

**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: **Gayle P. Nicholson**  
To TRUSTEE: **Klamath County Title Company**  
For BENEFICIARY: **Blair Henderson**  
Dated: **May 13, 1994**  
Recorded: **May 13, 1994**  
In Book: **M-94** Page: **15180**  
of **KLAMATH** County, Oregon.

**State of Oregon, County of Klamath**  
Recorded 07/03/2002 1:25 pm.  
Vol M02, Pg 38213  
Linda Smith, County Clerk  
Fec \$ 21 # of Pgs 1


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. ☒ 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: June 27, 2002

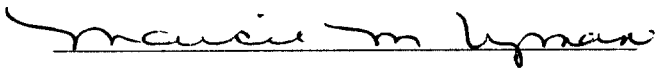
  
\_\_\_\_\_  
Blair Henderson

BENEFICIARY

STATE OF OREGON, County of Klamath

) ss.

This instrument was acknowledged before me on July 2, 2002  
by Blair Henderson.

  
\_\_\_\_\_  
Notary Public for Oregon.

My Commission expires Jan 3, 2004

