

04 JUN 15 AM 10:57

NTT-1396-0015

THIS SPACE RESERVED FOR RECORDER'S USE

Vol M04 Page 38273

After recording return to:  
AmeriTitle, Collection Escrow  
300 Klamath Ave.  
Klamath Falls, OR 97601

State of Oregon, County of Klamath  
Recorded 08/15/2004 10:57a m  
Vol M04 Pg 38273-74  
Linda Smith, County Clerk  
Fee \$ 26.00 # of Pgs 2

Escrow No. \_\_\_\_\_

**ASSIGNMENT OF TRUST DEED BY BENEFICIARY OR BENEFICIARY'S SUCCESSOR IN INTEREST**

FOR VALUE RECEIVED, the undersigned who is the beneficiary or beneficiary's successor in interest under that certain trust deed dated December 5, 2003, executed and delivered by Linda L. Long, grantor, to AmeriTitle, trustee, in which Marilyn Kim Novak Malloy, Trustee of the Marilyn Kim Novak Malloy Revocable trust under declaration of trust dated January 27, 1987 and Robert L. Malloy, Trustee of the Robert L. Malloy Revocable Trust under declaration of trust dated January 24, 1987 is the beneficiary, recorded on December 5, 2005, in volume No. M03 on page 89177-80 or as instrument No. \_\_\_\_\_ of the Mortgage Records of Klamath County, State of Oregon, and conveying real property in said county described as follows:  
See attached Exhibit A hereto and made a part hereof

hereby grants, assigns, transfers and sets over to Robert L. Malloy and Marilyn Kim Novak Malloy, trustees of the Malloy Family Trust, hereinafter called assignee, and assignee's heirs, personal representatives, successors and assigns, all of the beneficial interest in and under said trust deed, together with the notes, moneys and obligations therein described or referred to, with interest thereon, and all rights and benefits whatsoever accrued or to accrue under said trust deed.

The undersigned hereby covenants to and with said assignee that the undersigned is the beneficiary or beneficiary's successor in interest under said 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, and that there is now unpaid on the obligation secured by said trust deed the sum of not less than \$79,217.23 with interest thereon from May 4, 2004.

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

DATED: 6/8/04, \_\_\_\_\_

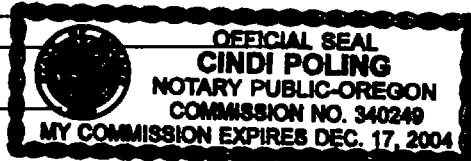
Marilyn Kim Novak Malloy, Trustee  
Robert L. Malloy, Trustee

STATE OF Oregon County of Jackson ) ss.

This instrument was acknowledged before me on 6/8, 2004  
by Robert L. Malloy & Marilyn Kim Novak Malloy  
This instrument was acknowledged before me on \_\_\_\_\_, \_\_\_\_\_

by \_\_\_\_\_  
as \_\_\_\_\_  
of \_\_\_\_\_

Cindi Poling  
Notary Public of Oregon  
My commission expires 12/17/2004



**ASSIGNMENT OF TRUST DEED BY BENEFICIARY**

Assignor: Malloy Revocable Trusts  
to  
Assignee: Malloy Family Trust

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.

2600 am

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

**38274**

**PARCEL 1:**

A tract of land situated in Section 21, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the initial point of the Williamson River Estates, a duly recorded subdivision, said initial point situated South 19 degrees 17' 35" East a distance of 1,037.36 feet (South 18 degrees 49' 22" East 1,038.84 feet by said plat) from the North one-fourth corner (N1/4) of said Section 21; thence South 81 degrees 02' 30" West 172.35 feet (172.88 by said plat); thence continuing South 81 degrees 02' 30" West 80.86 feet; thence North 09 degrees 27' 45" West 365.94 feet to a 1/2 inch iron pin which is North 80 degrees 32' 15" East 17.00 feet from point A as shown on accompanying Exhibit "A"; thence North 80 degrees 32' 15" East 253.20 feet to the Westerly right of way line of U.S. Highway 97; thence South 09 degrees 27' 45" East, along said right of way line, 368.17 feet to the point of beginning.

TOGETHER WITH the easement referred to as Pressure line area in Deed Volume M79 page 28497, of the Klamath County Deed Records, said easement being more particularly described as follows:

Beginning at said point A of above description, which bears South 01 degrees 17' 32" East 660.66 feet from said N1/4 corner of said Section 21; thence North 09 degrees 27' 45" West 60.00 feet; thence North 10 degrees 15' 09" West 357.01 feet; thence West 184.41 feet to point B; thence North 22.00 feet; thence East 221.08 feet to the Westerly line of that tract of land described in Deed Volume M80 page 6729 and 6730, of said Klamath County Deed Records; thence South 10 degrees 15' 09" East, along said Westerly line, 372.68 feet; thence South 09 degrees 27' 45" East 60.00 feet to the Northerly line of Deed Volume 336, page 17, of said Klamath County Deed Records, also being the Northerly line of the above described 2.13 acre parcel; thence South 80 degrees 32' 15" West 40.00 feet to Point A, being the point of beginning.

ALSO TOGETHER with the easement for drain field area as referred to in said Deed Volume M79 page 28497, said easement being more particularly described as follows:

Beginning at point B which bears South 44 degrees 10' 38" West 348.58 feet from said N1/4 corner of said Section 21; West 312.00 feet; thence North 250 feet, more or less, to the Northerly line of said Section 21; thence Easterly, along said Northerly line, to a point that bears North of said point B; thence South to the said point B, being the point of beginning.

Tax Account No.: 3507-02100-00600-000

Key No.: 248342