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State of Oregon, County of Klamath  
Recorded 08/10/04 10:25 a m  
Vol M04 Pg 52507-09  
Linda Smith, County Clerk  
Fee \$ 31<sup>00</sup> # of Pgs 3

*pk*  
After Recording, return to:  
Fidelity Service Corporation  
c/o Mortgage Loan Servicing  
111 N. Wall St.  
Spokane, WA 99201  
Loan No. 117705148

### APPOINTMENT OF SUCCESSOR TRUSTEE

**Brian L. Southby and Mikal-Ann Southby**, who is the present grantor under that certain Deed of Trust dated **June 29, 1998**, and recorded with the **Klamath** County Auditor located in the State of **Oregon** on **July 6, 1998**, under Auditor's File Vol. **M98**, Page **23694**, Instrument No. **61494**, with the property being described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

Tax Parcel No. **R450951**

**Sterling Savings Bank, Successor by merger of Klamath First Federal Savings and Loan Association**, the undersigned, who is the present beneficiary under said trust deed elects to replace the current trustee under the Deed of Trust.

NOW, THEREFORE, in view of the premises, the undersigned hereby appoints **Fidelity Service Corporation**, whose address is 111 N. Wall Street, Spokane, Washington 99201, as successor trustee under said Deed of Trust, he to have all the powers of said original trustee, effective forthwith.

IN WITNESS WHEREOF, the undersigned beneficiary has hereunto caused its corporate name to be signed and affixed hereunder by its duly authorized officer.

Dated: July 19, 2004

**Sterling Savings Bank, Successor by merger of Klamath First Federal Savings and Loan Association**

By: *Kathy Harper*  
Authorized Officer

31-

STATE OF WASHINGTON )  
 ) SS  
County of Spokane )

On this July 19, 2004, before me, Kathy Harper personally appeared, to me known to be the **authorized signer** of **Sterling Savings Bank, Successor by merger of Klamath First Federal Savings and Loan Association**, the entity that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and an oath stated that she is authorized to execute the said instrument.

Given under my hand and official seal the date and year last above written.



Marie L. Milliken  
Print Name: Marie Milliken  
NOTARY PUBLIC in and for the State of  
Washington, residing at Spokane.  
My commission expires April 23, 2007

All that portion of Lot 72, FAIR ACRES SUBDIVISION NO. 1, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Northwest corner of said Lot 72, FAIR ACRES SUBDIVISION NO. 1; thence East along the North line of said Lot 72 a distance of 335 feet to a point; thence South on a line parallel to the West line of said Lot 72 a distance of 130 feet to a point; thence West on a line parallel to the North line of said Lot 72 a distance of 335 feet to the West line of said Lot 72; thence North along the West line of said Lot 72 a distance of 130 feet to the point of beginning.

ALSO all that portion of Lot 73, FAIR ACRES SUBDIVISION NO. 1, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southwest corner of Lot 73 of said FAIR ACRES SUBDIVISION NO. 1, running thence North 38.1 feet; thence South 78 degrees 51' East 195.8 feet along the Southerly right of way of the Enterprise Irrigation Canal; thence West along the South side of Lot 73 of Fair Acres Subdivision No. 1, 193.4 feet to the point of beginning.

EXCEPTING THEREFROM the West 5 feet of all the herein described property, contained in Deed recorded December 15, 1963 in Book 349 at Page 511, for the widening of Homedale Road.

CODE 41 MAP 3809-35DA TL 700