

AFTER RECORDING, RETURN TO:

Loan Name: Dr. John M. MosbyLoan No.: 96,825,000

Cheryl Thomas  
Travelers AgriFinance Group  
One Tower Square  
9PB  
Hartford, Connecticut 06183

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

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**MORTGAGE ASSIGNMENT**

MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY, a Massachusetts corporation with an office at 1295 State Street, Springfield, Massachusetts 01111, successor by merger with Connecticut Mutual Life Insurance Company as evidenced by the Certificate of Reincorporation attached hereto as Exhibit A (the "Assignor"), for consideration paid, the receipt and sufficiency of which is hereby acknowledged, does hereby absolutely sell, assign, transfer, set over, grant and convey to **THE TRAVELERS INSURANCE COMPANY**, a Connecticut corporation with an office at One Tower Square, Hartford, Connecticut 06183 (the "Assignee"), all of Assignor's right, title and interest in and to that certain mortgage, assignment of leases, rents and profits and related security agreements listed on Schedule A affecting the real property described on Schedule B, which Schedules are attached hereto and made a part hereof.

The note or notes therein described or referred to, the money due or to become due thereon with interest, and all rights accrued under said mortgage, assignment of leases, rents and profits and related security agreements, as same may have been modified, have been assigned by Assignor to Assignee contemporaneously herewith pursuant to that certain General Assignment and Assumption Agreement dated of even date herewith.

This Assignment is made without recourse against or representation or warranty, express or implied, by Assignor, except as specifically set forth in the Mortgage Loan Purchase Agreement by and between Assignor and Assignee dated as of July 29, 1996.

IN WITNESS WHEREOF, Assignor has caused this Assignment to be executed and delivered by its duly authorized officer this 1<sup>st</sup> day of August, 1996.

Signed, sealed and delivered  
in the presence of:

MASSACHUSETTS MUTUAL LIFE  
INSURANCE COMPANY, successor by  
merger with Connecticut Mutual Life  
Insurance Company

Judy H. Burnham  
Judy H. Burnham  
Neil E. Salowitz  
Neil E. Salowitz

By: Neil E. Salowitz

Printed Name: Neil E. Salowitz  
Its: Senior Managing Director  
Duly Authorized

STATE OF CONNECTICUT )  
COUNTY OF HARTFORD )

ss. Hartford

On this 1<sup>st</sup> day of August, 1996, before me, the undersigned, personally appeared Neil E. Salowitz, Senior Managing Director of MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY, a Massachusetts corporation, signer and sealer of the foregoing instrument, acknowledged the execution of the same to be his free act and deed individually and as such officer, and the free act and deed of said corporation.

Margaret Egan  
Notary Public  
My Commission Expires: \_\_\_\_\_

MARGARET EGAZARIAN  
NOTARY PUBLIC  
MY COMMISSION EXPIRES JULY 31, 2000

## CERTIFICATE OF REINCORPORATION

BE IT KNOWN THAT, WHEREAS, Massachusetts Mutual Life Insurance Company, a corporation organized and existing under the Laws of the Commonwealth of Massachusetts, and Connecticut Mutual Life Insurance Company, a corporation organized and existing under the Laws of the State of Connecticut, have filed an Agreement of Merger in this office, duly approved by the Commissioner of Insurance of the Commonwealth of Massachusetts, to merge Connecticut Mutual Life Insurance Company into Massachusetts Mutual Life Insurance Company, the surviving corporation, under the name of :

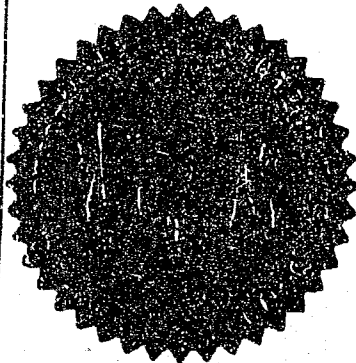
## MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY

Said corporation shall be the continuation of the above and be subject to the benefit of all provisions of Chapter 175 of the General Laws of the Commonwealth of Massachusetts, and of all Acts in amendment thereof or in addition thereto.

