

9031

MTC 3090

Vol. M95 Page 30969

## 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 December 4, 1995, executed and delivered by Ernest Kirkpatrick and Barbara L. Kirkpatrick, Husband and Wife to Mountain Title Company of Klamath County, grantor, S. David Butz, as to an undivided 60% interest, trustee, in which on 19, in book/reel/volume No. M91 on page 25826 or as fee/file/instrument/microfilm/reception No. (indicate which) of the Mortgage Records of Klamath County, Oregon, and conveying real property in said county described as follows:

See attached Attachment A, Legal Description.

hereby grants, assigns, transfers and sets over to Raymond E. Thomas, 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: October 21, 1995



S. David Butz  
S. David Butz

STATE OF OREGON, County of MULTNOMAH ss.

This instrument was acknowledged before me on OCTOBER 23, 1995, by S. DAVID BUTZ

This instrument was acknowledged before me on 19, by       

as        of       

Joant Schaan  
Notary Public for Oregon  
My commission expires MARCH 10, 1999

## ASSIGNMENT OF TRUST DEED BY BENEFICIARY

S. David Butz

Assignor

to

Raymond E. Thomas

Assignee

AFTER RECORDING RETURN TO

MOUNTAIN TITLE COMPANY  
COLLECTION #3090

(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.

NAME

TITLE

By        Deputy

EXHIBIT A  
LEGAL DESCRIPTION

PARCEL 1

A parcel of land situated in the SE 1/4 SW 1/4 of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point on the Westerly line of the right of way of the Old Dalles California Highway, which point bears North 89 degrees 42' West a distance of 770.8 feet and thence North 6 degrees 02' East a distance of 176.5 feet from the quarter section corner common to Sections 7 and 18 Township and Range aforesaid, the said point being at the Southeast corner of the tract herein described; thence North 6 degrees 02' East along said Westerly right of way line a distance of 114.4 feet; thence North 89 degrees 42' West to a point that is South 89 degrees 42' East 200 feet from the Easterly boundary line of the new The Dalles-California Highway; thence Southerly parallel to said Easterly boundary and 200 feet distant therefrom a distance of 113.8, more or less, to a point that is North 89 degrees 42' West from the point of beginning; thence South 89 degrees 42' East to the point of beginning.

EXCEPTING that portion described as follows: Commencing at the one quarter corner common to Sections 7 and 18, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence North 89 degrees 42' West 770.80 feet to a point on the Westerly right of way line of the former Dalles California Highway, now a County Road; thence North 06 degrees 02' East along said Westerly right of way line, 280.90 feet to the point of beginning for this description; thence North 89 degrees 42' West 260.00 feet; thence North 06 degrees 02' East 10.00 feet; thence South 89 degrees 42' East 260.00 feet to a point on the Westerly right of way line of the aforementioned County Road; thence South 06 degrees 02' West 10.00 feet to the point of beginning.

PARCEL 2

A parcel of land situated in the SE 1/4 SW 1/4 of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point on the Westerly right of way line of the old The Dalles-California Highway which bears North 89 degrees 42' West 770.8 feet and North 6 degrees 02' East 20.1 feet from the quarter section corner common to Sections 7 and 18 Township 38 South, Range 9 East of the Willamette Meridian; continuing thence North 6 degrees 02' East a distance of 156.4 feet to a point; thence North 89 degrees 42' West to

(continued)

EXHIBIT A  
LEGAL DESCRIPTION  
(continued)

(Parcel 2 continued)

a point that is South 89 degrees 42' East 200 feet from the Easterly boundary of the new The Dalles-California Highway; thence Southerly parallel to and 200 feet distant from said Easterly boundary a distance of 155.63 feet, more or less, to a point that is North 89 degrees 42' West of the point of beginning; thence South 89 degrees 42' East, to the point of beginning.

TOGETHER WITH that portion of a vacated road as disclosed by County Commissioners Journal 20-411.

PARCEL 3

A parcel of land situated in the SE 1/4 SW 1/4 of Section 7, Township 38 South, Range 9, East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point which is on the Westerly line of the right of way of the old The Dalles-California Highway, which point bears North 89 degrees 42' West a distance of 770.8 feet and thence North 6 degrees 02' East a distance of 290.9 feet from the quarter section corner common to Sections 7 and 18 Township and Range aforesaid; thence North 89 degrees 42' West to a point which is South 89 degrees 42' East 200 feet from the Easterly boundary line of the new The Dalles-California Highway which point is the true point of beginning; thence continuing North 89 degrees 42' West a distance of 200 feet to the Easterly boundary line of said Highway; thence Southerly along said Easterly boundary to a point which is North 89 degrees 42' West of a point which is North 89 degrees 42' West 770.8 feet and North 6 degrees 02' East 20.1 feet from said section corner common to Sections 7 and 18; thence South 89 degrees 42' East 200 feet to a point; thence Northerly parallel to said Easterly boundary and 200 feet distant therefrom to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon by and through its State Highway Commission by Deed dated January 30, 1941 and recorded February 13, 1941 in Book 135 at page 326 of Deed Records of Klamath County, Oregon.

TOGETHER WITH that portion of a vacated road as disclosed by County Commissioners Journal 20-411.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Company the 13th day  
of November A.D., 19 95 at 3:58 o'clock P M., and duly recorded in Vol. M95  
of Mortgages on Page 30969.

FEE \$20.00

By Bernetha G. Letsch, County Clerk  
Annette Mueller