

1999 JUN 14 AM 11:10
MTC 1396-9804
RE-ASSIGNMENT OF TRUST DEED

FOR VALUE RECEIVED, the undersigned who is the beneficiary or beneficiary's successor in interest under that certain trust deed dated JANUARY 15, 1999, executed and delivered by THOMAS J. PURTZER AND REGINA M. PURTZER, HUSBAND AND WIFE, grantor, to AMERITITLE, trustee, in which JEFFREY D. HOYAL AND LORI D. HOYAL, HUSBAND AND WIFE, is the beneficiary, recorded on JANUARY 15, 1999, in volume No. M99 on page 3256 THROUGH 3259 as document No. 76575 of Official Records of KLAMATH County, Oregon, and conveying real property in said county described as follows:

See Exhibit A attached hereto and made a part hereof.

AMERITITLE, has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein.

hereby grants, assigns, transfers and sets over to JEFFREY D. HOYAL AND LORI D. HOYAL, HUSBAND AND WIFE, hereinafter called assignee, and assignee's heirs, successors and assigns, all of the beneficial interest in and under said trust deed, together with the notes, moneys and obligations therein described, with the interest thereon, and all rights and benefits whatsoever accrued or to accrue under said trust deed.

The undersigned hereby covenants that the undersigned is the beneficiary or beneficiary's successor in interest under said trust deed and is the current 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 obligations secured by said trust deed the sum of not less than \$ with interest thereon from

In construing this instrument and whenever the context hereof so requires the singular includes the plural.

IN WITNESS WHEREOF, the undersigned has executed this document; if the undersigned is a corporation, it has caused its name to be signed by an officer or other person duly authorized to do so under the authority of its board of directors.

DATED: 5-24-99

VALLEY OF THE ROGUE BANK, AN OREGON CORPORATION

BY:

Lori Williams
AVP/Branch Manager



STATE OF OREGON, County of Jackson

) ss.

This instrument was acknowledged before me on

by

This instrument was acknowledged before me on May 24, 1999

by

Lori Williams

as

AVP/Branch Manager Valley of the Rogue Bank

Joah Whitt
Notary Public for Oregon
My commission expires Jan 31, 2003

ASSIGNMENT OF TRUST DEED

Assignor

Assignee

AFTER RECORDING RETURN TO

Valley of the Rogue Bank
2400 Poplar Drive
Medford, Oregon 97501

PARCEL 1

A parcel of land located in portions of Sections 31 and 32, Township 38 South, Range 11 1/2 East of the Willamette Meridian, and Section 5, Township 39 South, Range 11 1/2 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point on the West line of Section 32, Township 38 South, Range 11 1/2 East of the Willamette Meridian, Klamath County, Oregon from which point the Southwest corner of said Section 32 bears South 0 degrees 39' 08" West 173.01 feet distant; thence North 0 degrees 30' 08" East 1130.97 feet to the South 1/16 corner common to Sections 31 and 32; thence North 89 degrees 23' 45" West 1324.66 feet to the Southeast 1/16 corner of Section 31; thence along the 1/16 Section line North 0 degrees 31' 29" East 1821.16 feet to the Southerly right of way line of the O.C. & E. Railroad; thence along said right of way line South 89 degrees 51' 30" East 1323.97 feet to its intersection with the West line of Section 32; thence North 0 degrees 30' 08" East 100.00 feet to the Northerly right of way line of the O.C. & E. Railroad; thence along said right of way line South 89 degrees 51' 30" East 238.48 feet; thence, leaving said right of way line, North 0 degrees 58' 27" West 663.55 feet to a point on the Southerly right of way line of State Highway 140; thence along said right of way line North 87 degrees 48' 03" East 74.28 feet; thence 233.07 feet along the arc of a 5699.58 foot radius curve to the right, the long chord of which bears North 88 degrees 58' 20" East 233.04 feet; thence South 89 degrees 51' 22" East 793.02 feet; thence North 89 degrees 57' 40" East 3972.46 feet to a point on the East line of Section 32; thence, leaving said highway right of way line, South 0 degrees 38' 57" West along the East line of Section 32 1338.87 feet to a point; thence, along an existing fence line, South 79 degrees 47' 33" West 451.46 feet; thence South 69 degrees 53' 43" West 797.73 feet; thence South 40 degrees 15' 25" West 236.92 feet; thence South 5 degrees 08' 47" West 253.49 feet to a point in an existing fence line; thence, along said fence line, South 22 degrees 34' 24" West 384.64 feet; thence South 51 degrees 14' 35" West 528.50 feet; thence South 74 degrees 03' 10" West 284.95 feet; thence North 76 degrees 10' 34" West 256.59 feet; thence North 52 degrees 15' 26" West 201.63 feet; thence North 84 degrees 32' 50" West 574.37 feet; thence leaving said fence line, North 50 degrees 17' 38" West 319.51 feet; thence North 77 degrees 13' 10" West 222.13 feet; thence South 87 degrees 22' 56" West 173.85 feet to a point in a North-South fence line; thence along said North-South fence line, North 0 degrees 16' 05" East 711.54 feet to the center of an East-West ditch; thence along the center line of said ditch and the Westerly extension thereof, North 89 degrees 34' 20" West 1472.26 feet to the point of beginning. EXCEPTING THEREFROM that portion lying within the right of way of the O.C. & E. Railroad.

