After Recording return to: Donald W. Horton 15359 HWY 101S Brookings, Oregon 97415

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AFFIDAVIT OF LOST NOTE AND TRUST DEED AND APPOINTMENT OF SUCCESSOR TRUSTEE

This agreement is given as an inducement to Aspen Title & Escrow, Inc. an Oregon Corporation to execute a Deed of Reconveyance to the property described in the following Trust Deed, which secures a Note of the same date and amount, both executed by

GRANTOR: FAYE WOOD

To TRUSTEE: MOUNTAIN TITLE COMPANY, INC.

For BENEFICIARY: WAYNE HORTON, DONALD W. HORTON AND JAMES PATTON

Dated: C Recorded: N

OCTOBER 25, 1983 NOVEMBER 07, 1983

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of KLAMATH County, Oregon.

The undersigned Beneficiary hereby attests and swears, under penalty of perjury, to the following:

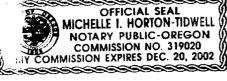
- 1. That the undersigned is the legal owner and holder of all indebtedness secured by the above Note and Trust Deed;
- 2. That the undersigned has made no assignment of its interest in said Note or Trust Deed, neither wholly, in part nor as collateral security;
- 3.

 That the original Note secured by the above Grantor has been lost, misplaced or destroyed and has not been found after due and diligent search;
- 4. In That the original Trust Deed executed by the above Grantor has been lost, misplaced or destroyed and has not been found after due and diligent search;
- 5. That all sums payable by reason of the terms of the above Note have been fully paid and satisfied, receipt for which is hereby acknowledged;
- 6. That all the terms, provisions and agreements contained in the above Note and Trust Deed have been fully performed and satisfied and should be discharged of record by the Trustee.

NOW THEREFORE, IN CONSIDERATION OF Aspen Title & Escrow, Inc. an Oregon Corporation reconveying the property described in the above Trust Deed to Grantor without surrender to Aspen Title & Escrow, Inc. an Oregon Corporation, of the original executed Note and recorded Trust Deed, the undersigned Beneficiary hereby promises, covenants and agrees to hold harmless, protect and indemnify Aspen Title & Escrow, Inc. an Oregon Corporation from and against any and all liabilities, losses, damages, expenses and charges, including but not limited to attorney's fees and expenses of litigation that may be sustained by reason of the undersigned Beneficiary's inability to surrender such Note and Trust Deed. In the event that Aspen Title & Escrow, Inc. an Oregon Corporation, is not the current trustee under the above referenced Trust Deed, the undersigned beneficiary hereby appoints Aspen Title & Escrow, Inc. an Oregon Corporation, as successor trustee under said Trust Deed.

The undersigned Beneficiary fully understands that in making these statements and promises that Aspen Title & Escrow, Inc. an Oregon Corporation is relying thereon and that Aspen Title & Escrow, Inc. an Oregon Corporation is hereby requested to issue its Deed of Reconveyance, without warranty pursuant to statute, to the above grantor.

DATED: \$ - 5-0/	Sherley 11 Horton
	SHIRLEY HORTON, HEIR TO THE ESTATE OF
	WAYNE HORTON (
	DONALD W. HÖRTÖN
A	BENEFICIARY
STATE OF OREGON, County of Cury) ss.
This instrument was acknowledged before me on	August 5, 2001
	m
This instrument was acknowledged before me on	
by	
asoj	r
Michille SHorta	
Notary Public for Oregon.	
My Commission expires 12-20-02	
Secretary State	



(

NOTARY ACKNOWLEDGEMENT

STATE OF OREGON, County of KLAMATH	I) ss.
On 8-7-, 2001 personally acknowledged the foregoing instrument to be	appeared Shirley Horton, who voluntary act and deed.
OFFICIAL SEAL M. A. SILVERIA NOT ARY PUBLIC-OREGON COMMISSION NO. 340010 MY COMMISSION EXPIRES NOV. 1, 2004	Before me: Survey Notary Public for Oregon My commission expires: 11-0/-04 Official Seal
	Affidavit lost note/appointment of successor trustee

State of Oregon, County of Klamath Recorded 08/09/01 at 11:08 a.m. In Vol. M01 Page 40049 Linda Smith. County Clerk Fee\$ 26.00