

2006-022789

Klamath County, Oregon

Recording Requested By:  
Deschutes County Title  
397 SW UPPER TERRACE DR.  
BEND, OREGON 97702



00008748200600227890020023

11/14/2006 03:07:43 PM

Fee: \$26.00

When Recorded Return To:

Deschutes County Title  
397 SW UPPER TERRACE DR.  
BEND, OREGON 97702

Until requested otherwise, send all tax statements:

SAME AS ABOVE

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

ASPEN: 62341

## COVER SHEET

<b>DOCUMENT:</b>	<b>APPOINTMENT OF SUCCESSOR TRUSTEE</b>
<b>GRANTOR:</b>	<b>JEANNINE KELLER</b>
<b>TRUSTEE:</b>	<b>FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON</b>
<b>GRANTEE:</b>	<b>HAROLD ELLIOT</b>
<b>CONSIDERATION:</b>	<b>\$</b>
<b>DATE:</b>	<b>MARCH 30, 2000</b>
<b>LEGAL DESCRIPTION:</b>	

#26-A

12-1260

60698NP NLP

# **AFFIDAVIT OF LOST NOTE AND TRUST DEED AND APPOINTMENT OF SUCCESSOR TRUSTEE**

This agreement is given as an inducement to **Deschutes County Title, La Pine** 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: **Jeannine Keller**

To TRUSTEE: **First American Title Insurance Company of Oregon**

For BENEFICIARY: **Harold Elliot**

Dated: **March 30, 2000**

Recorded: **March 31, 2000**

In Book: **M-00**

Page: **10655** of **KLAMATH** County, Oregon.

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 **Deschutes County Title, La Pine** an Oregon Corporation reconveying the property described in the above Trust Deed to Grantor without surrender to **Deschutes County Title, La Pine** 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 **Deschutes County Title, La Pine** 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 **Deschutes County Title, La Pine** an Oregon Corporation, is not the current trustee under the above referenced Trust Deed, the undersigned beneficiary hereby appoints **Deschutes County Title, La Pine** an Oregon Corporation, as successor trustee under said Trust Deed.

The undersigned Beneficiary fully understands that in making these statements and promises that **Deschutes County Title, La Pine** an Oregon Corporation is relying thereon and that **Deschutes County Title, La Pine** an Oregon Corporation is hereby requested to issue its Deed of Reconveyance, without warranty pursuant to statute, to the above grantor.

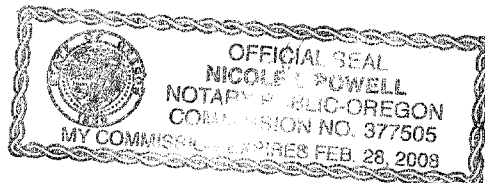
DATED: July 27, 2006

Harold Elliott By,  
Amye Hess, His attorney in fact  
HAROLD ELLIOT, BENEFICIARY

STATE OF OREGON, County of Deschutes) ss.

This instrument was acknowledged before me on July 27, 2006, by Jeannine Keller, Amye Hess, Attorney in fact for Harold Elliott.

Nicole J. Powell  
Notary Public for Oregon.  
My Commission expires 2/28/08



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