

After Recording Return To:

Pamela F. Spang  
Black Helterline  
1200 The Bank of California Tower  
707 S.W. Washington Street  
Portland, Oregon 97205

*K 46703*  
**TRUST DEED ASSIGNMENT AND ASSUMPTION**

THIS TRUST DEED ASSIGNMENT AND ASSUMPTION is made as of Feb. 21, 199 95 between **DOUBLE J LAND & CATTLE CO.** ("Seller") and **NEW PRIME, INC.**, a Nebraska corporation ("Purchaser").

A. Purchaser has purchased the real property located in Klamath County, Oregon, more particularly described on Exhibit "A" attached hereto and made a part hereof ("Real Property").

B. The Real Property is subject to a Trust Deed between **RAINER W. SCHMID** and **LAURA L. SCHMID** ("Grantors"), and **FRED W. KOEHLER** ("Beneficiary") dated December 20, 1990 ("Trust Deed"), recorded on January 14, 1991 in Volume M91, Page 910, Records of Klamath County, Oregon, which secures a Promissory Note dated December 20, 1990 in the original amount of \$38,400 ("Note").

C. Purchaser has agreed to assume the principal and interest payments required under the Note.

**Agreement**

For valuable consideration, the receipt of which is hereby acknowledged:

(a) Seller hereby assigns its obligations under the Note and Trust Deed to Purchaser; and

(b) Purchaser hereby agrees to assume the obligations of Seller under the Note and Trust Deed and agrees to make payments due to Beneficiary under the Note.

**SELLER:**

**DOUBLE J LAND & CATTLE CO.**

By *Patrick J. Juhl*  
**Patrick J. Juhl**  
Authorized Representative

**PURCHASER:**

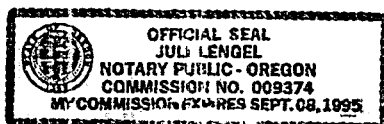
**NEW PRIME, INC.**  
a Nebraska corporation

By *Arthur C. ...*  
Title: *Attorney*

STATE OF OREGON

County of Clatsop ) ss.

Personally appeared the above-named Patrick J. Juhl, who executed the within instrument on behalf of Double J Land & Cattle Co., and acknowledged that he executed the same, having full authority to do so, before me on March 3, 1995, 1995.



Juli Lengel  
Notary Public for Oregon  
My Commission Expires: 9/8/95

STATE OF ~~OREGON~~ Missouri )  
County of Greene ) ss.

Personally appeared the above-named Arthur Curtis, who executed the within instrument as Attorney of New Prime, Inc., and acknowledged that he executed the same, having full authority to do so, before me on February 21, 1995.

Mary Steinhilber  
Notary Public for ~~Oregon~~ Missouri  
My Commission Expires: 1/28/99

d140\dp15(2.14.95)

## EXHIBIT "A"

## PARCEL 2

A parcel of land located in portions of Government lots 33 and 34, Section 16, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the Northwest corner of Government Lot 33 in Section 16, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, from which point the South one-quarter section corner of said Section 16 bears South 00 degrees 09' 40" East 1320.43 feet distant; thence along the North line of said Lot 33 North 89 degrees 49' 56" East 202.69 feet to its intersection with the Westerly right-of-way line, of U.S. Highway 97; thence along said right-of-way line, 70.00 feet distant from the centerline of said Highway 97, South 3 degrees 46' 44" West 82.14 feet to the beginning of a spiral curve at Highway Station 3259+74.9; thence following the right-of-way line Southerly along an offset spiral curve to the left 125.29 feet, the long chord of which bears South 3 degrees 43' 36" West 125.29 feet; (the centerline spiral having a central angle "S" of 1 degree 36' and an increase in degree of a curve per station "a" of 0.2) thence along a jog in said right-of-way line South 86 degrees 23' 17" East 20.00 feet; thence along an offset spiral, 50.00 feet distant from said centerline spiral 276.16 feet, the long chord of which bears South 3 degrees 01' 35" West 276.16 feet to the P.S.C. of the spiral curve at Highway Station 3263+74.9; thence South 73 degrees 10' 40" West 248.01 feet to a point on the Northeasterly right-of-way line of State Highway 62; thence following said right-of-way line 259.04 feet along the arc of a 5779.6 foot radius curve to the left, the long chord of which bears North 25 degrees 48' 58" West 259.01 feet; thence along an offset spiral curve to the left, 50.00 feet from the centerline of said Highway 62 (the centerline spiral having a central angle "S" of 2 degrees 00' and an increase in degree of curve per station "a" of 0.25) 340.93 feet, the long chord of which bears North 28 degrees 18' 50" West 340.90 feet; thence, leaving said highway right-of-way line, North 89 degrees 49' 56" East 322.72 feet to the point of beginning.

pfs\pfs0426b

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for record at request of Klamath County Title Co the 3rd day  
of March A.D., 19 95 at 2:40 o'clock P M., and duly recorded in Vol. M95  
of Mortgages on Page 4770

FEE \$20.00

Bernetha G. Letsch, County Clerk  
By Dorlene M. Miller