

67687

ASSIGNMENT OF TRUST DEED BY BENEFICIARY OR HIS SUCCESSOR IN INTEREST

ATC-3023 Vol. 1580 Page 19768

FOR VALUE RECEIVED, the undersigned who is the beneficiary or his successor in interest under that certain trust deed dated August 31, 1986, executed and delivered by FIRST SAN FRANCISCO GROUP, INC., an Oregon Corporation to TICOR TITLE INSURANCE, grantor, MID OIL COMPANY, an Oregon Corporation, trustee, in which on Oct. 31, 1986, in book/reel/volume No. M86 on page 19763 is the beneficiary, recorded ment/microfilm/reception No. 67685 (indicate which) of the Mortgage Records of Klamath County, Oregon, and conveying real property in said county described as follows:

See Exhibit "A" attached hereto and by this reference incorporated herein.

hereby grants, assigns, transfers and sets over to FRANK J. BORESEK, hereinafter called assignee, and assignee's heirs, personal representatives, successors and assigns, 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, and the note or other obligation secured thereby, and that there is now unpaid on the obligations secured by said trust deed the sum of not less than \$ 300,000.00 with interest thereon from September 1, 1986.

In construing this instrument and whenever the context hereof so requires, the masculine gender includes the feminine and the neuter and the singular 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: as of August 31, 1986.

(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 _____

19 _____

Personally appeared the above named _____

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

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: _____

(ORS 93.490)

SS.

STATE OF OREGON, County of Multnomah) SS.

October 8, 1986

Personally appeared EDWARD R. DERKSEN, and

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

Chairman -- secretary of

KESEROB 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:

Notary Public for Oregon

My commission expires: 1-10-87

(OFFICIAL SEAL)

ASSIGNMENT OF TRUST DEED BY BENEFICIARY

KESEROB CORPORATION

Assignor

to

FRANK J. BORESEK

Assignee

AFTER RECORDING RETURN TO
Robert G. Burt
BURT & DAY, P.C.
1600 One Main Place
101 S.W. Main Street
Portland, Oregon 97204

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

STATE OF OREGON,

County of _____

SS.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____ Deputy

EXHIBIT. "A"

REAL PROPERTY DESCRIPTION

STATION NO. 45

STREET ADDRESS: Route 5 Box 1325, Klamath Falls, Oregon

19769

TRUE CASH VALUE: Klamath County, Oregon (1985-86) \$111,840.00

LEGAL DESCRIPTION: PARCEL 1: That portion of the SW1/4 of the NW 1/4 of Section 7, Township 38 South, Range 9 East of the Willamette Meridian (being a part of Government Lots 1 and 5), lying East of the New Dalles-California Highway, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at the iron pipe which marks the Southeast corner of the SW1/4 of the NW1/4 of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, and running thence North along the 40 line a distance of 1320 feet to the Northeast corner of the SW1/4 of the NW1/4 of said Section 7; thence North 89° 59' West along the 40 line a distance of 709.8 feet to a point on the Easterly right of way line of the New Dalles-California Highway; thence South 11° 36' West along the Easterly right of way line of the New Dalles-California Highway to an iron pin which marks its intersection with the East-West quarter line of said Section 7; thence South 89° 49' East along the East-West quarter line a distance of 438.6 feet more or less, to the point of beginning. EXCEPTING the following described tract: Beginning at a point marked with a 1 inch iron pipe on the Easterly right of way boundary of the New Dalles-California Highway (U.S. 97) which point is 393.2 feet North and 519.0 feet West of the Southeast corner of said SW1/4 NW1/4 of said Section 7, said corner being marked with a 1/2 inch galvanized pipe; thence North 11° 36' West along the said Easterly right of way boundary of said U.S. Highway 97 284.6 feet to a point on same marked with a 1 inch pipe; thence North 78° 24' East 176.9 feet to a 1 inch pipe; thence South 8° 36' East 284.9 feet to a 1 inch pipe; thence South 78° 24' West 162.0 feet, more or less, to the point of beginning. TOGETHER WITH that portion directly adjacent to the Easterly boundary line of the hereinabove described real estate, being a parcel of land 284.9 feet measured along the Westerly boundary of said tract and extending Easterly to the Easterly boundary of that portion of land owned by John P. Cavanaugh and Alice Bailey Cavanaugh, described as a portion of SW1/4 NW1/4 of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, recorded in Volume 248 at page 325 of Deeds and Records of Klamath County, Oregon. PARCEL 2: A tract of land within that portion of the SW1/4 NW1/4 of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, described in Volume 248 at page 325 of Klamath County, Deed Records, in the County of Klamath, State of Oregon, said tract of land being more particularly described as follows: Beginning at a point marked with a 1" iron pipe on the Easterly right of way boundary of the New Dalles-California Highway (U.S. 97) which point is 393.2 feet North and 519.0 feet West of the Southeast corner of said SW1/4 NW1/4 of said Section 7, said corner being marked with a 1/2" galvanized pipe; thence North 11° 36' West along the said Easterly right of way boundary of said U.S. Highway 97 284.6 feet to a point on same marked with a 1" pipe; thence North 78° 24' East 176.9 feet to a 1" pipe; thence South 8° 36' East 284.9 feet to a 1 inch pipe; thence South 78° 24' West 162.0 feet, more or less, to the point of beginning. TOGETHER WITH that portion directly adjacent to the Easterly boundary line of the hereinabove described real estate, being a parcel of land 284.9 feet measured along the Westerly boundary of said tract and extending Easterly to the Easterly boundary of that portion of land owned by John P. Cavanaugh and Alice Bailey Cavanaugh, described as a portion of SW1/4 NW1/4 of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, recorded in Volume 248 at page 325 in Deeds and Records of Klamath County, Oregon.

SUBJECT TO THE FOLLOWING ENCUMBRANCES: (1) Easement, including the terms and provisions thereof, for a drainage ditch granted to the public, recorded December 26, 1984, in Book M-84, Page 21421, in the Deed Records of Klamath County, Oregon. This easement affects the Easterly and Northerly 20 feet of property; (2) Regulations, including the terms and provisions thereof, as to control, raising and lowering of Upper Klamath Lake, as set out in instrument in California Oregon Power Company, recorded in Book 97 at page 388, Deed Records; (3) Agreement, including the terms and provisions thereof, between The Klamath Development Co., H. D. Mortensen and California Oregon Power Company, recorded in Deed Volume 97 at page 383; (4) Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Northside Drainage District; and (5) Rights of the public in and to any portion of said premises lying within the limits of roads and highways.

EXHIBIT A to ASSIGNMENT
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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the _____ day
of _____ October _____ A.D., 19 _____ at _____ o'clock _____ P. M., and duly recorded in Vol. _____
of _____ Mortgages _____ on Page _____

FEE \$9.00

By Evelyn Biehn County Clerk