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04-19-95P03:55 RCVD

McL 256112

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

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Page

9930

FOR VALUE RECEIVED, the undersigned who is the beneficiary or beneficiary's successor in interest under that certain trust deed dated February 7, 1994, executed and delivered by MSI Enterprises, Inc., an Oregon corporation, grantor, to MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY, survivor trustee in which HOWARD C. HASSETT and MARY ANN HASSETT, husband and wife, or the is the beneficiary, recorded on February 22, 1994, in book/reel/volume No. M94 on page 5767 or as fee/tile/instrument/microfilm/reception No. 76533 (indicate which) of the Mortgage Records of Klamath County, Oregon, and conveying real property in said county described as follows:

SEE ATTACHED LEGAL DESCRIPTION ON EXHIBIT "A" WHICH IS MADE A PART HEREOF BY THIS REFERENCE.

** that portion of our right, title and interest in and to the certain Trust Deed and Promissory Note as referred to in and pursuant to the terms and conditions of the Partial Purchase Agreement entered into between the undersigned and Terrill M. Baner and Terrill M. Baner, M.D. dated April 13, 1995, the terms of which are incorporated herein by this reference

TERRILL M. BANER, individually and TERRILL M. BANER, hereby grants, assigns, transfers and sets over to M.D. LTD., an Illinois corporation

** See above, 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 \$1,327,909.82 with interest thereon from March 20, 1995.

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.

THE HOWARD CHARLES HASSETT 1994 TRUST

DATED: April 19, 1995

X by: Evelyn E. Ewell
Evelyn E. Ewell, Trustee

THE MARY ANN HASSETT 1994 TRUST

X by: Mary Ann Hassett
Mary Ann Hassett, Trustee

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on April 19, 1995, by Evelyn E. Ewell, Trustee of the Howard Charles Hassett 1994 Trust and Mary Ann Hassett, Trustee of the Mary Ann Hassett 1994 Trust

This instrument was acknowledged before me on _____, 19____, by _____, as _____ of _____



Kristi L. Redd
Notary Public for Oregon
My commission expires 11/16/95

ASSIGNMENT OF TRUST DEED BY BENEFICIARY

THE HOWARD CHARLES HASSETT 1994 TRUST
THE MARY ANN HASSETT 1994 TRUST

Assignor

to

TERRILL M. BANER & TERRILL M.
BANER M.D. LTD., an Illinois corporation

Assignee

AFTER RECORDING RETURN TO
MOUNTAIN TITLE COMPANY
222 S SIXTH ST
KLAMATH FALLS OR 97601

(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/tile/instrument/microfilm/reception No. _____, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME TITLE
By _____ Deputy

EXHIBIT "A"
LEGAL DESCRIPTION

9931

PARCEL 1

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

A piece or parcel of land situated in the NE 1/4 of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon and more particularly described as follows:

Beginning at an iron pipe which is South 0 degrees 06' West 323.4 feet and North 89 degrees 49' West 234.2 feet from the NE Section Corner of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon which point of beginning is also the NE corner of that certain tract of land conveyed to Elmer W. and Flora M. Zigler on page 238 Deed Volume 278 of the records of Klamath County, Oregon; thence North 89 degrees 49' West along the Northerly boundary of said tract of land conveyed on page 238 Deed Volume 278, a distance of 334.8 feet to an iron pipe set at its intersection with a line which is parallel to and 192.77 feet Northeasterly of, when measured at right angles to, the Northeasterly right of way line of the Dalles-California Highway (No. US97) as the same is now located across said Section 19; thence North 38 degrees 52' West parallel to and 192.77 feet distant from said Northeasterly highway right of way line a distance of 147.25 feet to an iron pipe; thence South 89 degrees 49' East a distance of 427.3 feet to an iron pipe; thence South 0 degrees 06' West a distance of 114.35 feet more or less, to the point of beginning.

PARCEL 2

Beginning at a point which is South 0 degrees 06' West a distant 477.4 feet and North 89 degrees 49' West a distance of 234.2 feet from the Northeast corner of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence North 0 degrees 06' East a distance of 154 feet to a point; thence North 89 degrees 49' West a distance of 336 feet, more or less, to a point on a line which is parallel to and distant 192.77 feet at right angles from the Northeasterly right of way line of the Dalles-California Highway; thence South 38 degrees 52' East a distance of 200 feet, more or less, to a point which is North 0 degrees 06' East a distance of 211.1 feet from the North line of Byrd Avenue in Chelsea Addition; thence South 89 degrees 49' East a distance of 210.2 feet to the place of beginning, being in the NE 1/4 NE 1/4 of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 3

All that portion of the NE 1/4 NE 1/4 of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a section corner common to Sections 17, 18, 19, and 20, said Township and Range; thence South 0 degrees 06' West along the East line of said Section 19, a distance of 388.5 feet to a point; thence North 89 degrees 49' West a distance of 174.2 feet to a point; thence South 0 degrees 06' West a distance of 300.0 feet to a point on the North line of Byrd Avenue; thence West along said North line a distance of 60 feet to a point; thence North 0 degrees 06' East a distance of 479.45 feet to a point; thence North 89 degrees 44' West a distance of 427.3 feet to a point; thence North 38 degrees 46' West a distance of 268.15 feet to a point on the North line of said Section 19; thence South 89 degrees 44' East along said North line a distance of 833.95 feet to the point of beginning.

-continued-

-Parcel 3 continued-

EXCEPTING THEREFROM a tract of land situated in the NE1/4NE1/4 of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the section corner common to Sections 17, 18, 19 and 20, said Township and Range; thence South 0 degrees 06' West along the East line of said Section 19, a distance of 388.5 feet to a point; thence North 89 degrees 49' West a distance of 174.2 feet to a point; thence South 0 degrees 06' West a distance of 89 feet to the True Point of Beginning of this description; thence continuing South 0 degrees 06' West a distance of 211 feet to a point on the North line of Byrd Avenue; thence West along said North line a distance of 60 feet to a point; thence North 0 degrees 06' East a distance of 211 feet to a point; thence South 89 degrees 49' East 60 feet to the point of beginning.

PARCEL 4

Beginning at a point on the Northeasterly right of way line of State Highway No. 97 which lies South 0 degrees 06' West along the East section line a distance of 688.5 feet and North 89 degrees 49' West along the North line of Byrd Avenue in Chelsea Addition, a distance of 521.6 feet and North 38 degrees 52' West along the Northeasterly right of way line of State Highway No. 97 (Note: State Highway bearing of this line shows North 39 degrees 7 1/2' West) a distance of 130.55 feet from the iron axle which marks the Northeast corner of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, running thence; continuing North 38 degrees 52' West along the Northeasterly right of way line of State Highway No. 97, a distance of 250 feet to a point; thence North 51 degrees 08' East a distance of 192.77 feet to a point; thence South 38 degrees 52' East a distance of 250 feet to a point; thence South 51 degrees 08' West a distance of 192.77 feet, more or less to the point of beginning, in the NE 1/4 NE 1/4 of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Company the 19th day
of April A.D., 19 95 at 3:55 o'clock P M., and duly recorded in Vol. M95
of Mortgages on Page 9930.

FEE \$20.00

Bernetha G. Gletsch, County Clerk
Bernetha Gletsch