

57923

'98 MAY 11 AM 11:27

Vol. 1798 Page 15872

THIS INSTRUMENT WAS PREPARED BY  
AND UPON RECORDING RETURN TO:

CITICORP NORTH AMERICA, INC.,  
as Investor Agent  
2600 Michelson Drive, 12th Floor  
Irvine, CA 92612  
Attn.: COMPLIANCE OFFICER

RE: Clough/5800 S. 6<sup>th</sup> St.  
Klamath Falls, OR

K-51532

(SPACE ABOVE FOR RECORDER'S USE ONLY)

**ASSIGNMENT OF DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS,  
SECURITY AGREEMENT and FINANCING STATEMENT**

THIS ASSIGNMENT OF DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT and FINANCING STATEMENT, dated as of January 29, 1998 (the "Assignment") is made by TOSCO CORPORATION, a Nevada corporation (the "Assignor") having as its address 601 Union Street, Suite 2500, Seattle, Washington 98101, in favor of Citicorp North America, Inc., as Investor Agent (the "Assignee") having as its address 2600 Michelson Drive, 12th Floor, Irvine, CA 92612.

**RECITALS:**

A. Edwin J. Clough (the "Grantor") has executed and delivered to the Assignor that certain Deed of Trust, Assignment of Leases and Rents, Security Agreement and Financing Statement dated as of January 29, 1998 (as amended or supplemented from time to time, (the "Deed of Trust"), to secure payment of certain indebtedness owed or to be owing by the Grantor to the Assignor which Deed of Trust has been recorded as set forth on Schedule I hereto and grants a lien upon, inter alia, the real property and leaseholds described on Exhibit A hereto.

B. The Assignor desires to grant, bargain, sell, assign, and convey to the Assignee all of the Assignor's right, title and interest in, to, and under the Deed of Trust and the Note (as defined in the Deed of Trust) and other indebtedness secured thereby.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound, the Assignor hereby transfers, sets over, delivers, assigns, grants, bargains, warrants, sells and conveys, and by these presents does transfer, set over, deliver, assign, grant, bargain, warrant, sell and convey to the Assignee and all of the Assignor's rights, titles, interests, liens, privileges, claims, demands and

equities existing and to exist in, to, against and under the Deed of Trust and the Note and other indebtedness secured thereby.

TO HAVE AND TO HOLD the Deed of Trust and the Note and other indebtedness secured thereby and all rights, titles, interests, liens, privileges, claims, demands and equities existing and to exist in connection therewith unto the Assignee, its successors and assigns forever.

This Assignment of Deed of Trust was prepared by Paul Schmidhauser, Esq. whose address is 2600 Michelson Drive, Suite 1200, Irvine, CA 92612.

IN WITNESS WHEREOF, the undersigned have executed and delivered this Assignment on the day and year first above written.

TOSCO CORPORATION,  
a Nevada corporation

By: Citicorp North America, Inc.,  
as Attorney-in-Fact

By: 

Name: 

Vice President

JULIE CASSELMAN

Vice President

Citicorp North America, Inc.

15874

SCHEDULE I

RECORDING INFORMATION

That certain Deed of Trust, Assignment of Leases and Rents, Security Agreement and Financing Statement dated as of January 29, 1998, and recorded May 11, 1998, with the Office of the County Recorder of Klamath County, State of Oregon, as Instrument/File No. \_\_\_\_\_, in Book/Reel No. 57922, at Page/Image No. 15844, of Official Records of said County.

15875

EXHIBIT A

DESCRIPTION OF THE LAND

**INSERT LEGAL DESCRIPTION**

Parcel 1 of Minor Land Partition 41-91, filed August 22, 1991, in Klamath County, Oregon, being a portion of Lots 3, 4 and 5 of Block 2, HOMELAND TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Common Address: 5800 S. 6<sup>th</sup> Street, Klamath Falls, OR 97603

Real Estate Tax Index No(s): \_\_\_\_\_

CORE\ASSN\DOT.DOC

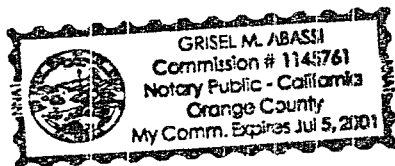
\\FSLOS401\SHARE\NO&TYTOSCO\PIPELINE\CLOUGH OIL\ORDOTA.DOC

OREGON

## CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California  
 County of Orange  
 On May 6, 1998 before me, Grisel M. Abassi  
Name and Title of Officer (e.g., "Jane Doe, Notary Public")  
 personally appeared Gill C. Casselman  
Name(s) of Signer(s)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~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.

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

## Description of Attached Document

Title or Type of Document: Assignment of Deed of Trust  
 Document Date: January 29, 1998 Number of Pages: 5  
 Signer(~~s~~) Other Than Named Above: NONE

Capacity(~~ies~~) Claimed by Signer(~~s~~)

Signer's Name: Gill C. Casselman

- ☐ Individual  
☒ Corporate Officer  
 Title(s): Vice President  
☐ Partner -- ☐ Limited ☐ General  
☒ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer Is Representing:

Citigroup North  
America, Inc.

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer  
 Title(s): \_\_\_\_\_  
☐ Partner -- ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer Is Representing:

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ First American Title the 11th day  
 of May A.D., 19 98 at 11:27 o'clock A. M., and duly recorded in Vol. M98  
 of \_\_\_\_\_ Mortgages on Page 15872

FEE \$35.00

By Kathleen Ross  
 Berntha G. Letsch, County Clerk