

38179

Aspen Title #04037112

## APPOINTMENT OF TRUSTEE AND REQUEST FOR PARTIAL RECONVEYANCE

KNOW ALL MEN BY THESE PRESENTS:

That Rodney R. Lyon and Marie M. Lyon, husband and wife, are the Grantors and James L. Eckhardt is the Beneficiary under that certain Deed of Trust dated March 10, 1989, and recorded on March 22, 1989, in Volume M-89, Page 4851, of the mortgage records of Klamath County, Oregon, encumbering real property in said County described as follows (the "Encumbered Property"):

A parcel of land situate in portions of Government Lots 7 and 11 in Section 16, Township 41 South, Range 12 East of the Willamette Meridian, in the county of Klamath State of Oregon, being more particularly described as follows:

Beginning at a point on the centerline of an existing drain ditch, from which point the monument marking the one-quarter section corner common to Sections 15 and 16, Township 41 South, Range 12 East of the Willamette Meridian bears North 0 degrees 29'05" West 479.17 feet, South 89 degrees 43'05" East 12.50 feet, North 0 degrees 53' West 421.48 feet, North 0 degrees 14' East 30.00 feet, and South 89 degrees 46' East 2692.06 feet distant; thence North 89 degrees 43'05" West 422.77 feet to a point; thence North 0 degrees 29'05" West 376.14 feet to a point; thence South 89 degrees 43'05" East 422.77 feet to a point on the centerline of an existing drain ditch; thence South 0 degrees 29'05" East 376.14 feet to the point of beginning.

That there was no trustee named in the Deed of Trust, and Beneficiary desires to appoint a trustee.

Now, therefore, in view of the premises, Beneficiary hereby appoints Aspen Title & Escrow, Inc., an Oregon corporation, whose address is 525 Main Street, Klamath Falls, Oregon 97601, as Trustee under said Deed of Trust.

Further, Beneficiary directs Trustee to reconvey to the party or parties entitled thereto the estate, right, title and interest held by said Trustee under said Deed of Trust to THAT CERTAIN PORTION OF THE ENCUMBERED PROPERTY DESCRIBED AS FOLLOWS:

A parcel of land located in portions of Government Lots 7 and 11 in Section 16, Township 41 South, Range 12 East, Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

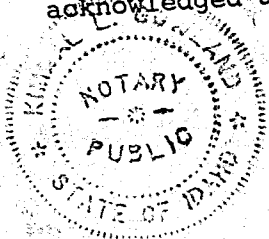
Beginning at the Southwest corner of Parcel 1 of Minor Partition No. 66-84 from which point the monument marking the one-quarter section corner common to Sections 15 and 16, Township 41 South, Range 12 East, Willamette Meridian bears S89°43'05"E 422.77 feet and N71°09'10"E 2846.75 feet; thence N00°29'05"W 376.14 feet; thence S89°43'05"E 187.50 feet; thence S00°29'05"E 376.14 feet; thence N89°43'05"W 187.50 feet to the Point of Beginning; containing 1.62 acres, more or less, and being subject to all rights-of way and/or easements of record.

Dated: November 15, 1991

BY: James L. Eckhardt  
JAMES L. ECKHARDT, Beneficiary

STATE OF IDAHO )  
County of Ada ) ss.

JAMES L. ECKHARDT personally appeared on November 15, 1991 and acknowledged the foregoing instrument to be his voluntary act deed.



Kimbal J. Howland  
NOTARY PUBLIC for Idaho  
Residing at Boise  
My commission expires: 5/23/94

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 4th day  
of Dec. A.D. 19 91 at 10:44 o'clock A M., and duly recorded in Vol. M91,  
of Mortgages on Page 25281.  
By Evelyn Biehn County Clerk  
Quilley Mulender

FEE \$18.00

Return: ATC