

NOR 79795

2010-005964

Klamath County, Oregon



00084318201000059640050058

05/14/2010 03:32:40 PM

Fee: \$57.00

## RECORDING COVER SHEET

THIS COVER SHEET HAS BEEN PREPARED  
BY THE PERSON REPRESENTING THE  
ATTACHED INSTRUMENT FOR RECORDING.  
ANY ERRORS IN THIS COVER SHEET DO NOT  
AFFECT THE TRANSACTION(S) CONTAINED  
IN THE INSTRUMENT ITSELF.

### After Recording, Return To:

Amerititle

#### 1. Name(s) of the Transaction(s):

Assignment of Deed of Trust

#### 2. Direct Party (Grantor):

ACM Silverleaf Funding LLC, a Delaware limited  
liability company

#### 3. Indirect Party (Grantee):

Silverleaf Financial LLC, a Utah limited  
liability company

#### 4. True and Actual Consideration Paid:

n/a

#### 5. Legal Description:

See attached

57AMT

WTC 79795

When Recorded, Return to:

Brian Irwin  
Republic Title of Texas, Inc.  
2626 Howell Street, 10th Floor  
Dallas, Texas 75204  
214.754.7769

Transfer of Debt and Liens  
and Assignment of any Claims  
in Litigation and/or Bankruptcy Proceedings

STATE OF OREGON

§

KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF KLAMATH

§

§

That ACM SILVERLEAF FUNDING LLC, a Delaware limited liability company ("**Assignor**"), is the current owner and holder of the loan evidenced and/or secured by the following loan documents:

- (i) That certain Promissory Note (the "**Note**"), executed by Washburn ~~II~~, LLC, an Oregon limited liability company, and Autumn Three LLC, an Oregon limited liability company, as tenants in common ("**Borrower**"), in the original principal amount of \$2,690,000 dated August 3, 2007, payable to the order of CIBC Inc., a Delaware corporation ("**Original Lender**");
- (ii) That certain Deed of Trust, Assignment of Leases and Rents and Security Agreement (the "**Security Instrument**"), executed by Borrower of even date with the Note, recorded as Instrument No. 2007-013831 of the Real Property Records of Klamath County, Oregon (the "**Records**"), assigned to Assignor; and
- (iii) That certain Assignment of Leases and Rents (the "**ALR**"), executed by Borrower of even date with the Note, recorded as Instrument No. 2007-013832 of the Records, assigned to Assignor

covering and affecting that certain real property located in Klamath County, Oregon, more completely described in Exhibit A attached hereto and made a part hereof, for a good and valuable consideration paid to Assignor by SILVERLEAF FINANCIAL LLC, a Utah limited liability

company ("**Assignee**"), the receipt and sufficiency of which are hereby acknowledged, has negotiated, transferred, assigned, endorsed, granted, conveyed, and delivered, and by these presents does hereby negotiate, transfer, assign, endorse, grant, convey and deliver unto Assignee all of the following described property (collectively, the "**Debt and Liens**"), to-wit:

- (a) The Note and all indebtedness now or hereafter evidenced thereby;
- (b) all of the rights, benefits, privileges, liens, security interests, and assignments owned, held, accruing, and to accrue to, and for the benefit of the Assignor under the Security Instrument, the ALR and any vendor's lien;
- (c) any and all claims and/or causes of action Assignor may have relating to the Note, the Security Instrument and the ALR including any which are the subject of any litigation or bankruptcy proceeding; and
- (d) all other liens, security interests, lien priority agreements, guaranties, collateral assignments, covenants, agreements, rights, benefits, and privileges in anywise belonging or to accrue to the benefit of Assignor, in respect of the Security Instrument, the ALR or the Note and any indebtedness now or hereafter evidenced thereby or any security for them that are in the possession of Assignor and that Assignor has the legal right to transfer to Assignee.

To have and to hold, the Debt and Liens unto Assignee, its successors and assigns, forever, so that neither Assignor anyone else shall claim the Debt and Liens, or any part thereof, and Assignor shall accordingly forever protect and defend Assignee's right and title to the Debt and Liens.

By acceptance of this transfer, Assignee acknowledges and agrees that (i) the liability of Assignor to Assignee hereunder shall be limited to the net purchase price paid for the Note less payments received by Assignee on the principal balance and may only be satisfied from the assets of the trust fund formed pursuant to the applicable pooling and servicing agreement for the applicable trust fund, and (ii) the transfer is on a servicing-released basis and Assignee is assuming (and shall be solely responsible for and liable for) all loan servicing duties and all lender duties and obligations under the Note, Security Instrument, ALR and related loan documents from and after the effective date set forth below.

SIGNATURE PAGE FOLLOWS

In witness whereof, Assignor has caused this Transfer of Debt and Liens to be effective as of April 1, 2010.

ASSIGNOR:

ACM SilverLeaf Funding LLC a Delaware limited liability company

By: ACM SilverLeaf Manager LLC its manager

By:

  
Ivan O. Zinn  
Authorized Signatory

STATE OF NEW YORK


§

§§§

COUNTY OF NEW YORK

§

The foregoing instrument was acknowledged before me this 1 day of April, 2010 by Ivan O. Zinn, Authorized Signatory of ACM SilverLeaf Funding LLC a Delaware limited liability company, on behalf of such entity.

  
Printed Name: HEATHER WHIPPLE  
Notary Public - State of New York  
No. 01WH6131922  
Qualified in New York County  
My Commission Expires August 22, 2013  
My Commission Expires: \_\_\_\_\_

(NOTARIAL SEAL)

Exhibit A  
to Transfer of Debt and Liens  
Legal Description of Property

Parcel 1 of Land Partition 18-06, said Land Partition being a replat of Parcel 3 of Land Partition 34-04, said Land Partition being situated in the NW 1/4 NW 1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

TOGETHER WITH an easement for access and parking as created by instrument recorded May 2, 2003, in Volume M03 at page 29119, Microfilm Records of Klamath County, Oregon.