Vol. mg Page 7841

Recording Requested by:

When Recorded Mail to:

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ANM 68

LEVIN & MENZIES PROPERTIES 2000 Powell Street Suite 790 Emeryville, California 94608 Attention: Beverly Fraley

Space Above For Recorder's Use

ASSIGNMENT OF (1) MORTGAGE AND (2) PROMISSORY NOTE SECURED THEREBY

)

FOR VALUE RECEIVED, the undersigned hereby grants, assigns, and transfers to LEVIN & MENZIES PROPERTIES, a California general partnership, having an address of 2000 Powell Street, Suite 790, Emeryville, California 94608: (1) That certain Mortgage dated April 18, 1989, and recorded on April 26, 1989 in Book M89, Page 7107, as Instrument No. 99527, in the Official Records of Klamath County, Oregon, encumbering land described on Exhibit A attached hereto, and (2) the \$100,000.00 Promissory Note described, cr referred to, the money due and to become due thereon with interest and all rights accrued, etc.

DATED: April 25, 1989

LEVIN & MENZIES INCORPORATED a California corporation

Bv: Papil D. Menzies, President

| State of California | On this the 25 day of Upril 19 89, before me |
|----------------------------------|---|
| County of <u>Culture dec</u> SS. | the undersigned Notary Public, personally appeared |
| | Paul U. Mengues |
| | 13 personally known to me |
| OFFICIAL SEAL | proved to me on the basis of satisfactory evidence to be the person by who executed the within instrument as |
| ALT THE REVEAL Y AND FRAN EY | Prevident or on behalf of the corporation therein |
| ALAMEDA COLECTY | named, and acknowledged to me that the corporation executed it. |
| TY COMPRESSION EDD. JULY 27,1992 | WITNESS my hand and official seal. |
| | Beverly Gran Fra ally |
| | Notary's Signature |