NOW, THEREFORE, I, WILLIAM FRANCIS GALVIN, Secretary of the Commonwealth of Massachusetts, do hereby certify that the above-named Massachusetts Mutual Life Insurance Company and Connecticut Mutual Life Insurance Company are hereby merged into one corporation under the Laws of the Commonwealth of Massachusetts effective February 29, 1996, under the name of

## MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY

with the powers, rights and privileges and subject to the limitations, duties and restrictions which by law appertain thereto.



WITNESS my official signature hereunto subscribed and the Great Seal of the Commonwealth of Massachusetts hereunto affixed this first day of March in the year of Our Lord one thousand nine hundred and ninety-six.

*William Francis Galvin*

WILLIAM FRANCIS GALVIN  
Secretary of the Commonwealth

SCHEDULE A

1. Mortgage and Security Agreement from John M. Mosby and Marilyn J. Mosby, in favor of Connecticut Mutual Life Insurance Company dated as of December 23, 1977 and recorded December 29, 1977 as Document Number 41008 in Volume M77 of Mortgages at Page 25057 of the Klamath County, Oregon Land Records together with any modifications or amendments thereto and any other security instruments securing the promissory note secured by said Mortgage Deed, including, without limitation, any assignments of leases, rents and profits, UCC Financing Statements, or other documents related thereto.
2. Mortgage and Security Agreement from John M. Mosby and Marilyn J. Mosby, in favor of Connecticut Mutual Life Insurance Company dated as of June 30, 1978 and recorded June 30, 1978 as Document Number 78-14751 of the Jackson County, Oregon Land Records together with any modifications or amendments thereto and any other security instruments securing the promissory note secured by said Mortgage Deed, including, without limitation, any assignments of leases, rents and profits, UCC Financing Statements, or other documents related thereto.
3. Consolidation Agreement by and among John M. Mosby, Marilyn J. Mosby and Connecticut Mutual Life Insurance Company dated June 30, 1978 and recorded June 30, 1978 as Document Number 51106 in Volume M18 of Mortgages at Page 14279 of the Klamath County, Oregon Land Records.
4. Consolidation Agreement by and among John M. Mosby, Marilyn J. Mosby and Connecticut Mutual Life Insurance Company dated June 30, 1978 and recorded June 30, 1978 as Document Number 78-14752 of the Jackson County, Oregon Land Records.

SCHEDULE B

Loan No. 96,825,000

Dr. John M. Mosby

Klamath County, OR

P.1

2644

PARCEL I

The North half of the Northwest quarter, the Southeast quarter of the Northwest quarter and the Southwest quarter of the Northeast quarter of Section 8, Township 40 South, Range 3 East of the Willamette Meridian, Jackson County, Oregon.

PARCEL II

Tract A: The East half of the Southwest quarter, the West half of the Southeast quarter, and the Southeast quarter of the Southeast quarter of Section 21; the West half of the West half of Section 22; the West half of the West half of Section 27; and the East half of the Southeast quarter of Section 28; all in Township 40 South, Range 4 East of the Willamette Meridian, Jackson County, Oregon.

ALSO, beginning at a point on the East line of Section 28, Township 40 South, Range 4 East of the Willamette Meridian, Jackson County, Oregon, which point is South 141.5 feet from the Northeast corner of said Section 28; thence North 141.5 feet to said Northeast corner; thence West 61.0 feet; thence Southeasterly in a straight line 154.0 feet, more or less, to the true point of beginning.

TRACT B: The North half; the Southwest quarter; and the West half of the Southeast quarter of Section 28, Township 40 South, Range 4 East of the Willamette Meridian, Jackson County, Oregon. EXCEPTING THEREFROM the following: Beginning at a point on the East line of Section 28, Township 40 South, Range 4 East of the Willamette Meridian, Jackson County, Oregon, which point is South 141.5 feet from the Northeast corner of said Section 28; thence North 141.5 feet to said Northeast corner; thence East 61.0 feet; thence Southeasterly in a straight line 154.0 feet, more or less to the true point of beginning.

ALSO, the Northeast quarter of the Northwest quarter of Section 33, Township 40 South, Range 4 East of the Willamette Meridian, Jackson County, Oregon.

PARCEL III

The following described parcels in Township 40 South, Range 2 East of the Willamette Meridian, Jackson County, Oregon:

TRACT A: The North half of the North half; the Southeast quarter of the Northeast quarter; the Southwest quarter of the Northwest quarter; the West half of the Southwest quarter; and the Southeast quarter of Section 1.

