

30367

Vol. M83, Page 19239

KNOW ALL MEN BY THESE PRESENTS, That NORMA E. WAGGONER, husband and wife, HARRY R. WAGGONER and AMY WAGGONER, Deceased the party of the first part, for value received, has granted, bargained, sold, assigned, transferred and set over unto RICHARD FAIRCLO, Trustee under the Will of the party of the second part, that certain mortgage (and gain, sell, assign, transfer and set over unto the obligation thereby secured) dated December 31, 1978, made and executed by MX LAND AND LIVESTOCK CORPORATION, an Oregon Corp to secure the payment of the sum of \$233,000.00, with interest; which said mortgage was recorded on January 17, 1979, in the office of the county clerk/record (indicate which), of the County of Klamath book/reel/volume No. 1423 at page 79 or as document 61226 (indicate which), Record of Mortgages of said county; State of Oregon, in To Have and to Hold the same unto the said party of the second part and the latter's executors, administrators, successors and assigns, subject only to the terms and conditions in the said mortgage mentioned. And the said party of the first part does hereby covenant to and with the party of the second part that the said party of the first part is the lawful owner and holder of the said mortgage and the obligation secured thereby and has a good right to sell, transfer and assign the same as aforesaid, and that there is now unpaid upon the said obligation and mortgage the sum of \$191,705.97, with interest from January 14, 1983. In construing this assignment and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals. In Witness Whereof, the undersigned assignor has executed this instrument on January 19, 1983; if the undersigned is a corporation, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,

County of Klamath

January 25, 1983

Personally appeared the above named HARRY R. WAGGONER and NORMA E. WAGGONER, husband and wife,

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me,

(OFFICIAL SEAL) LOIS E. SIE

NOTARY PUBLIC FOR OREGON

My Commission Expires: Aug 4, 1984

ASSIGNMENT OF MORTGAGE

HARRY R. WAGGONER and NORMA E. WAGGONER, husband and wife,

TO

RICHARD FAIRCLO, Trustee under the Will of AMY WAGGONER, Deceased

AFTER RECORDING RETURN TO

Richard Fairclo Proctor, Puckett & Fairclo 280 Main Street Klamath Falls, Oregon, 97601

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

STATE OF OREGON, County of \_\_\_\_\_

Personally appeared \_\_\_\_\_, 19\_\_\_\_

each for himself and not one for the other, did say that the former is the \_\_\_\_\_ who, being duly sworn, president and that the latter is the \_\_\_\_\_ secretary of \_\_\_\_\_

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said 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.

Notary Public for Oregon

My commission expires: \_\_\_\_\_

(OFFICIAL SEAL)

STATE OF OREGON,

County of Klamath

I certify that the within instrument was received for record on the 8th day of November, 1983, at 2:45 o'clock P.M., and recorded in book/reel/volume No. M83 on page 19239 or as document file/instrument/microfilm No. 30367 Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Bienn County Clerk

Fee: \$4.00 By Sam Smith Deputy