

2010-007062

Klamath County, Oregon



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Return Address:

06/10/2010 10:04:00 AM

Fee: \$52.00

Deborah L. Best  
Jameson Babbitt Stites  
& Lombard, P.L.L.C.  
999 Third Avenue, Suite 1900  
Seattle, WA 98104

**ASSIGNMENT OF  
MULTIFAMILY DEED OF TRUST**  
(Applegate Trails Apartments)

KNOW ALL MEN BY THESE PRESENTS:

THAT as of the 10th day of June, 2010, ARBOR COMMERCIAL FUNDING, LLC, a New York limited liability company, whose address is 333 Earle Ovington Blvd., Suite 900, Uniondale, New York 11553 ("Arbor"), as the holder of the instrument hereinafter described and for valuable consideration hereby endorses, assigns and delivers to FANNIE MAE, a corporation organized and existing under the laws of the United States, whose address is c/o Arbor Commercial Funding, LLC, 333 Earle Ovington Blvd., Suite 900, Uniondale, New York 11553, its successors, participants and assigns, all right, title and interest of Arbor in and to the following:

A Multifamily Deed of Trust, Assignment of Rents and Security Agreement by AGT Apartments LLC, an Oregon limited liability company (the "Borrower"), Chicago Title Insurance Company of Oregon, as Trustee, and Arbor, as Beneficiary, dated June 10, 2010 and recorded concurrently herewith securing the payment of a Multifamily Note, dated June 10, 2010 in the original principal amount of \$950,000.00 made by the Borrower, payable to the order of Arbor, and creating a first lien on the property described in Exhibit A attached hereto and by this reference made a part hereof.

This Assignment Agreement shall be governed in all respects by the laws of the state in which the aforementioned instrument was recorded and shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

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IN WITNESS WHEREOF, ARBOR COMMERCIAL FUNDING, LLC, a New York limited liability company, has caused its name to be signed hereto by Alan Steinmetz, its Authorized Signatory, and does hereby appoint said Alan Steinmetz its authorized officer to execute, acknowledge and deliver these presents on its behalf, to be effective as of the day and year first written above.

ARBOR COMMERCIAL FUNDING, LLC, a  
New York limited liability company

By: 

Name: Alan Steinmetz

Title: Authorized Signatory

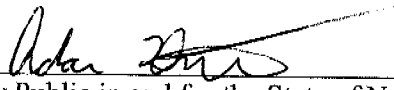
STATE OF NEW YORK            )  
  ) ss.  
COUNTY OF NASSAU            )

I certify that I know or have satisfactory evidence that the person appearing before me and making this acknowledgment is the person whose true signature appears on this document.

On this 7th day of June, 2010 before me personally appeared Alan Steinmetz, to me known to be the Authorized Signatory of ARBOR COMMERCIAL FUNDING, LLC, a New York limited liability company, the limited liability company that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said limited liability company, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

GIVEN under my hand and official seal this 7th day of June, 2010.

ADAM DRATCH  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02DR6178583  
Qualified in Rockland County  
My Commission Expires December 03, 2011

  
\_\_\_\_\_  
Notary Public in and for the State of New York,  
residing at \_\_\_\_\_  
My commission expires: \_\_\_\_\_  
\_\_\_\_\_  
[Type or Print Notary Name]

## EXHIBIT "A"

### LEGAL DESCRIPTION

A tract of land situated in the SW1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the initial point on the South right of way line of Bristol Avenue, from which the Northwest corner of Tract No. 1026 bears North 89°32'55" East 520.00 feet and S-N-S 1/256 corner bears South 89°38' West 916.15 feet and North 30.00 feet by Deed; thence North 89°32'55" East along said right of way, 260.00 feet, to the Northwest corner of that tract of land described in Volume M87, page 14676, Microfilm Records of Klamath County, Oregon; thence, along the boundaries of said tract and that tract described in Volume M96, page 19616, Microfilm Records of Klamath County, Oregon, South 00°27'05" East 295.00 feet and North 89°32'55" East 150.00 feet; thence South 00°27'05" East 120.00 feet; thence North 89°32'55" East 126.30 feet, to the Westerly boundary of Tract 1026 - THE MEADOWS, a duly recorded subdivision; thence along said boundary South 22°42'12" East 79.24 feet and South 37°56'58" East 89.06 feet; thence along the Northerly right of way line of the U.S.B.R. 1-C-3-B Drain, South 47°42'00" West 152.16 feet; thence along the Northerly right of way of the U.S.B.R. F-7 (A-3-C) Lateral, North 59°30'00" West 811.30 feet to the Westerly line of that property described in Deed Volume 284, page 485, Deed Records of Klamath County, Oregon; thence following said Westerly line; North 00°27'05" West 61.45 feet, North 67°54'55" East 202.89 feet and North 00°27'05" West 107.00 feet to the point of beginning.

TOGETHER WITH an easement as evidenced by Warranty Deed dated June 14, 1976, recorded June 28, 1976, in Volume M76, page 9724, Microfilm Records of Klamath County, Oregon, and an easement as evidenced by Warranty Deed dated November 6, 1978, recorded November 20, 1978, in Volume M78, page 26188, Microfilm Records of Klamath County, Oregon.