

OL

87235

KCTC 4593

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 April 14, 1988, executed and delivered by Ed Clough, grantor, to Klamath County Title Company, trustee, in which Mitchell Bros. Terminal Co. is the beneficiary, recorded on April 27, 1988, in book/reel/volume No. M-88 on page 6641 or as fee/file/instrument/microfilm/reception No. 86751 (indicate which) of the Mortgage Records of Klamath County, Oregon, and conveying real property in said county described as follows:  
See attached Exhibit A

hereby grants, assigns, transfers and sets over to O. J. & B. D. Investments, an Oregon General Partnership, 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 \$25,000.00 with interest thereon from April 20, 1988.

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: May 10, 1988

Mitchell Bros. Terminal Co.  
By: B. D. Mitchell, Secretary

(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

This instrument was acknowledged before me on

, 19, by

Notary Public for Oregon

(SEAL)

My commission expires:

STATE OF OREGON,

County of Jackson

This instrument was acknowledged before me on May 10, 1988, by B. D. Mitchell

as Secretary  
of Mitchell Bros. Terminal Co.

Notary Public for Oregon

My commission expires:

STEPHEN BOOTH  
NOTARY PUBLIC - OREGON

MY COMMISSION EXPIRES 1-27-89

ASSIGNMENT OF TRUST DEED  
BY BENEFICIARY

Mitchell Bros. Terminal Co.

Assignor

to

O. J. and B. D. Investments

Assignee

AFTER RECORDING RETURN TO  
KCTC - Collection #4593

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

STATE OF OREGON,

County of

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

By

TITLE

Deputy

A parcel of land, being a portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 7, Township 39 South, Range 9 East of the Willamette Meridian, the said parcel of land being more particularly described as follows:

Beginning at a point on the East and West center line of Section 7, Township 39 South, Range 9 E.W.M, said point being approximately 833.6 feet West of the quarter common to Sections 7 and 8; thence West along said center line of Section 7 a distance of 257.0 feet; thence South 77°23' West a distance of 152.8 feet to a point on the East line of a county road; thence South 0°14' West along said county road a distance of 1062.7 feet to a point on the Westerly right-of-way line of the Klamath Falls Weed Highway opposite and 50 feet distant from the center line of said highway at engineer's center line station 26 + 74; thence along said right-of-way line on a 4825 foot radius curve right (the long chord of which bears North 26°24' East 1008.9 feet) a distance of 1011.0 feet; thence on a 141.0 foot radius curve left (the long chord of which bears North 11°35 $\frac{1}{2}$ ' West) a distance of 215.5 feet to the point of beginning.

Except therefrom that property described in that deed to the State of Oregon by and through its State Highway Commission, recorded in Book 107, page 285 of Klamath County Deed Records, and

Further excepting therefrom that property conveyed by that certain Final Judgment, dated June 19, 1958 and filed in the Circuit Court of the State of Oregon, for the County of Klamath, wherein the State of Oregon, by and through its State Highway Commission was the Plaintiff and Hazel N. Gass et al were the defendants and bearing Case No. 58-18, and

Further excepting that portion described in that deed to the State of Oregon, by and through its State Highway Commission, recorded in M-68 on page 8049, records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 12th day of May A.D., 19 88 at 10:59 o'clock A.M., and duly recorded in Vol. M88 of Mortgages on Page 7445.

FEE \$10.00

Evelyn Biehn County Clerk,  
By George J. Carney Deputy