

KNOW ALL MEN BY THESE PRESENTS, that WESTERN BANK, an Oregon corporation, (hereinafter referred to as the "Assignee") agreed to make a loan to * * JOHN L. BAUMANN AND PATRICIA A. BAUMANN * * (hereinafter referred to as the "Assignors") which loan is evidenced by Assignor's note dated May 3, 1989 in the principal amount of *One Hundred Thirty Five Thousand and no/100- (s\$135,000.00**) Dollars and interest payable in equal monthly installments of One Thousand Six Hundred Twenty Nine and 11/100- (s\$1,629.11*) Dollars each, payable on the 1st day of each month, commencing with June 1 19 89 secured by a Trust Deed or Mortgage dated May 3 19 89 *The payment is to be adjusted annually each April 15th to reflect the change in Prime Rate (Western Bank Base Rate) of 2.00% over prime.

WHEREAS the said Assignors agree, in consideration of the making of the aforesaid loan, to assign as additional collateral security the rent and income from the hereinafter described property:

NOW, THEREFORE, in consideration of the loan hereinabove described and other valuable consideration,

do hereby assign to the said Assignee, or its assigns, all rents and revenues from the following described property: Tract No. 86 and the E $\frac{1}{2}$ of Tracts 87 and 88, PLEASANT HOME TRACTS #2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

and the Assignors hereby expressly authorize and empower the said Assignee, its agents or attorneys, at its election, without notice to the Assignor (or their successors in interest) as agent for the Assignor to take and maintain full control of said property and the improvements thereon; to oust tenants for non-payment of rent; to lease all of said property or any portion thereof in the name of the Assignors on such terms as it may deem best; to make alterations or repairs it may deem advisable and deduct the cost thereof from the rents; to receive all rents and income therefrom and issue receipts therefor and out of the amount or amounts so received to pay the necessary operating expenses and to retain the usual charges for thus managing said property; and to apply on the aforesaid mortgage any amount due upon the debt secured thereby; to pay taxes, assessments and premiums on insurance policies, or renewals thereof, on said property, or amounts necessary to carry out any covenant in the said mortgage contained; the Assignee herein to determine which items are to be met first; and to pay any overplus so collected to the owners of said property; and those exercising this authority shall be liable to the owners only for the amount collected hereunder and the accounting thereof and as to all other persons those exercising this authority are acting only as agent of the owners in the protection of mortgagee's interest. In no event is the right to such management and collection of rents to affect or restrict the right of the mortgagee to foreclose the aforesaid mortgage according to its terms.

It is understood that failure to collect rents for any given month or other period does not constitute a waiver by Assignee if said Assignee desires to collect rents pursuant to this assignment for any other month or period.

Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Dated this 3rd day of May 19 89

(X) John L. Baumann
John L. Baumann
(X) Patricia A. Baumann
Patricia A. Baumann

STATE OF Oregon)
COUNTY OF Klamath) SS.

May 3 A.D., 19 89

Personally appeared the above named * * * JOHN L. BAUMANN AND PATRICIA A. BAUMANN * * * and acknowledged the foregoing instrument to be their voluntary act and deed. Before me:



RETURN TO: WESTERN BANK
P.O. BOX 669
KLAMATH FALLS, OR
97601

Caroline H. Marshall
Notary Public for Oregon
My Commission Expires 2-9-90

RE-24 5/86

STATE OF OREGON: COUNTY OF KLAMATH: SS. ?

Filed for record, at request of Klamath County Clerk the 4th day of May A.D., 19 89 at 11:00 o'clock A.M., and duly recorded in Vol. m89 of Mortgages on Page 7666.

FEE \$8.00

Evelyn Biehn County Clerk
By Caroline H. Marshall

00 11 MAY 4 1989