TRACT B: All of Section 2.

EXCEPTING THEREFROM the following: Beginning at a point which bears South 24° 48' 40" East a distance of 1897.15 feet from the North quarter corner of said Section 2; thence South 48° 02' 20" East a distance of 552.55 feet; thence on a curve to the right, having a radius of 430.0 feet a distance of 323.98 feet; thence South 04° 52' 10" East a distance of 210.75 feet; thence on a curve to the left, having a radius of 220.0 feet, a distance of 162.85 feet; thence South 42° 43' 04" West a distance of 60.0 feet; (continued)

PARCEL III/TRACT B (continued)

thence North  $38^{\circ} 10' 26''$  West a distance of 189.6 feet; thence South  $89^{\circ} 13' 34''$  West a distance of 275.5 feet; thence North  $40^{\circ} 41' 11''$  West a distance of 575.90 feet; thence North  $01^{\circ} 09' 34''$  East a distance of 465.67 feet; thence North  $89^{\circ} 10' 25''$  East a distance of 160.60 feet to the true point of beginning.

TRACT C: The West half of the Northeast quarter of Section 3.

TRACT D: The North half of the Northeast quarter of Section 11.

TRACT E: The North half of the Northwest quarter; the Northwest quarter of the Northeast quarter; the Southeast quarter of the Northwest quarter; and the East half of the Southwest quarter of Section 12.

TRACT F: The Northwest quarter; and the Northwest quarter of the Northeast quarter lying West of Immigrant Creek, of Section 13.

TRACT G: The Southeast quarter of the Northeast quarter of Section 14.

PARCEL IV

The following described parcels in Township 40 South, Range 3 East of the Willamette Meridian, Jackson County, Oregon:

TRACT A: The West half of the Northwest quarter of Section 6.

TRACT B: The Southwest quarter of the Northwest quarter, and all of the Southwest quarter of Section 8.

TRACT C: The Northeast quarter of the Northwest quarter; and the Southeast quarter of the Northeast quarter of Section 17.

TRACT D: The North half of the Northeast quarter; the Southwest quarter of the Northeast quarter; and the Northwest quarter of the Southeast quarter of Section 20.

PARCEL V

The following described parcels in Township 39 South, Range 2 East of the Willamette Meridian, Jackson County, Oregon:

TRACT A: Beginning at the Southeast corner of Section 34, Township 39 South, Range 2 East of the Willamette Meridian, Jackson County, Oregon; thence North along the line between Sections 34 and 35, said Township and Range, a distance of 14.00 chains to the center of Emigrant Creek; thence North  $64^{\circ} 00' 00''$  West along the center of said Creek, a distance of 8.00 chains; thence North  $68^{\circ} 00' 00''$  West along the center of said Creek, a distance of 1.60 chains; thence South  $50^{\circ} 00' 00''$  West 7.50 chains; thence South  $40^{\circ} 00' 00''$  West, 4.86 chains; thence South  $89^{\circ} 00' 00''$  West, 3.72 chains;  
(continued)

PARCEL V/TRACT A (continued)

thence South 16° 00' 00" West, 2.87 chains; thence South 20° 00' 00" West, 3.45 chains; thence South, 2.60 chains to the South line of said Section 34; thence East along said South line, a distance of 23.19 chains to the true point of beginning.

TRACT B: The Southwest quarter of Section 35, in Township 39 South, Range 2 East of the Willamette Meridian, Jackson County, Oregon.

EXCEPTING THEREFROM, the following: Beginning at a 3/4 inch by 18 inch iron bolt on the existing Northwesterly right of way line of the Greensprings Highway as now located said bolt bears 1244.60 feet East and 875.40 feet South of the quarter corner common to Sections 34 and 35, Township 39 South, Range 2 East of the Willamette Meridian, Jackson County, Oregon, for the true point of beginning; thence along said right of way line South 42° 54' 30" West, 125.64 feet; thence North 52° 51' 30" West, 200.0 feet to a bolt; thence North 37° 08' 30" East, 125.0 feet to a 3/4 inch by 18 inch bolt; thence South 52° 51' 30" East, 212.62 feet to the true point of beginning.

TRACT C: The Southwest quarter of the Southeast quarter of Section 35.

