

2010-010325

Klamath County, Oregon



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Fee: \$57.00

After Recording Return to:

Jonathan E. Cohen
Folawn Alterman & Richardson LLP
805 SW Broadway, Suite 2750
Portland OR 97205

1st 1615955

APPOINTMENT OF SUCCESSOR TRUSTEE

Reference is made to a trust deed in which TOWN & COUNTRY CENTER, LLC is the grantor, ASPEN TITLE AND ESCROW, INC. is the Trustee, and WASHINGTON MUTUAL BANK is the beneficiary. The trust deed is dated June 22, 2004 and was recorded on June 24, 2004 in Volume M04, Page 40850-63, Records of Klamath County, Oregon. JPMorgan Chase Bank, N.A. purchased the trust deed, the promissory note that it secures, and other assets of Washington Mutual Bank from the Federal Deposit Insurance Corporation, acting as receiver for Washington Mutual Bank and pursuant to its authority under the Federal Deposit Insurance Act, 12 U.S.C. § 1821(d).

The trust deed covers real property commonly known as 3838-3930 South 6th Street, Klamath Falls, Oregon 97603, more specifically described on the attached Exhibit A, incorporated herein by this reference.

JPMorgan Chase Bank, N.A., the present beneficiary under the trust deed, desires to appoint a new trustee in the place and stead of the original trustee named above.

NOW, THEREFORE, JPMorgan Chase Bank, N.A. hereby appoints Jonathan E. Cohen, an attorney who is an active member of the Oregon State Bar, whose address is Folawn Alterman & Richardson LLP, 805 SW Broadway, Suite 2750, Portland, Oregon 97205, as successor trustee under the trust deed to have all the powers of the original trustee, effective immediately.

DATED this 25th day of August, 2010.

JPMorgan Chase Bank, N.A.

By:

Print Name:

Its

PETER FADUM


SPECIAL CREDITS OFFICER

State of California)
) ss.
County of San Joaquin)

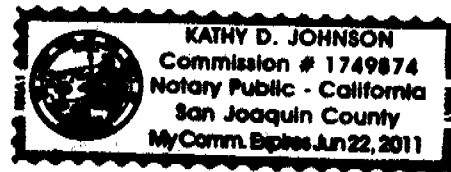
On August 25, 2010 before me, Kathy Johnson, personally appeared Peter Fadum who proved to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Signature of Notary

(Seal of Notary)



Appointment of Successor Trustee
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Exhibit "A"

Real property in the County of Klamath, State of Oregon, described as follows:

PARCEL 1:

A PORTION OF THE NORTHEAST QUARTER SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN ON THE SOUTH RIGHT OF WAY LINE OF SOUTH SIXTH STREET AS PRESENTLY LOCATED AND CONSTRUCTED, WHICH BEARS SOUTH 0° 22' 15" EAST A DISTANCE OF 48.5 FEET FROM THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER SOUTHEAST QUARTER; THENCE EASTERLY, ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 142.5 FEET TO A POINT; THENCE SOUTH AT RIGHT ANGLES TO SAID RIGHT OF WAY LINE A DISTANCE OF 460.0 FEET TO A POINT; THENCE WEST, PARALLEL TO SAID RIGHT OF WAY LINE, A DISTANCE OF 142.5 FEET, MORE OR LESS, TO THE WEST LINE OF SAID NORTHEAST QUARTER SOUTHEAST QUARTER; THENCE NORTH ALONG SAID WEST LINE A DISTANCE OF 460.0 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST ONE-FOURTH CORNER OF SAID SECTION 3; THENCE SOUTH 89° 52' WEST 1,275.74 FEET; THENCE SOUTH 00° 21' 47" EAST 54.10 FEET TO A ONE-HALF INCH PIPE ON THE SOUTHERLY RIGHT OF WAY LINE OF THE DALLES-CALIFORNIA HIGHWAY MARKING THE NORTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN DEED VOLUME 251 AT PAGE 162, AS RECORDED IN THE KLAMATH COUNTY DEED RECORDS; THENCE CONTINUING SOUTH 00° 21' 47" EAST ALONG THE EAST LINE OF SAID PARCEL DESCRIBED IN SAID DEED VOLUME 251 AT PAGE 162, 233.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 00° 21' 47" EAST ALONG SAID LINE 395.64 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF THE OREGON-CALIFORNIA AND EASTERN RAILWAY COMPANY; THENCE NORTH 67° 41' WEST ALONG SAID RIGHT OF WAY LINE 156.57 FEET (162 FEET BY RECORD); THENCE NORTH 00° 55' 30" WEST ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN SAID DEED VOLUME 251 AT PAGE 162, 334.24 FEET; THENCE NORTH 89° 14' EAST 147.71 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION WITH BEARINGS BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 3 AS BEING SOUTH 01° 14' EAST.

