

11814 MTC 1396772A

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## 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 March 24, 1995, executed and delivered by Daniel L. Smith and Rhonda I. Smith, husband and wife or the survivor thereof to MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY, trustee, in which Edward L. Davis and Naomi R. Davis, husband and wife or the survivor thereof is the beneficiary, recorded on April 3, 1995 in book/reel/volume No. M95 on page 8097 or as fee/file/instrument/microfilm/reception No. 97521 (indicate which) of the Mortgage Records of Klamath County, Oregon, and conveying real property in said county described as follows:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

Henry J. Caldwell, Jr. and Deborah L. Caldwell hereby grants, assigns, transfers and sets over to Trustees of the Caldwell Family Trust u/d/a 1/5/96 or their successors in trust, 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 \$10,802.43 with interest thereon from January 2, 1996.

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: January 10, 1996

*Edward L. Davis*  
EDWARD L. DAVIS

*Naomi R. Davis*  
NAOMI R. DAVIS

STATE OF OREGON, County of Klamath ) ss.

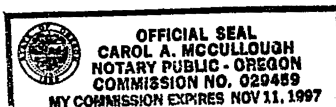
This instrument was acknowledged before me on January 11, 1996,  
by \* \* EDWARD L. DAVIS and NAOMI R. DAVIS \* \*

This instrument was acknowledged before me on \_\_\_\_\_, 19\_\_\_\_,

by \_\_\_\_\_,

as \_\_\_\_\_,

of \_\_\_\_\_.



*Carol A. McCullough*  
Notary Public for Oregon  
My commission expires Nov. 11, 1997

## ASSIGNMENT OF TRUST DEED BY BENEFICIARY

Edward &amp; Naomi Davis

Assignor

to

The Caldwell Family Trust

Assignee

AFTER RECORDING RETURN TO

Mountain Title Company  
Coll #34809  
222 S. 6th Street  
Klamath Falls, OR 97601

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

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

95 JAN 11 P3:42

# **EXHIBIT "A"** **LEGAL DESCRIPTION**

A parcel of land lying in the NE1/4 of the NW1/4 of Section 22, Township 38 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the Western boundary of the Bly Mountain Cut-Off road right of way, said point being approximately 417 feet South 4 degrees 11' West from that certain Brass Cap (1/4 corner) of record, located at the Northeast corner of the NE1/4 of the NW1/4 of Section 22, Township 38 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, and said point of beginning also being the Southeast corner of that certain parcel of land described in Volume M77, page 21908, Microfilm Records of Klamath County, Oregon; thence North 83 degrees 05' West along the Southerly boundary of said parcel a distance of 662 feet, more or less, to the Southwest corner thereof; thence Westerly and Southerly along the 111 degrees 58' arc of a circle having a 100 foot radius and centered at a point approximately 825 feet South 58 degrees 09' West from the aforesaid Brass Cap; thence South 14 degrees 53' East 221 feet; thence South 89 degrees 44' East a distance of 778 feet, more or less, to a point on the Western boundary of the Bly Mountain Cut-Off road right of way; thence North 15 degrees 58' West 271 feet, more or less, along said boundary to the point of beginning.

ALSO, beginning at a point on the Western boundary of the Bly Mountain Cut-Off road right of way, said point being approximately 679 feet South 3 degrees 15' East from that certain Brass Cap (1/4 corner) of record located at the Northeast corner of the NE1/4 of the NW1/4 of Section 22, Township 38 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, and said point of beginning also being the Southeast corner of the above described parcel; thence North 89 degrees 44' West along the Southerly boundary of said parcel 778 feet, more or less, to the Southwest corner thereof; thence South 14 degrees 53' East a distance of 196 feet, more or less, to the most Northerly Northeast corner of that certain parcel of land described in Volume M77, page 16396, Microfilm Records of Klamath County, Oregon; thence Southerly and Easterly along the 68 degrees 31' arc of a circle having a radius of 100 feet and centered at a point approximately 1026 feet South 35 degrees 06' West from the aforesaid Brass cap, said course also following the Northerly boundary of the parcel described in Volume M77, page 16396; thence continuing along the Northerly boundary of said parcel South 83 degrees 24' East a distance of 740 feet, more or less, to a point on the Western boundary of the aforesaid Bly Mountain Cut-Off road; thence North 15 degrees 58' West along said boundary a distance of 368 feet, more or less, to the point of beginning.

Together with a 1979 FESTI Mobile Home, Title #9017668928, VIN #WAFL1A927312976, Style-HT, Plate #X162604.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co the 11th day of Jan A.D., 1996 at 3:42 o'clock P M., and duly recorded in Vol. M96 of Mortgages on Page 957.

FEE \$15.00

By Bernetha G. Eitsch County Clerk