PARCEL 2

A portion of Section 32, Township 38 South, Range 11 1/2 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the West line of Section 32 at its intersection with the Northerly right of way line of the O.C. & E. Railroad, from which point the 1/4 corner common to Sections 31 and 32 bears South 0 degrees 30' 08" West 627.87 feet distant; thence along the section line North 0 degrees 30' 08" East 654.38 feet to a point on the Southerly right of way line of Highway 140; thence along said right of way line North 87 degrees 48' 03" East 221.63 feet; thence leaving said right of way line South 0 degrees 58' 27" East 663.55 feet to a point on the Northerly right of way line of the O.C. & E. Railroad; thence along said right of way line North 89 degrees 51' 30" West 238.48 feet to the point of beginning.

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PARCEL 3

23312 3259

That portion of the SE1/4 NE1/4 of Section 32, Township 38 South, Range 11 1/2 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Commencing at the Intersection of the East line of said Section 32 with the Northerly line of Grantor's 100 foot railroad right of way ("Northerly right of way line"); thence run Northerly along the East line of said Section 32 a distance of 25 feet to the True Point of Beginning; thence run Westerly along a line that is 25 feet Northerly of, and parallel with, said Northerly right of way line a distance of 526 feet; thence run Northerly, at right angles to said Northerly right of way line, a distance of 150 feet; thence run Easterly, parallel with said Northerly right of way line, a distance of 466 feet, more or less, to a point 60 feet Westerly of said East line of said Section 32; thence run Northerly, parallel with the East line of said section 32, a distance of 500 feet, more or less, to the Southerly right of way line of the Klamath Falls-Lakeview Highway; thence run Easterly along said Southerly highway right of way line to the East line of said Section 32; thence run Southerly along said East line of said Section 32 to the True Point of Beginning and the end of this description.

State of Oregon, County of Klamath
Recorded 6/14/99, at 11:10 a. m.

In Vol. M99 Page 23310

Linda Smith,

County Clerk

Fee\$ 20 - RA

WATER RIGHT SUMMARY

Prepared for: Coda Collins

Pine Flat Ranch

| Section | Right | Amount (CFS) | Acre Feet Per Acre | Priority Water Right Acres | Supplemental Water Right Acres | Priority Date | Application Number | Permit Number | Certificate Number | Permittee Name |
|-------------------|-----------------|-----------------|-----------------------|----------------------------------|--------------------------------------|------------------|-----------------------|------------------|-----------------------|--------------------------|
| 7.200 A. 11 NE1/4 | | | | | | | | | | |
| 31 | Wells #2 & 3 | 7.00 | 3.00 | 81.30 | | | | | | |
| 32 | Well #1 | 7.00 | 3.00 | 121.80 | | 1942 | U-271 | U-243 | 28200 | L.L. & Della Porterfield |
| | Wells #2 & 3 | 7.00 | 3.00 | 225.00 | | 1948 | U-271 | U-243 | 28200 | L.L. & Della Porterfield |
| | Wells #1, 2 & 3 | 7.00 | 3.00 | 80.80 | | | | | | |
| 7.200 A. 11 NW1/4 | | | | | | | | | | |
| 8 | Well #2 | 7.00 | 3.00 | 11.80 | | | | | | |
| | Wells #2 & 3 | 7.00 | 3.00 | 28.00 | | 1948 | U-271 | U-243 | 28200 | L.L. & Della Porterfield |
| Total Acres | | | | 818.40 | | | | | | |

Comments:

Actual acreage listed for Permit U-243 is 647.6. However, 45.2 acres cover land lying outside the property's boundary. Also, please note that Well #2 is located outside of the Secured Property's boundaries.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 28th day
of January A.D. 1999 at 3:13 o'clock P.M., and duly recorded in Vol. M99
of Mortgages on Page 2256

Fee \$25.00

Linda Smith, County Clerk

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 19th day
of March A.D. 1999 at 11:23 o'clock A.M., and duly recorded in Vol. M99
of Mortgages on Page 29839