PARCEL 3:

A PORTION OF THE NORTHWEST QUARTER SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A ONE-HALF INCH IRON PIN ON THE SOUTH RIGHT OF WAY LINE OF SOUTH SIXTH STREET, AS THE SAME IS PRESENTLY LOCATED AND CONSTRUCTED, SAID POINT BEING ON THE WEST LINE OF TRACT OF LAND DEEDED TO MILLER BY DEED VOLUME 251 AT PAGE 162 AND THE EAST LINE OF A TRACT OF LAND DEEDED TO WHEELER BY DEED VOLUME 142 AT PAGE 349, KLAMATH COUNTY DEED RECORDS; THENCE SOUTH 0° 55' 30" EAST ALONG THE LINE BETWEEN THE TWO ABOVE DESCRIBED TRACTS A DISTANCE OF 341.6 FEET TO A 5/8 INCH IRON PIN MARKING THE SOUTHEAST CORNER OF A TRACT OF LAND DEED TO UNITED STATES NATIONAL BANK OF OREGON BY DEED RECORDED IN VOLUME M-72 AT PAGE 13690, DEED RECORDS OF KLAMATH COUNTY, OREGON, AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 0° 55' 30" EAST A DISTANCE OF 225.64 FEET, MORE OR LESS, TO THE NORTHEASTERLY RIGHT OF WAY LINE OF THE O.C. & E. RAILROAD; THENCE NORTH 67° 41' WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 148.11 FEET TO THE SOUTHWEST CORNER OF SAID WHEELER TRACT; THENCE NORTH 0° 55' 30" WEST ALONG THE WEST LINE OF SAID WHEELER TRACT, A DISTANCE OF 167.58 FEET TO THE SOUTHWEST CORNER OF SAID UNITED STATES NATIONAL BANK TRACT; THENCE NORTH 89° 14' EAST ALONG THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 136.09 FEET TO THE POINT OF BEGINNING.

PARCEL 4:

A TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON PIN WHICH BEARS SOUTH 89° 52' WEST A DISTANCE OF 745.73 FEET AND SOUTH 0° 20' 55" EAST A DISTANCE OF 220.16 FEET FROM THE BRASS CAP MONUMENT MARKING THE EAST QUARTER CORNER OF SECTION 3, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, SAID BEGINNING POINT ALSO BEING ON THE SOUTH LINE OF TRACT DESCRIBED AS PARCEL #1 IN DEED FROM KLAMATH COUNTY SCHOOL DISTRICT TO KLAMATH COUNTY, RECORDED IN VOLUME 295 AT PAGE 135, DEED RECORDS OF KLAMATH COUNTY, OREGON; THENCE CONTINUING FROM SAID BEGINNING POINT SOUTH 0° 20' 55" EAST ALONG A LINE PARALLEL TO SAID 4.0 FEET DISTANT EASTERLY, WHEN MEASURED AT RIGHT ANGLES TO, FROM THE EXISTING EASTERLY WALL OF THE PAYLESS DRUG STORE BUILDING AS THE SAME IS PRESENTLY LOCATED AND CONSTRUCTED, A DISTANCE OF 402.04 FEET TO 1/2 INCH IRON PIPE; THENCE SOUTH 53° 42' 15" WEST A DISTANCE OF 304.44 FEET, MORE OR LESS TO A 1/2 INCH IRON PIPE ON THE NORTHEASTERLY BOUNDARY OF THE O.C. & E. RAILROAD RIGHT OF WAY AS THE SAME IS PRESENTLY LOCATED AND CONSTRUCTED AND FROM WHICH POINT THE AFORESAID MONUMENT MARKING THE EAST QUARTER CORNER OF SAID SECTION 3 BEARS NORTH 50° 50' 20" EAST A DISTANCE OF 1273.34 FEET; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY BOUNDARY OF THE O.C & E. RAILROAD RIGHT OF WAY A DISTANCE OF 299.5 FEET, MORE OR LESS, TO THE WEST LINE OF SAID NORTHEAST QUARTER SOUTHEAST QUARTER; THENCE NORTH ALONG SAID WEST LINE A DISTANCE OF 186.5 FEET, MORE OR LESS, TO A POINT ON SAID WEST LINE WHICH BEARS SOUTH 0° 22' 15" EAST A DISTANCE OF 460.0 FEET FROM THE SOUTHERLY BOUNDARY LINE OF THE RELOCATED RIGHT OF WAY OF KLAMATH FALLS-LAKEVIEW HIGHWAY; THENCE EASTERLY, PARALLEL WITH SAID HIGHWAY RIGHT OF WAY LINE A DISTANCE OF 142.5 FEET TO A POINT; THENCE NORTH, PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER SOUTHEAST QUARTER, A DISTANCE OF 460.0 FEET, MORE OR LESS, TO THE SOUTHERLY BOUNDARY OF SAID RELOCATED HIGHWAY RIGHT OF WAY; THENCE EASTERLY ALONG SAID RELOCATED RIGHT OF WAY LINE A DISTANCE OF 387.7 FEET, MORE OR LESS, TO A POINT WHICH BEARS NORTH 0° 20' 55" WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 0° 20' 55" EAST A DISTANCE OF 174.66 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL 5:

A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER OF SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH BEARS SOUTH 01° 14' EAST A DISTANCE OF 55.03 FEET AND SOUTH 89° 14' WEST A DISTANCE OF 580.0 FEET FROM THE QUARTER OF SECTION CORNER COMMON TO SECTIONS 2 AND 3, SAID TOWNSHIP AND RANGE, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF SOUTH SIXTH STREET AS PRESENTLY LOCATED AND CONSTRUCTED; THENCE CONTINUING SOUTH 89° 14' WEST ALONG SAID SOUTH RIGHT OF WAY LINE DISTANCE OF 129.4 FEET TO THE NORTHWEST CORNER OF THIS DESCRIPTION; THENCE SOUTH 0° 18' EAST A DISTANCE OF 137.0 FEET TO AN IRON PIN; THENCE NORTH 89° 14' EAST A DISTANCE OF 131.9 FEET TO AN IRON PIN; THENCE NORTH 01° 14' WEST A DISTANCE OF 137.0 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTING A STRIP OF LAND 8 FEET WIDE RUNNING NORTH AND SOUTH ON THE WEST SIDE OF SAID PARCEL RESERVED FOR SIDEWALK PURPOSES.

Tax Parcel Number: R528628, R887754, R528450 and R528441