

MTC 35615 PS

Vol. 1195 Page _____

**ASSIGNMENT OF INTEREST IN GRANTOR'S INTEREST IN TRUST DEED,
ASSUMPTION OF OBLIGATIONS OF GRANTOR UNDER TRUST
DEED AND NOTE, AND RELEASE OF GRANTOR**

For value received, Aqua Farms, L.L.C., an Oregon limited liability company ("Aqua Farms"), the assignee of Kenn Arnecke as Grantor under that certain Trust Deed dated April 3, 1991, and recorded April 29, 1991 in volume M91, page 7918, microfilm records of Klamath County, Oregon, (the "Trust Deed") pursuant to which Mountain Title Company of Klamath County is trustee and Linda M. Utley is the beneficiary as a result of an assignment by instrument recorded February 24, 1992, in volume M92, page 3686, microfilm records of Klamath County, Oregon, from Robert L. Pryor and which conveyed the real property in Klamath County, Oregon, described as follows:

Government Lot 30, section 15, Township 36, Range 7 East of
the Willamette Meridian, Klamath County, Oregon

hereby, grants, assigns, transfer and sets over to Modoc Point Properties, a partnership comprised of G. Wayne Zellner, Fred Lewis, and John Tom Bradley, hereinafter called "Assignee" and Assignee's heirs, personal representatives, successors and assigns all of the Grantor's interest in and under said Trust Deed, and all rights and benefits whatsoever accrued or to accrue under said Trust Deed.

Aqua Farms hereby covenants to and with said Assignee that it is the grantor successor in interest under said Trust Deed and is the owner and holder of the Grantor's interest therein and has the right to sell, transfer and assign the same, and there is now unpaid on the obligation secured by said Trust Deed the sum of not more than \$23,844.79 with interest thereon from 8/23, 1995.

1 - ASSIGNMENT, ASSUMPTION AND RELEASE

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IN WITNESS WHEREOF, Aqua Farms, L.L.C., has caused its name to be signed by its president who is duly authorized to do so by order of its managers.

DATED August 4th, 1995.

AQUA FARMS, L.L.C.

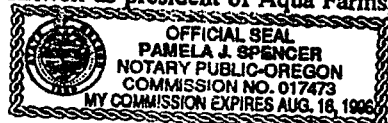
By: Meta Maxwell, President
Meta Maxwell, President

ACKNOWLEDGMENT

STATE OF OREGON)
)
County of Klamath)

This instrument was acknowledged before me on August 4, 1995 by Meta

Maxwell as president of Aqua Farms, L.L.C.



Pamela J. Spencer
Notary Public for Oregon

My Commission Expires: 8/16/96

ASSUMPTION OF GRANTOR'S OBLIGATIONS UNDER TRUST DEED AND THE NOTE SECURED BY THE TRUST DEED AND AGREEMENT TO MODIFY TRUST DEED

Modoc Point Properties, a partnership comprised of G. Wayne Zellner, Fred Lewis, and John Tom Bradley hereby assume all obligations of Aqua Farms, L.L.C., an

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2 - ASSIGNMENT, ASSUMPTION AND RELEASE

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**RELEASE OF AQUA FARMS, L.L.C. AND
MODIFICATION OF TRUST DEED**

Linda M. Utley, beneficiary successor in interest under the Trust Deed described above, hereby releases Aqua Farms, L.L.C. from any and all obligations arising under said Trust Deed and the Note it secures and waives any claim against Aqua Farms, L.L.C. under said Trust Deed and Note and agrees to the modifications in the Trust Deed set forth above in the Assumption executed by the partners in Modoc Point Properties.

DATED August 29, 1995.

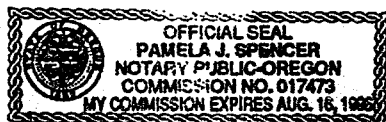
Linda M. Utley
Linda M. Utley

ACKNOWLEDGMENT

STATE OF OREGON)
)
County of Klamath)

This instrument was acknowledged before me on August 29, 1995 by Linda M. Utley.

Pamela J. Spencer
Notary Public for Oregon
My Commission Expires: 8/16/96



Return to:
G. Wayne Zellner
5679 Bowron Place
Niwot, CO 80503-8622

4 - ASSIGNMENT, ASSUMPTION AND RELEASE

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of CALIFORNIA)County of SISKIYOU)On 8-7-95 before me, SHARON F. ALLISON
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"personally appeared FRED LEWIS
NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Sharon F. Allison
SIGNATURE OF NOTARY

OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- ☐ INDIVIDUAL
☐ CORPORATE OFFICER(S)

- TITLE(S)
☒ PARTNER(S) ☐ LIMITED ☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)
HODOC POINT PROPERTIES

THIS CERTIFICATE MUST BE ATTACHED TO
THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law
it could prevent fraudulent reattachment of this form.

OPTIONAL SECTION

TITLE OR TYPE OF DOCUMENT ASSIGNMENT, ASSUMPTION, RELEASENUMBER OF PAGES FOUR DATE OF DOCUMENT AUGUST 4, 1995SIGNER(S) OTHER THAN NAMED ABOVE G. WAYNE ZELLNER, JOHN TOM BRAINLEY

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co the 30th day
of Aug A.D., 19 95 at 11:16 o'clock A M., and duly recorded in Vol. M95
of Mortgages on Page 23381

FEE \$30.00

By Bernetha G. Losch County Clerk