

K-37077

36890

ASSIGNMENT OF TRUST DEED BY BENEFICIARY OR HIS SUCCESSOR IN INTEREST

Vol. 184 Page 8123

FOR VALUE RECEIVED, the undersigned who is the beneficiary or his successor in interest under that certain trust deed dated March 6th, 1981, executed and delivered by JAMES R. ADAIR grantor, to KLAMATH COUNTY TITLE COMPANY trustee, in which ESTATE OF B. MARGUERITE WHYTAL is the beneficiary, recorded on March 18, 1981, in ~~XXXXXX~~ volume No. M-81 or as document/reel/file/instrument/microfilm No. 97337 (indicate which) of the Mortgage Records of Klamath County, Oregon, and conveying real property in said county described as follows: Page No. 4972

SEE EXHIBIT "A" ATTACHED.

hereby grants, assigns, transfers and sets over to \*Linda Nelson<sup>1</sup>, Suana Nicholson<sup>2</sup> & Shane Nicholson<sup>3</sup> 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 \$ 181,000.00 with interest thereon from March 6th, 1981. \*1A 50% interest --- 2A 25% interest --- 3A 25% interest

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: 4-25, 1984

(If executed by a corporation, affix corporate seal)

Linda Nelson  
LINDA NELSON, Co-Personal RepresentativeSuana Nicholson  
SUANA NICHOLSON, Co-Personal Representative

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

STATE OF OREGON,

(ORS 93.490)

County of Multnomah

SS.

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

) SS.

April 25, 1984

Personally appeared \_\_\_\_\_ and

Personally appeared the above named Linda Nelson and Suana Nicholson, Co-Personal Representatives of the Estate of B. Marguerite Whytal, Deceased

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

\_\_\_\_\_, 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 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:

James V. Amirhakimi  
Notary Public for Oregon

My commission expires: 3/22/87

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

### ASSIGNMENT OF TRUST DEED BY BENEFICIARY

Estate of B. Marguerite

Whytal, Deceased,

TO

Linda Nelson, Suana Nicholson,  
and Shane Nicholson

AFTER RECORDING RETURN TO

Linda Nelson  
30737 S.E. Waybill Road  
Boring, Oregon 97009

(DON'T USE THIS  
SPACE; RESERVED  
FOR RECORDING  
LABEL IN COUN-  
TIES WHERE  
USED.)

STATE OF OREGON,

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

) SS.

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 1984

at \_\_\_\_\_ o'clock M., and recorded in book \_\_\_\_\_ reel \_\_\_\_\_ volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as document/tee file instrument/microfilm No. \_\_\_\_\_ Record of Mortgages of said County.

Witness my hand and seal of County affixed.

By \_\_\_\_\_ Deputy

No.

## EXHIBIT "A"

8424

PARCEL 1:

Beginning at the most Westerly corner of a parcel of land conveyed by Kincaid to Lillard as described in a Deed recorded in Klamath County Deed Records, Volume 114, page 586, which point of beginning is on the Northerly right of way line of Lakeshore Drive and is South 75°29' East a distance of 118.42 feet from the most Northerly corner of Lot 26 in Ouse Kila Homesites, thence South 45°03' East a distance of 36.78 feet; thence Southeasterly along the arc of a curve which designates the Northerly right of way line of said Lakeshore Drive, whose radius is 380.9 feet in length, a distance of 163.22 feet; thence North 25°0' East a distance of 200 feet, more or less, to the shore-line of Upper Klamath Lake; thence Westerly along said shore-line a distance of 150 feet, more or less, to a point which is North 48°43' East from the point of beginning; thence South 48°43' West a distance of 136 feet, more or less, to the point of beginning, being a parcel of land in the NE1/4 of Section 26, Township 38 South, Range 8 East of the Willamette Meridian.

PARCEL 2:

Beginning at a point on the East right of way line of Secondary Highway No. 421 which lies North 89°59' East (this bearing is South 89°57' East in Lakewood Heights) a distance of 1375.08 feet and South 44°08' East along the East right of way line of the Highway a distance of 78.29 feet from the iron pin which marks the quarter section corner common to Sections 23 and 26, Township 38 South, Range 8 East of the Willamette Meridian in Klamath County, Oregon, (note this point of beginning marks the most Westerly corner of the tract described on page 531, Volume 164, Deed Records of Klamath County, Oregon) and running thence North 48°43' East along the Northwesterly line of the above noted tract a distance of 138.5 feet to a point on the shore line of Upper Klamath Lake; thence North 66°17' West along the shore line of Upper Klamath Lake a distance of 12.76 feet to a iron pin; thence South 43°45' West a distance of 133.6 feet, more or less, to the point of beginning, said parcel being in Section 23, Township 38 South, Range 8 East of the Willamette Meridian and Section 26, Township 38 South, Range 8 East of the Willamette Meridian.

SUBJECT TO:

Right of Way Easement, including the terms and provisions thereof, from F. H. McCornack, guardian of Estate of Frank H. McCornack, Jr. to The California Oregon Power Company, recorded September 9, 1925, in Deed Volume 68 page 277, Volume 68 page 278, Volume 68 page 279, Volume 68 page 280 and Volume 68 page 281, Deed Records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for record on the 22nd day of May A.D., 1984 at 10:04 o'clock 4 M, and duly recorded in Vol M84, of Mortgages on page 8423.

EVELYN BIEHN, COUNTY CLERK

Fee: \$ 8.00by: Pam Ann TD, Deputy