TRACT D: All that portion of the Southeast quarter of the Southeast quarter of Section 35, and the South half of the North half, and the South half of Section 36, Township 39 South, Range 2 East of the Willamette Meridian, Jackson County, Oregon, lying and being Southerly of a line generally described as follows: Beginning at the point where the new Ashland-Klamath Falls Road (as of 1920) intersects the West line of the Southeast quarter of the Southeast quarter of said Section 35; thence following the center line of said road, Easterly to a point where said road intersects the gulch known as "Soda Gulch", said point being about 10 rods South of the center of said Section 36; thence in a Northeasterly direction following the meanderings of said Gulch, to where said Gulch intersects the East line of said Section 36, and which point is 2100.0 feet South, more or less, from the Northeast corner of said Section 36. EXCEPTING THEREFROM a living spring on the Southerly side of said Ashland-Klamath Falls Road, between Stations 283+61.2 and 280+99.5, and in the North half of the Southwest quarter of said Section 36, together with a strip of land 100.0 feet in width extending South from said road to a point 10.0 feet South of the said living spring, the West side of said strip being about 300.0 feet long and the East side being about 525 feet long.

ALSO EXCEPTING THEREFROM land conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded in Volume 224, page 159, Deed Records of Jackson County, Oregon.

ALSO EXCEPTING THEREFROM, the following: A parcel of land conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded in Volume 197, page 287, Deed Records of Jackson County, Oregon, and more particularly described as follows: Beginning at a point on the Northerly right of way line of the Green Springs Highway, said point being 30 feet distance from (when measured at right angles to) the centerline of said Highway at Engineer's Station 234+40.0, said point being 985.6 feet West and 917.4 feet North of the South quarter corner of Section 36, Township 39 South, Range 2 East of the Willamette Meridian, Jackson County, Oregon; thence North 61° 58' 00" West, 230.0 feet; thence North 20° 51' 00" East, 205.6 feet; thence South 80° 00' 00" East, 100.0 feet; thence South 22° 24' 00" East, 262.4 feet to the Northerly right of way line of the above mentioned highway; thence following the said Northerly right of way line on a 234.6 foot radius curve to the left (the long chord of which bears South 59° 37' 00" West) 80.0 feet to the true point of beginning.

the following described property situated  
in the County of Klamath, State of Oregon, to wit:

Township 31 South, Range 8 East of the Willamette Meridian:

- Section 5: SW $\frac{1}{4}$   
Section 7: NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , Lots 1 and 2, But Excepting from said  
Lots 1 and 2 the portion thereof lying West of a  
line parallel to and 50 feet Easterly from the  
located center line of the Southern Pacific  
Company right of way.  
Section 15: SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$   
Section 17: N $\frac{1}{2}$ , SW $\frac{1}{4}$   
Section 20: All  
Section 21: S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$   
Section 28: W $\frac{1}{2}$   
Section 29: All  
Section 30: E $\frac{1}{2}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$   
Section 31: E $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$  of Lot 1, E $\frac{1}{2}$ E $\frac{1}{2}$  of Lot 2,  
E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$   
Section 32: All  
Section 33: S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , S $\frac{1}{2}$   
Section 34: S $\frac{1}{2}$ N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$

Township 32 South, Range 8 East of the Willamette Meridian:

- Section 4: Lots 3 and 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$   
Section 5: Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ , those portions of Lots  
3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$  which lies Southerly and  
Easterly from the center line or thread of William-  
son River; W $\frac{1}{2}$ SE $\frac{1}{4}$   
Section 6: Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ , Lot 3, Lot 4 (But Excepting  
from said Lot 4 a parcel 417.42 feet by 208.71  
feet described as Parcel 2 in Deed Book 331,  
page 173), S $\frac{1}{2}$ NW $\frac{1}{4}$ , Lots 6 and 7; that part of the  
E $\frac{1}{2}$ SE $\frac{1}{4}$  lying Southerly and Easterly of the center  
line or thread of Williamson River.  
Section 8: SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of Travelers AgriFinance the 29th day  
of January A.D., 19 97 at 3:00 o'clock P.M., and duly recorded in Vol. M97  
of Mortgages on Page 2640

FEE \$45.00

Remetha G. Letsch, County Clerk

by

Kathleen Ross