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$  of said Section 14; thence North along the East line of said W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$  183 feet to a point where said East line intersects the centerline of an existing access road said point hereinafter being referred to as Point "A"; thence leaving said East line W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$  and following said existing access road in a Westerly direction through portions of said Sections 14 and 15 the following courses and distances: North 61° 48' 34" West, 483.18 feet to the beginning of a curve to the left; thence along the arc of a 293.3 feet radius curve to the left, 175.30 feet (delta = 34° 14' 43") to the end of curve; thence South 86° 56' 43" West, 174.64 feet to the beginning of a curve to the right; thence along the arc of a 576.01 feet radius curve to the right 135.84 feet (delta = 13° 30' 45") to the end of curve; thence North 82° 32' 32" West 150.41 feet to an angle point; thence North 88° 43' 02" West, 281.85 feet to an angle point; thence North 82° 51' 42" West, 205.13 feet to the beginning of a curve to the right; thence along the arc of a 278.37 feet radius curve; thence 158.59 feet (delta = 32° 38' 31") to a point of reverse curve; thence along the arc of a 458.60 feet radius curve to the left 227.21 feet (delta = 28° 23' 15") to the end of curve; thence North 78° 36' 26" West 436.87 feet to an angle point; thence North 75° 35' 04" West, 131.21 feet to the beginning of a curve to the left; thence along the arc of a 262.74 feet radius curve to the left 201.07 feet (delta = 43° 50' 47") to the end of curve; thence South 60° 34' 09" West, 315.67 feet to an angle point; thence South 54° 20' 06" West, 422.43 feet to the beginning of a curve to the right; thence along the arc of a 333.03 feet radius curve to the right 122.21 feet to a point on curve (delta = 21° 01' 33") said point on curve being a point where said road centerline intersects the Easterly boundary of that certain parcel of land described in Deed recorded in Deed Volume M-75 at page 437, Klamath County Deed Records said point also being referred to hereinafter as Point "B"; thence leaving said road centerline South 02° 31' 11" East, 429.72 feet to a 3/4 inch iron pin; thence South 68° West, 208 feet to a 3/4 inch iron pin on the Easterly bank of the Williamson River; thence Southerly along the Easterly bank of said Williamson River to a point where said river bank intersects the South line of Government Lot 10 of said Section 15; thence East along the South line of said Government Lot 10 to the Southeast corner thereof; thence East along the South line of the N $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{4}$  of said Section 15 to the Southeast corner thereof; thence East along the South line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section 14 to the Southeast corner thereof; thence North to the point of beginning.

TOGETHER WITH a non-exclusive private roadway easement for use in common with others over and across a strip of land 30.00 feet in width lying immediately adjacent to but Northerly of the roadway centerline described above running Westerly from Point "A" to Point "B".

Himbarger

AFTER RECORDING RETURN TO  
Certified Mortgage Co.  
836 Klamath Ave.  
Klamath Falls, Or. 97601

FOR RECORDING  
LABEL IN COUN-  
TIES WHERE  
USED.)

page 12465 or as document/fee/file/  
instrument/microfilm No. 86521  
Record of Mortgages of said County.  
Witness my hand and seal of  
County affixed.

Wm. D. Milne  
By *Deborah A. Petch* Deputy  
Fee \$7.00

12466

hereby grants, assigns, transfers and sets over to **RICHARD D. HIMBARGER OR ROBERTA M. /** HIMBARGER, his executors, administrators and assigns, hereinafter called assignee, all his beneficial interest in and under said trust deed, together with the notes, moneys and obligations therein described or referred to, with the interest thereon, and all rights and benefits whatsoever accrued or to accrue under said trust deed.

The undersigned hereby covenants to and with said assignee that the undersigned is the beneficiary or his successor in interest under said trust deed and is the owner and holder of the beneficial interest therein; that he has good right to sell, transfer and assign the same, as aforesaid, and that there is now unpaid on the obligations secured by said trust deed the sum of not less than \$ 30,000.00 with interest thereon from July 7, 1980.

In construing this instrument and whenever the context hereof so requires, the masculine gender includes the feminine and the neuter and the singular number includes the plural.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

DATED: July 7, 19 80

Town and Country Mortgage and Investment Co., Inc.

By: Richard H. Marlatt  
Richard H. Marlatt, President

(If executed by a corporation, affix corporate seal)

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

STATE OF OREGON,

County of \_\_\_\_\_

(ORS 93.490)

ss.

STATE OF OREGON, County of Klamath

July 7, 19 80

ss.

Personally appeared Richard H. Marlatt

and

each for himself and not one for the other, did say that the former is the president of ~~XXXXXX~~ Town and Country Mortgage and Investment Co., Inc.

Mortgage and Investment Co., Inc. of Town and Country

foregoing instrument is the corporate seal of said corporation and that the seal affixed to the instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

Dudie L. Cole  
Notary Public for Oregon

My commission expires: 6-19-84

and acknowledged the foregoing instrument to be \_\_\_\_\_ voluntary act and deed.

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires:

### ASSIGNMENT OF TRUST DEED BY BENEFICIARY

Town and Country

TO

Himbarger

AFTER RECORDING RETURN TO

Certified Mortgage Co.  
836 Klamath Ave.  
Klamath Falls, Or. 97601

(DON'T USE THIS SPACE: RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON,  
County of Klamath

ss.

I certify that the within instrument was received for record on the 7th day of July, 1980, at 3:57 o'clock P.M., and recorded in book/reel/volume No. M80 on page 12465 or as document/fee/file/instrument/microfilm No. 86521 Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Wm. D. Milne

NAME

By Severald Petrich Deputy

Fee \$7.00

TITLE