

AFTER RECORDING RETURN TO:

Eric M. Butler
Deborah A. Butler
195 Butler Place SE
Salem, OR 97306

State of Oregon, County of Klamath
Recorded 10/05/04 9:48a m
Vol M04 Pg 67115-16
Linda Smith, County Clerk
Fee \$ 31.00 # of Pgs 2

APPOINTMENT OF SUCCESSOR TRUSTEE,
(REQUEST FOR RECONVEYANCE) AND
RECONVEYANCE OF TRUST DEED
(Lost Note and/or Trust Deed)

RECITALS

A. The parties to this instrument are:

Present Beneficiary : James A. Smejkal

Successor Trustee : LAWYERS TITLE INSURANCE CORPORATION

B. The undersigned beneficiary, herein "Beneficiary," is the present holder of the obligations secured by the trust deed (herein "the Trust Deed") whose parties, date and recording information are as follows:

Grantor : Eric M. Butler and Deborah A. Butler
Original Trustee : First American Title Insurance Corp.
Original Beneficiary: First American Exchange Corporation
Date : May 6, 2002
Recording Date : May 13, 2002
Recording Reference : Vol 2, Pg 28583-84
County of Recording : Klamath County, Oregon

C. Beneficiary has received payment in full of the note (herein "the Note") and other obligations secured by the Trust Deed and desires to appoint LAWYERS TITLE INSURANCE CORPORATION, a Virginia corporation, herein "Trustee," as successor trustee for purposes of reconveying the Trust Deed.

APPOINTMENT AND RECONVEYANCE

1. HOLDER OF INDEBTEDNESS. Beneficiary warrants that it is the legal owner and holder of all indebtedness secured by the Trust Deed, which indebtedness has been fully paid and satisfied.

2. APPOINTMENT OF SUCCESSOR TRUSTEE. Beneficiary appoints Trustee as successor trustee under the Trust Deed, with all the powers provided therein and allowed by law.

3. REQUEST FOR RECONVEYANCE. Beneficiary requests and directs Trustee, on payment to Trustee of any sums owing to Trustee under the Trust Deed or provided for by law, to waive cancellation of such evidences of indebtedness secured by the Trust Deed as may not be found by Trustee and to reconvey, without warranty, to the parties designated by the terms of the Trust Deed the estate now held by Trustee under it. All sums secured by the Trust Deed have been fully paid and satisfied. This Request waiving cancellation of the Note and requesting full reconveyance is given to Trustee in lieu of tender of the Note and execution of any provision on the Trust Deed to request its full reconveyance, inasmuch as the Note and/or Trust Deed have been lost or misplaced.

4. INDEMNIFICATION. In consideration of Trustee's reconveyance herein of the Trust Deed, Beneficiary, jointly and severally, for themselves, their heirs, personal representatives, successors and assigns, hereby covenant and agree forever fully to protect, defend and save harmless Trustee from any and all losses, costs, damages, attorney fees and expenses of every kind and nature which the Trustee may suffer, expend or incur as a consequence of the performance of the execution of this instrument and delivery and recordation of same and of Trustee's performance of Trustee's duties hereunder.

(Continued)

LAWYERS TITLE INS. CORP. 2004-15255

Continued

5. RECONVEYANCE. Trustee hereby grants, bargains, sells and conveys, but without any covenant or warranty, expressed or implied, to the persons legally entitled thereto, all of the right, title and interest under the Trust Deed now held by Trustee in and to the property covered by the Trust Deed and more particularly described in said Trust Deed:

BENEFICIARY

James A. Smekjal

Date: 8-7-04

TRUSTEE: LAWYERS TITLE INSURANCE CORPORATION

By: Mark A. Stelling

ACKNOWLEDGMENT FOR BENEFICIARY:

STATE OF OREGON, County of Marion:

The foregoing instrument was acknowledged before me this 7 day of August, 2004 by James A. Smekjal.

Notary Public for Oregon

My Commission Expires: 11-18-05



ACKNOWLEDGMENT FOR TRUSTEE:

STATE OF OREGON, County of Multnomah:

The foregoing instrument was acknowledged before me this 17 day of September, 2004 by (name:) Mark A. Stelling as (title:) Asst. Vice President of Lawyers Title Insurance Corporation on behalf of the company.

Notary Public for Oregon

My Commission Expires: _____

Order No. 50g0053110
OTIC Form No. 525.2

