

WHEN RECORDED RETURN TO:

DOCX
SUITE 220 EDISON BUILDING
20 SOUTH LIMESTONE ST.
SPRINGFIELD, OH 45502
2000-323 008 DAY, III

Vol M00 Page 15166

ASSIGNMENT OF TRUST DEED

For valuable consideration in hand paid,
receipt whereof is hereby
acknowledged, **HOME EQUITY USA,
INC.**, 6 Executive Park Drive, Atlanta,
GA 30329 does hereby set over,
transfer, and assign unto: Net.B@nk,
Inc., 950 North Point Parkway, Suite
350, Alpharetta, Georgia 30005
his/her/their heirs,

executors, administrators or assigns all of its right, title and interest in and to that certain trust deed,
together with the note it was given to secure executed by **TAYLOR A DAY III AND LISA I DAY** to
HOME EQUITY USA, INC. dated 7/28/98. Duly recorded in the Office of the Register of Deeds (or
Clerk of Court), for **KLAMATH** County, State of **OR**, in Book No M98, Page 28604
Instrument No 63923.

Witness my hand and seal this 27th day of January 1999.

Witness: Sudie C. Perdue
Sudie C. Perdue

George R. Schlacht
George R Schlacht, Vice President

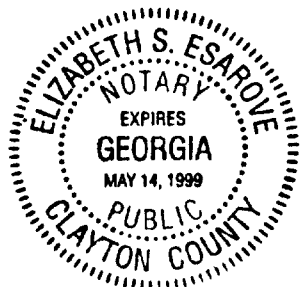
Witness: Sonia R. Osner
Sonia R. Osner

ATTEST: William E Wilson
William E Wilson, Assistant Secretary

STATE OF GEORGIA)
COUNTY OF DEKALB)

Before me, a Notary Public in and for the State aforesaid, , George R Schlacht, Vice President of **HOME EQUITY USA, INC.** personally appeared who, being duly sworn according to law, did depose and say that the foregoing Transfer and Assignment was duly executed for the purposes and consideration therein expressed.

SWORN TO AND SUBSCRIBED to before me this 27th day of January, 1999.



Notary Public: Elizabeth S. Esarove

Elizabeth S. Esarove
NOTARY PUBLIC, CLAYTON COUNTY, GEORGIA
MY COMMISSION EXPIRES MAY 14, 1999

63923

After recording, mail to:

HOME EQUITY USA, INC.

6 EXECUTIVE PARK DR NE

SUITE 300

ATLANTA, GA 30329

ATTN: POST FUND OPERATIONS

'98 sub -4 P3:09

Vol. M98 Page 28604

15167

K-52446

DEED OF TRUST

Maturity Date of Secured Debt: 08/03/13

Date of this Deed of Trust: 07/28/98

WORDS USED OFTEN IN THIS DOCUMENT:

(A) "Security Instrument." This document, which is dated as indicated above, will be called the "Security Instrument".

(B) "Borrower." TAYLOR A. DAY III AND LISA I. DAY, AN ESTATE IN FEE SIMPLE AS TENANTS BY THE ENTIRETY

sometimes will be called "Borrower" and sometimes simply "I" or "me".

(C) "Lender." HOME EQUITY USA, INC.

will be called "Lender" and is the beneficiary of this Deed of Trust. Lender is a corporation which exists under the laws of RHODE ISLAND

Lender's address is 6 EXECUTIVE PARK DR NE SUITE 300, ATLANTA, GA 30329

(D) "Note." The Note signed by Borrower and dated the same date as this Deed of Trust, will be called the "Note". The Note shows that I owe Lender SIXTY SIX THOUSAND AND 00/100

Dollars (U.S. \$ 66,000.00) plus interest. I have promised to pay this debt in monthly payments and to pay the debt in full by the Final Maturity Date, as indicated above as Maturity Date of Secured Debt.

(E) "Property." The property that is described below in the section titled "Conveyance in Trust and Description of the Property," will be called the "Property".

(F) "Sums Secured." The amounts described below in the section titled "Obligations Secured by this Security Instrument" sometimes will be called the "Sums Secured".

(G) "Trustee." The Trustee is FIDELITY NATIONAL TITLE and will be called the "Trustee".

CONVEYANCE IN TRUST AND DESCRIPTION OF THE PROPERTY

I irrevocably grant and convey to Trustee, in trust, with power of sale, the Property described in (A) through (G) below:

(A) The Property which is located at: 38380 MODOC POINT ROAD, CHILOQUIN, OREGON 97624

It has the following legal description:

PARCEL 1 OF MINOR LAND PARTITION 10-91, SITUATED IN GOVERNMENT LOT 3 IN THE NW 1/4 OF SECTION 6, TOWNSHIP 35 SOUTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, FILED MARCH 12, 1992 IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

State of Oregon, County of Klamath

Recorded 04/28/00, at 2:44 p.m.

In Vol. M00 Page 15166

Linda Smith,

County Clerk Fee \$ 26.00

(B) All buildings and other improvements that are located on the Property described in sub-paragraph (A) of this section;
(C) All rights in other property that I have as owner of the Property described in sub-paragraph (A) of this section. These