

## 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 June 26, 1997, executed and delivered by FRANK J. SCHIENDLER, JR. & LISA B. SCHIENDLER, grantor, to AMERITITLE, trustee, in which ALBIN B. MIKOLAJCZYK is the beneficiary, recorded on July 11, 1997, in volume No. M97 on page 21787 or as instrument No. 40922 of the Mortgage Records of Klamath County, State of Oregon, and conveying real property in said county described as follows:

SEE EXHIBIT "A" WHICH IS MADE A PART HEREOF BY THIS REFERENCE

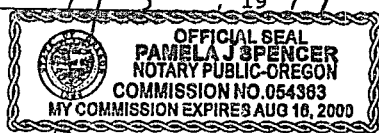
hereby grants, assigns, transfers and sets over to Kerry S. Penn, dba Eli Property Co., hereinafter called assignee, and assignee's heirs, personal representatives, successors and assigns 21.8% of the beneficial interest in and under said trust deed, together with the notes, moneys and obligations therein described or referred to, with 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 obligation secured by said trust deed the sum of not less than \$ 8,400.00 representing 21.8% with interest thereon from July 15, 1997.

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: 7/3, 1997



Albin B. Mikolajczyk  
Albin B. Mikolajczyk

STATE OF OR, County of Klamath

This instrument was acknowledged before me on 7/3, 1997  
by Albin B. Mikolajczyk

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

as

of

Pamela J. Spencer

Notary Public of OREGON

My commission expires 8/16/2000

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ASSIGNMENT OF TRUST DEED BY BENEFICIARY

Assignor: Albin B. Mikolajczyk

to

Assignee: KERRY S. PENN, DBA  
ELI PROPERTY CO.

AFTER RECORDING RETURN TO:

AMERITITLE COLLECTION ESCROW  
#41835-A

97 JUL 11 AM 1:53

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

Parcel 1 of Minor Land Partition 24-88, more particularly described as follows:

A tract of land situated in Government Lots 6 and 11 of Section 18, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Northeast corner of Parcel 3 of Minor Land Partition 36-83, from which the N1/4 corner of said Section 18 bears North 00 degrees 09' 35" East 1282.76 feet; thence South 89 degrees 06' 14" West 493.51 feet to the Northwest corner of said Parcel 3; thence South 00 degrees 54' 18" East, along the West line of said Parcel 3, 172.06 feet; thence North 89 degrees 06' 14" East 490.31 feet to the East line of said Parcel 3; thence North 00 degrees 09' 35" East 172.09 feet to the point of beginning, with bearings based on survey of Minor Land Partition No. 24-88.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 11th day  
of July A.D., 19 97 at 11:53 o'clock A M., and duly recorded in Vol. M97,  
of Mortgages on Page 21791.

FEE \$15.00

By Bernetha G. Letsch, County Clerk  
Kathleen Ross