

NE 02-07-94PUS:01 RCVD

Vol 94 Page 4302

75722

ASSIGNMENT OF TRUST DEED BY BENEFICIARY OR BENEFICIARY'S SUCCESSOR IN INTEREST

FOR VALUE RECEIVED, the undersigned who is the beneficiary or beneficiary's successor in interest under that certain trust deed dated May 15, 1990, executed and delivered by Donnie D. Heaton and Margret C. Heaton, husband and wife, grantor, to Klamath County Title Company, trustee, in which Marshellia Ranch, an Oregon general partnership is the beneficiary, recorded on May 25, 1990, in book/reel/volume No. M-90 on page 10050 or as fee/file/instrument/microfilm/reception No. 15319 (indicate which) of the Mortgage Records of Klamath County, Oregon, and conveying real property in said county described as follows:

real property described on Exhibit A, attached hereto and by this reference incorporated herein as if fully set forth

hereby grants, assigns, transfers and sets over to Frey & Sons

, hereinafter called assignee, and assignee's heirs, personal representatives, successors and assigns, all of the 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 beneficiary's successor in interest under said trust deed and is the owner and holder of the beneficial interest therein and has the 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 \$\_\_\_\_\_ with interest thereon from \_\_\_\_\_, 19\_\_\_\_.

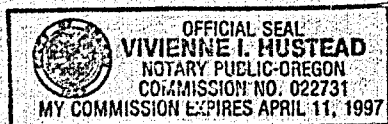
In construing this instrument and whenever the context hereof so requires the singular includes the plural.

IN WITNESS WHEREOF, the undersigned has hereunto executed this document; if the undersigned is a corporation, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by order of its board of directors.

DATED: February 7, 1994

Richard N. Belcher  
Richard N. Belcher

STATE OF OREGON, County of Klamath ) ss.  
This instrument was acknowledged before me on February 7, 1994,  
by Richard N. Belcher  
This instrument was acknowledged before me on \_\_\_\_\_, 19\_\_\_\_,  
by \_\_\_\_\_  
as \_\_\_\_\_  
of \_\_\_\_\_



Vivienne I. Husted  
Notary Public for Oregon  
My commission expires 4-11-97

ASSIGNMENT OF TRUST DEED  
BY BENEFICIARY

Richard N. Belcher  
215 KATHARINE WAY, KLAMATH FALLS, OR 97603  
Assignor

to  
Frey & Sons  
P.O. 7848  
K Falls OR 97603 Assignee

AFTER RECORDING RETURN TO

Frey & Sons  
P.O. 7848  
K Falls OR 97603

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

STATE OF OREGON, ) ss.  
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.

By \_\_\_\_\_ TITLE \_\_\_\_\_  
Deputy

## DESCRIPTION OF PROPERTY

The following described real property situate in Klamath County, Oregon:

PARCEL 1: NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and the N $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 4, Township 41 South, Range 10 East of the Willamette Meridian.

PARCEL 2: A tract of land situated in Section 2, Township 41 South, Range 10 East of the Willamette Meridian, more particularly described as follows: That portion of the N $\frac{1}{4}$  of said section lying easterly of the Northeasterly boundary of the D-1-C Lateral deeded to the United States of America in Deed Volume 111, Page 183; and West of the Westerly right of way line of the Great Northern Railway, recorded October 13, 1932, in Deed Volume 99, page 109, records of Klamath County, Oregon. SAVING AND EXCEPTING therefrom the right of way of the K.I.D. No. 6 Drain recorded January 13, 1915, in Deed Volume 43, page 239, records of Klamath County, Oregon.

AND ALSO That portion of the S $\frac{1}{4}$  of said Section 2 lying Easterly of the Northeasterly right of way of Highway 39 and Westerly of the Westerly boundary of the K.I.D. No. 6 Drain, recorded January 13, 1915, in Deed Volume 43, page 239, records of Klamath County, Oregon, SAVING AND EXCEPTING therefrom that portion conveyed to the United States of America for the D-1-C Lateral in Deed Volume 111, page 183, records of Klamath County, Oregon.

EXCEPTING THEREFROM that portion of Tracts 19, 20, 35 and 40, and Second Street adjacent thereto of MERRILL TRACTS, according to the official plat on file in the office of the County Clerk of Klamath County, Oregon, lying Northeasterly of the Dalles-California Highway.

PARCEL 3: A portion of 19 and 20 Merrill Tracts lying Easterly of the Northeasterly right of way of Highway 39 and Westerly of the Westerly boundary of the K.I.D. No. 6 Drain, recorded January 13, 1915, in Deed Volume 43, page 239, records of Klamath County, Oregon, SAVING AND EXCEPTING therefrom that portion conveyed to the United States of America for the D-1-C Lateral in Deed Volume 111, page 183, records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Tom W. Frey the 7th day  
of Feb A.D., 19 94 at 3:01 o'clock P. M., and duly recorded in Vol. M94,  
of Mortgages on Page 4307.

FEE \$15.00

Evelyn Biehn County Clerk

By Debbie M. Mendenhall