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02-16-94P02:08 RCVD MTC 1396-6869

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## 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 July 10, 1991, executed and delivered by Paul J. Arritola to Mountain Title Company of Klamath County, grantor, Donald E. and Barbara B. Colwell Family Trust UID May 4, 1990, trustee, in which on July 10, 1991, in book/reel/volume No. M91 is the beneficiary, recorded ment/microfilm/reception No. 13763 on page 13399-401 or as fee/file/instrument/County, Oregon, and conveying real property in said county described as follows:

See Attached Legal Description

MOUNTAIN TITLE COMPANY, has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein.

Josephine G. Depuy; Marygene E. Campbell;

hereby grants, assigns, transfers and sets over to Janice K. Arch; and Donna P. Higginbotham as tenants in common, 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 \$ 118,811.22 with interest thereon from January 10, 1994.

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: 1-14, 1994

Donald E. &amp; Barbara B. Colwell Family Trust

(If executed by a corporation, affix corporate seal)

by: Joseph G. Depuy, Trustee

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

by: Marygene E. Campbell, Trustee

STATE OF OREGON, Klamath

(ORS 93.490)

STATE OF OREGON, County of ss.

County of ss. 1-14, 1994

Personally appeared the above named

Joseph G. Depuy and Marygene E. Campbell as

Personally appeared \_\_\_\_\_ and \_\_\_\_\_ who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of \_\_\_\_\_

and acknowledged the foregoing instrument to be \_\_\_\_\_ voluntary act and deed.

Before me:

foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

OFFICIAL SEAL  
GINA LIN HAGSDALE  
NOTARY PUBLIC - OREGON  
COMMISSION NO. 026306  
MY COMMISSION EXPIRES JULY 27, 1997

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

## ASSIGNMENT OF TRUST DEED BY BENEFICIARY

Colwell Family Trust  
13760 Springlake Rd., KFO 97603

Assignor

to  
Josephine G. Depuy, et al  
13760 Springlake Rd., KFO 97603

Assignee

AFTER RECORDING RETURN TO

MOUNTAIN TITLE COMPANY - Coll #25578  
222 S. 6th Street  
Klamath Falls, OR 97601

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

STATE OF OREGON, County of ss.

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 \_\_\_\_\_ NAME TITLE Deputy



EXHIBIT "A"  
LEGAL DESCRIPTION

Lots 6 and 7 in Section 34, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM that portion of Lot 7 lying Northeasterly of the Great Northern Railway right of way described in Book 95 at page 455, Deed Records of Klamath County, Oregon.

ALSO Lot 2 and the SW1/4 of the NW1/4 of Section 35, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, lying Southwesterly of the Great Northern Railway right of way described in Book 95 at page 455, Deed Records of Klamath County, Oregon.

EXCEPTING THEREFROM:

A parcel of land situated in Lot 2, Section 35, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8" iron rod on the Southwesterly right of way boundary of the Great Northern Railroad from which the Section corner common to Sections 34, 35, 2, and 3 bears South 40 degrees 30' West 1685.35 feet; thence South 89 degrees 22' 54" West 731.17 feet to a 5/8" iron rod on the high left bank of Lost River; thence continuing along said bearing 60 feet, more or less, to the waters' edge of Lost River; thence upstream along the left bank of Lost River to a point from which a 5/8" iron rod on the high left bank of Lost River bears North 53 degrees 49' East 60 feet, more or less; thence North 53 degrees 49' East 60 feet, more or less, to said 5/8" iron rod; thence North 53 degrees 49' East 661.81 feet to a 5/8" iron rod on the Southwesterly right of way boundary of the Great Northern Railroad; thence South 28 degrees 43' 04" East 551.45 feet along the Southwesterly right of way boundary of the Great Northern Railroad, to the place of beginning.

ALSO EXCEPTING THEREFROM that portion of property conveyed to United States of America by Deed recorded in Book 93 at page 144, Deed Records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title co the 16th day  
of Feb A.D., 19 94 at 2:08 o'clock P M., and duly recorded in Vol. M94  
of Mortgages on Page 5162

FEE \$15.00

Evelyn Biehn County Clerk

By Douglas Meulendore