

'97 FEB 25 P2:59

Recording Requested By
T.D. Service Company

And When Recorded Mail To:

T.D. Service Company
8577 Haven Avenue, Suite 201
Rancho Cucamonga, CA 91730

APPOINTMENT OF SUCCESSOR TRUSTEE

Title Ord#

Loan # 0071927149

RLS#: 107654

KNOWN AS MEN BY THESE PRESENTS that: JOAN M. SCOTT AND EVAN L. SCOTT, HER HUSBAND is the grantor, and is the trustee, and TMS MORTGAGE INC., DBA THE MONEY STORE is the beneficiary under that certain trust deed dated SEPTEMBER 14, 1994 and recorded on SEPTEMBER 19, 1994, in book/reel/volume No. M94 at page 29436 or as fee/file/Instrument/microfilm/reception No. 883380 of the Mortgage Records of Klamath County, OREGON.

The undersigned, who is the present beneficiary under said trust deed desires to appoint a new trustee in the place of the original trustee named above;

NOW THEREFORE, in view of the premises, the undersigned hereby appoints DAVID A. KUBAT, as successor trustee under said trust deed; he to have all the powers of said original trustee, effective forthwith.

In construing this instrument and whenever the context hereof so requires, the masculine gender includes the feminine and the neuter and the singular number includes the plural.

IN WITNESS THEREOF, the undersigned beneficiary has hereto set his hand and seal; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

Dated: JAN 27 1997

Beneficiary: THE BANK OF NEW YORK; AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT DATED AS OF JULY 31, 1994, SERIES 1994-C

By:

(Name/Title):

FRANKLIN B. AUSTIN
Assistant Vice PresidentState of NEW YORKCounty of NEW YORKOn JAN 27 1997

personally appeared

before me,

O. D. SCOTT, JR.FRANKLIN B. AUSTIN

ASSISTANT VICE PRESIDENT (X) personally known to me -OR- () proved to me on the basis of satisfactory evidence to be the person(s) whose names(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

(Notary Name):

O. D. SCOTT, JR.

O. D. SCOTT, JR.
Notary Public, State of New York
No. 01SC5059513
Qualified in New York County
Commission Expires April 29, 1999

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of T.D. Service the 25th day
of February A.D. 19 97 at 2:59 o'clock P M., and duly recorded in Vol. M97
of Mortgages on Page 5581

Bernetha G. Letsch, County Clerk

FEE \$10.00

by

Kathleen Ross