

04 MAY 28 PM 3:32

NJC-13910-5986

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ASSIGNMENT OF TRUST DEED BY BENEFICIARY

Garland West, Inc.  
 30242 Hwy 97 N  
 Chiloquin, OR 97624

Assignor  
 Thomas A. & Inger H. Burns  
 30242 Hwy 97 N.  
 Chiloquin, OR 97624

Assignee  
 After recording, return to (Name, Address, Zip):  
 AmeriTitle - Coll #61968  
 300 Klamath Ave.  
 Klamath Falls, OR 97601

SPACE RESERVED FOR RECORDER'S USE

State of Oregon, County of Klamath  
 Recorded 05/28/2004 3:32 p m  
 Vol M04 Pg 34579-80  
 Linda Smith, County Clerk  
 Fee \$ 31.00 # of Pgs 2

FOR VALUE RECEIVED, the undersigned who is the beneficiary or the beneficiary's successor in interest under that certain trust deed dated July 29, 2003, executed and delivered by NELSONS' SAGE MEADOWS, LLC AN ACTIVE NEVADA LIMITED LIABILITY COMPANY, grantor, to AMERITITLE, trustee, in which AMERICAN EXCHANGE SERVICES, INC., AN OREGON CORPORATION \*\* is the beneficiary, recorded on 7/31/03, in book/reel/volume No. M03 on page 54657, and/or as fee/file/instrument/microfilm/reception No. (indicate which) of the Records of KLAMATH County, Oregon and conveying real property in that county described as follows:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

\*\*PREVIOUSLY ASSIGNED TO GARLAND WEST, INC., an Oregon corporation, M03, Page 93666

hereby grants, assigns, transfers, and sets over to THOMAS A. BURNS and INGER H. BURNS with rights of survivorship, hereinafter 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 \$ 309,383.08 with interest thereon at the rate of 7 percent per annum from (date) 3/30/04.

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 May 28, 2004

*Thomas A. Burns*  
 THOMAS A. BURNS, President for Garland West, Inc.

*Inger H. Burns*  
 INGER H. BURNS, Secretary for Garland West, Inc.

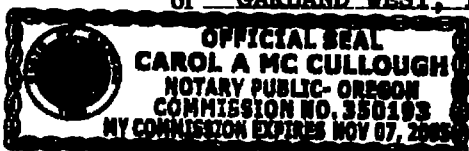
AMERITITLE has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein.

STATE OF OREGON, County of KLAMATH ss.

This instrument was acknowledged before me on \_\_\_\_\_ by \_\_\_\_\_

This instrument was acknowledged before me on May 28, 2004 by THOMAS A. BURNS, PRESIDENT and INGER H. BURNS, SECRETARY

as PRESIDENT and SECRETARY of GARLAND WEST, INC.



*Carol A. McCullough*  
 Notary Public for Oregon  
 My commission expires Nov 7, 2005

2600 + 520 AM

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**PARCEL 1:**

A tract of land situated in the E1/2 NE1/4 of Section 13, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the most Southerly point of TRACT 1085, COUNTRY GREEN, A DULY recorded plat, said point being on the Southerly right of way line of Alt Way and 15.00 feet Easterly of the centerline of the Enterprise Irrigation District ditch as constructed, said point being South 65° 17' 56" East, 1,644.59 feet from the N1/4 corner of said Section 13; thence Easterly along the Southerly line of said TRACT 1085, COUNTRY GREEN, North 66° 35' 44" East 77.54 feet, along the arc of a curve to the left (radius = 230.00 feet, central angles = 21° 57' 17") 88.13 feet; North 44° 38' 27" East 276.89 feet, South 45° 21' 33" East 20.00 feet, along the arc of a curve to the right (radius = 280.00 feet, central angle = 15° 10' 46") 74.18 feet, North 80° 31' 20" East 184.49 feet, North 12.08 feet; thence leaving said Southerly line, North 72° 58' 03" East 207.58 feet; thence North 89° 29' 13" East 100.00 feet; thence South 84° 14' 48" East 46.58 feet to the Westerly line of the Enterprise Irrigation District Canal; thence along said Westerly line, South 05° 22' 23" West, 116.17 feet, along the arc of a curve to the left (radius = 125.00 feet, central angle = 49° 30' 10") 108.00 feet; South 44° 07' 47" East 165.75 feet along the arc of a curve to the right (radius = 75.00 feet, central angle = 73° 27' 34") 96.16 feet, South 29° 19' 47" West, 344.20 feet; thence leaving said Westerly line, South 72° 58' 03" West 733.37 feet to a point 15.00 feet Easterly of the centerline of the Enterprise Irrigation District ditch as constructed; thence Northerly along a line parallel with and 15.00 feet Easterly of the centerline of said ditch, North 38° 13' 35" West 134.69 feet, along the arc of a curve to the right (radius = 285.00 feet, central angle = 17° 21' 40") 86.36 feet, North 20° 51' 55" West, 224.49 feet, along the arc of a curve to the right (radius = 335.00 feet, central angle = 37° 46' 05") 220.82 feet; North 16° 54' 10" East 27.02 feet to the point of beginning.

EXCEPTING THEREFROM that portion thereof platted as TRACT 1288 – SAGE MEADOWS, being situated in the N1/2 NE1/4 of Section 13, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

**PARCEL 2:**

Lots 1 through 15, inclusive, and Lot 17, TRACT 1288 "SAGE MEADOWS", according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.