| | | AND DESCRIPTION AND ADDR | |
|----------|---|--------------------------|---|
| | | l by an ei dh | |
| | 1012 - 1012 - 1012 - 1019 Long / mm MIC # - 11 7 1 | | |
| | 12 99527 THIS MORTGAGE, Made Use 18th der of April 189 | | |
| ŀ | Scott D. Menmott, Trustee for the Orion Energy Trust | | |
| | thereige Incorporated, a California corporation | | |
| ų, | \$100,000, CHE IMMARCA | | |
| i. | WITNESSETH, That said mort4agor, in concretention of the second straight of the second stra | | |
| li li | dollars and no/100's | | |
| 1 | tain real property situated in | | |
| | Parcel 1: In Township 40 South, Range 14 East of the Willamette Meridian, Klamath County, Oregor. | | |
| | Section 8: E1/2 of the NE1/4; ξ W1/4 of the NE1/4; SE1/4 of the NM1/4; NE1/4 of the SW1/4; NW1/4; NE1/4 of the SW1/4; NW1/4 of the SE1/4 | | |
| n P | Section 9: N1/2; E1/2 of the SV1/4; SE1/4 | | |
| 'n | Section 16: NE1/4; NE1/4 of the NW1/4 | | |
| | Township 40 South. | | |
| 90 | Parcei 2: The N1/2 NN1/4 SW1/4 of Section 9, Tournary to Range 14 East of the Willamette Meridian, Klamath County, Oregon. | | |
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| APR. | | | |
| \$8, | Together with all and singular the tenaments, have distanced and appurtenances thereunto belonging | | |
| | Together with all and singular the tenaments, hereditaments and appendix number to the second of a spectra in any second | | |
| | profile therefrom, and any and an inclusion open and an | | |
| l. | TO HAVE AND TO HOLD THE Said press of the said press of the | | |
| | heirs, executors, administrators and assigns lorever. This morifate is intended to secure the payment of promisory note, of which the | | |
| i. | following is a substantial copy: | | |
| | | | |
| | | | |
| 5. | | | |
| | everally promise to pay to the order of Levin & Muzir: Insurated, a California Granation. 4409 Pine Street, Klanath Falls, Oregon 97601. 4409 Pine Street, Klanath Falls, Oregon 97601. | | |
| 36 | everally provide to pay the DOLLARS. | | |
| Dna | e Hundred thousand dollars and no/100.s. but the set of the set of Balance and the set of the set | | |
| | Une 1and objectible. Any part bereal may be paid at any time. If this note is placed in the herds of an attempt to converting it a suit or Une 1and objectible. Any part bereal may be paid at any time. If this note is placed in the herds of an attempt to converting any children and collectible. Any part bereal may be paid at any time. If this note is placed in the herds of an attempt to converting any | | |
| 2 | E Hundred thousand dollars and no/100.5. which interest thousand dollars and no/100.5. which interest thousand dollars and in set of paid, all principal and interest at the option of the holder of this mote, to became imme- billing | | |
| | orion Energy Trust | | |
| | | . • * * | |
| | EV: Control Co | | |
| | IN No. 11-PTOMISOET NOTE. | | |
| | | | - |
| | The date of manying of the debt secured by this mortfact is the date on which the last scheduled principal parment be- come as towing June 1, | | |
| | And said mortfetor covenants to and with the mortf yes, in being security and | | |
| | anised in les simple of and premises and inter outside all present: (Net he will pay and nots, principal and interest, according to and will warrant and lowever detend the same adding all present: (Net he will pay and nots, principal and interest, according to the terms thread; that while any not of and noted mains unpath he will pay all taxes, as semants and other charges of every matures which may be levid or any not of and noted present your this marging for med all threads the will have the able seed before the same neglecteristics or any part thread autowards to the instriction; and adding they the buildings able seed before the same neglecteristics or any part thread autowards to the instriction; and addings of the note of able seed before the section of the said gravies continueable instriction; and pay the solid inte are or may become lively the sected on the said gravies continueable instriction; and pay the buildings of the margings on all none instructions requiring in a manuary built the original principal som of the marging into a the margings on all none to the marging of the marging o | | - |
| | and will warrant and lowwer cannot be and note remain unpick he will pay all taxes, set estimates and one of pay it the write any part of said note remains unpick he will be and pay. The thread, that while any part of said note remains and property, or this marticle or the note above described, when due and pay the thread of the said to be and pay. | | |
| | acture when new or the same may become delinquent; that he will promote pay and ather northeast the will keep the buildings able and before the same may become delinquent; that he will promote the lien of the mortheast; that he will keep the buildings are or may become lives on the premises or any part there is any northeast to the lien of the mortheast the will seep the buildings of the may become lives on the premises or any part there is any northeast to the lien of the mortheast to the see or may become lives on the premises or any part there is any northeast to the lien of the mortheast to the the second second lives of the premises of the premises of the lien of the second | | |
| | | | |
| | obligation secured by this mortfade, in a comparity or cost anose to append; all policies of interaste shall be delivered in the delivere in the delivere and the delivered in the delivered in the delivere in the d | | |
| | dates as more as insured. Now if the mariager shall tan to only policy of insurance must be been for the block on tak building in the mortages at least filteen days prior to the expiration of any policy of insurance must be be be been been being and improvements on said premises to the must be be be been been being and improvements on said premises | | |

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"A" Exhibit

STATE OF OREGON: COUNTY OF KLAMATH: ss.

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| Filed fo | or record at request of | | the <u>8th</u> day |
|----------|-------------------------|---|--------------------------|
| of | May A.D., 19 | 89 at 12:11 o'clock P.M., and duly record | ded in Vol. <u>M89</u> , |
| | of | Mortgages on Page 7841 | _• |
| | | Evelyn Biehn Coun | y Clerk |
| TEE | \$13.00 | By Opiling Mi | sie a dias |