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WHEN RECORDED MAIL TO:

AM 44196

FIRST SECURITY BANK, N.A.  
Commercial Real Estate Division  
15 East 100 South, Suite 100  
Salt Lake City, Utah 84111  
ATTN: JPM Servicing

FSB LOAN #: 962173331

**ASSIGNMENT OF DEED OF TRUST  
AND OF COLLATERAL ASSIGNMENT OF RENTS**

FOR VALUABLE CONSIDERATION, FIRST SECURITY BANK, N.A., a national banking association organized and existing under the laws of the United States of America, successor in interest, by merger, to the assets, rights and interests of First Security Bank of Oregon (the "Assignor"), having its principal office at 15 East 100 South, Suite 100, Salt Lake City, Utah 84111 hereby assigns, grants, sells and transfers (i) to MORGAN GUARANTY TRUST COMPANY OF NEW YORK, as Trustee under Declaration of Trust dated December 9, 1960, as amended, for the Commingled Pension Trust Fund (Fixed Income - Mortgage Private Placements) (hereunder, "MGTC"), having its offices, for purposes hereof, at 522 Fifth Avenue, New York, New York, 10036 and to its successors, transferees and assigns, forever, an undivided 90% interest, and (ii) to FIRST SECURITY BANK, N.A. at the same address set forth hereinabove (in this capacity, "FSB") the Assignee's successors, transferees and assigns forever, an undivided 10% interest (MGTC and FSB collectively referred to as "Assignees"), in and to all of the right, title and interest of the Assignor in and to the Commercial Trust Deed ("Instrument"), dated January 22, 1993, entered into by John Archie Padberg and Jeanette M. Padberg (the "Borrower") for the benefit of the Assignor, securing an indebtedness of the Borrower to the Assignor in the principal amount of \$500,000, and recorded in the land records of Klamath County, Oregon at Volume M93, Page 1922, which indebtedness is secured by the property described in Exhibit A, attached to this Assignment and incorporated into it by this reference. Assignor also hereby assigns, grants, sells and transfers to Assignees all of the right, title and interest of Assignor in that certain Collateral Assignment of Leases and Rents executed by Borrower in favor of Lessor and also providing security for the indebtedness of Borrower described above.

Together with the note or other obligation described in the Instrument and all obligations secured by the Instrument now or in the future.

IN WITNESS WHEREOF, the Assignor has executed this Assignment this 17<sup>th</sup> day of December, 1997.

**ASSIGNOR:**

**FIRST SECURITY BANK, N.A., successor by  
merger to First Security Bank of Oregon**

By \_\_\_\_\_  
Its \_\_\_\_\_

Willie Jo Kasteler, V.P.

## ACKNOWLEDGMENT

STATE OF UTAH )

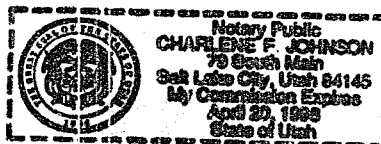
: ss.

COUNTY OF SALT LAKE )

BE IT REMEMBERED, that on this 17<sup>th</sup> day of December, 1997, before me, the undersigned, Notary Public in and for the State of Utah, personally appeared the within named Tillie Jo Kasteler, known to me to be the identical individual who executed the within instrument and acknowledged to me that he/she executed the same freely and voluntarily as Vice President of First Security Bank, N.A., a national banking association (successor by merger to First Security Bank of Oregon), such execution being on behalf of said national banking association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Charlene F. Johnson  
 Notary Public for the State of Utah  
 Residing at Salt Lake County, Utah



Lots 9 thru 18, inclusive, Block 1 of SHASTA VIEW TRACTS,  
according to the official plat thereof on file in the office  
of the County Clerk of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 23rd day  
of March A.D., 19 98 at 3:42 o'clock P M., and duly recorded in Vol. M98  
of Mortgages on Page 9278.

Bernetha G. Letsch, County Clerk

FEE \$20.00

By *Rutha G. Letsch*