

36104

Vol. M97 Page 11332

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

97 APR 16 AIO:49

Title Ord#

Loan # 0072032428

RLS#: 119290

KNOWN AS MEN BY THESE PRESENTS that: CATHERINE WEISER is the grantor, and LUCY E. KIVEL ESQ. is the trustee, and TMS MORTGAGE INC., DBA THE MONEY STORE is the beneficiary under that certain trust deed dated NOVEMBER 30, 1994 and recorded on DECEMBER 08, 1994, in book/reel/volume No. M94 at page 37363 or as fee/file/Instrument/microfilm/reception No. 92238 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: MAR 24 1997

Beneficiary: THE BANK OF NEW YORK; AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT DATED AS OF NOVEMBER 30, 1994, SERIES 1994-D

By:

(Name/Title): ALBERT M. FIORELLO  
Assistant Treasurer

State of New York

County of New York

On MAR 24 1997, before me, O. D. SCOTT, JR.,  
personally appeared Albert M. Fiorello,  
Assistant Treasurer (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.  
Notary Public, State of New York  
No. 015050513  
Qualified in New York County  
Commission Expires April 20, 1998

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of Bank of New York the 16th day  
of April A.D., 19 97 at 10:49 o'clock A. M., and duly recorded in Vol. M97  
of Mortgages on Page 11332

FEE \$10.00

Bernetha G. Letsch, County Clerk

by Kathleen R. R...