

## ASSIGNMENT OF TRUST DEED BY BENEFICIARY

C99-108

FOR VALUE RECEIVED, the undersigned who is the beneficiary or the beneficiary's successor in interest under that certain trust deed dated February 23, 1995, executed and delivered by ROBERT A. STEWART and MARILYN J. STEWART, Grantors, to KLAMATH COUNTY TITLE COMPANY, Trustee, in which MILDRED D. PUCKETT, TRUSTEE OF THE MILDRED D. PUCKETT LIVING TRUST is the beneficiary, recorded on March 7, 1995, in Vol. No. M95 on Page 5040, and/or as Fee/File/Instrument/Microfilm/Reception No. 95843 of the Records of Klamath County, Oregon; which beneficiary's interest was assigned to the ESTATE OF WAYNE WILLIAM CUNNINGHAM, recorded on March 10, 1999, in Vol. M99, Page 8475 of the Records of Klamath County, Oregon, and conveying real property in that county described as follows:

NE¼SW¼ of Section 5, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon

hereby grants, assigns, transfers, and sets over to EUGENE CUNNINGHAM, ANGELA L. LYON, CONSTANCE M. ROACH and GARY K. CUNNINGHAM, as tenants in common each of an undivided one-fourth (¼) interest, hereafter called assignee, and assignee's heirs, personal representatives, successors and assigns, all of the beneficial interest in and under the trust deed, together with the notes, moneys and obligations therein described or referred to, with the interest thereon, and all rights and benefits whatsoever accrued or to accrue under the trust deed.

The undersigned hereby covenants to and with the assignee that the undersigned is the beneficiary or beneficiary's successor in interest under the 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. There is now unpaid on the obligations secured by the trust deed the sum of not less than \$67,902.98 with interest thereon at the rate of nine percent (9.0%) per annum from September 27, 1999.

In construing this instrument, and whenever the context 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, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

DATED: October 27<sup>th</sup>, 1999

ESTATE OF WAYNE WILLIAM CUNNINGHAM

By: Eugene Cunningham  
(Eugene Cunningham, Personal Representative

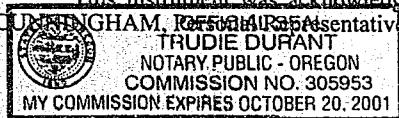
By: Angela L. Lyon, Personal Representative

STATE OF OREGON )

County of Klamath )

ss.

This instrument was acknowledged before me on Oct. 27<sup>th</sup>, 1999, by EUGENE CUNNINGHAM, Personal Representative of the Estate of Wayne William Cunningham.



Trudie Durant  
Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_

STATE OF OREGON )

County of \_\_\_\_\_ )

ss.

This instrument was acknowledged before me on \_\_\_\_\_, 1999, by ANGELA L. LYON, Personal Representative of the Estate of Wayne William Cunningham.

Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_

Assignment of Trust Deed by Beneficiary:  
Estate of Wayne William Cunningham  
Assignor

to  
Eugene Cunningham, Angela L. Lyon,  
Constance M. Roach and Gary K. Cunningham  
Assignee

After Recording Return To:  
Lombard, Knudsen & Holtey, LLP  
622 Siskiyou Blvd.  
P.O. Box 1090  
Ashland, OR 97520

State of Oregon, County of Klamath  
Recorded 10/29/99, at 3:06 p.m.  
In Vol. M99 Page 43362  
Linda Smith,  
County Clerk Fee \$ 15.00

LOMBARD KNUDSEN & HOLTEY, LLP

ATTORNEYS AT LAW  
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Ashland, Oregon 97520