

77211

MTC 47078-KR
ASSIGNMENT OF NOTE AND MORTGAGE

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This Assignment of Note and Mortgage is made this 29th day of March, 1999 from ZIONS FIRST NATIONAL BANK ("Assignor") to U.S. BANK, NATIONAL ASSOCIATION, as Custodian/Trustee ("Assignee").

RECITALS

Assignor is the holder of a promissory note dated March 29, 1999 made by Henry F. Curry, Jr. to the order of Assignor in the original principal amount of \$500,000 (the "Note"). The Note is secured by a Mortgage encumbering real property in Klamath County, Oregon described on attached Exhibit A which was recorded March 31, 1999 as Instrument No. 77210, Records of Klamath County, Oregon (the "Mortgage"). The Note is also secured by other security instruments (collectively, the "Other Security Documents"). In connection with the Note, the borrowers executed and delivered to Assignor an Environmental Indemnity Agreement with respect to environmental condition of the property. Assignor wishes to assign its interest in the Note, the Mortgage, the Other Security Documents and the Environmental Indemnity Agreement to Assignee.

NOW, THEREFORE, ASSIGNOR, for good and valuable consideration and receipt of which is acknowledged hereby, assigns, set overs and transfers to Assignee, all of Assignor's right, title and interest in and to the Note and the indebtedness evidenced thereby, without recourse, and the Mortgage, the Other Security Documents and the Environmental Indemnity Agreement.

IN WITNESS WHEREOF, Assignor has executed this Assignment of Note and Mortgage on the date and year first written above.

ZIONS FIRST NATIONAL BANK

By: [Signature]
Its: Rodney Avey, Vice President

STATE OF IOWA

ss.

County of STORY

This instrument was acknowledged before me on March 26, 1999, by Rodney Avey, as Vice President of ZIONS FIRST NATIONAL BANK, national association.



[Signature]
Notary Public for the State of Iowa
My commission expires: September 24, 2001

EXHIBIT A

PARCEL 1: All of Section 15; the N $\frac{1}{2}$ N $\frac{1}{2}$ and the N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, All in Township 38 South, Range 11 $\frac{1}{2}$ East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 2: The SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, less the South 628 feet thereof, of Section 22, Township 38 South, Range 11 $\frac{1}{2}$ East of the Willamette Meridian, Klamath County, Oregon. SAVING AND EXCEPTING that portion lying with the county road.

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of AmeriTitle the 31st day
of March A.D. 1999 at 11:17 o'clock A M., and duly recorded in Vol. M99
of Mortgages on Page 11379

Linda Smith, County Clerk

FEE \$15.00

by Kathleen Ross