

2010-011561

Klamath County, Oregon



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09/30/2010 09:31:12 AM

Fee: \$47.00

Mail Tax Statements To:
No Change

After Recording Return To:
Gina Anne Johnnie
Sherman, Sherman, Johnnie & Hoyt, LLP
PO Box 2247
Salem, OR 97470

**ASSIGNMENT OF PROMISSORY NOTE AND
BENEFICIAL INTEREST IN TRUST DEED**

BY THESE PRESENTS, the undersigned **Western Orthopedic Surgery and Sports Medicine 401K DTD 1-1-2002 FBO Blake Nonweiler Account #1066-4753**, also known as **Western Orthopaedic Surgery and Sports Medicine 401K DTD 1-1-2002 FBO Blake Nonweiler Account #1066-4753** (hereinafter "Assignor"), whose address is: c/o Custom Mortgage 625 Hawthorne Ave., Suite 100, Salem, Oregon 97301, hereby bargains, sells, conveys, assigns, and sets over for good and valuable consideration, to **Pensco Trust FBO Blake Nonweiler IRA 20000439**, (the "Assignee"), having its principal place of business at Pensco Trust Company, 450 Sansome Street 14th Floor, San Francisco, CA 94111, without recourse, representation or warranty, express or implied, all of the right, title and interest of Assignor in and to:

- 1) That certain **Promissory Note** dated May 31, 2007, in the original amount of \$120,000.00, executed by **Richard A. Heathershaw and Debora E. Heathershaw, husband and wife**, in favor of **Western Orthopedic Surgery and Sports Medicine 401K DTD 1-1-2002 FBO Blake Nonweiler Account #1066-4753**; and
- 2) That certain **Trust Deed**, dated May 31, 2007, and recorded June 1, 2007 as Instrument/Document No. 2007-009877, Records of Klamath County, Oregon, which Trust Deed was given by **Richard A. Heathershaw and Debora E. Heathershaw, husband and wife**, (the "Grantor") to Michael J. Martinis, a licensed Oregon attorney in good standing, as Trustee (the "Trustee"), for the benefit of **Western Orthopedic Surgery and Sports Medicine 401K DTD 1-1-2002 FBO Blake Nonweiler Account #1066-4753**, (the "Beneficiary"), which Trust Deed secures the payment and performance of that certain Promissory Note in the original amount of \$120,000.00. Said Trust Deed covers the real property more particularly described in Exhibit A attached hereto and incorporated herein.

TO HAVE AND TO HOLD the same unto Assignee, his successors and assigns forever.

IN WITNESS WHEREOF, Assignor has executed this instrument this 27 day of September, 2010.

WESTERN ORTHOPAEDIC SURGERY AND SPORTS MEDICINE
401K DTD 1-1-2002 FBO BLAKE NONWEILER ACCOUNT #1066-4753

By: [Signature]

Name: Blake Nonweiler

STATE OF OREGON)
)ss.:
County of Deschutes)

The foregoing instrument was acknowledged before me this 27th day of September, 2010 by Blake Nonweiler.

[Signature]
Notary Public for Oregon
My Commission expires: March 28, 2014

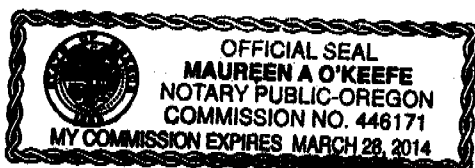


Exhibit A

Lot 7, Block 4, FIRST ADDITION TO ANTELOPE MEADOWS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

Subject to:

1. Subject to a 20 foot building setback along West lot line as shown on dedicated plat,
2. Subject to an 8 foot public utility easement along East lot line as shown on dedicated plat
3. Reservations and restrictions as contained in plat dedication to wit: "hereby dedicate to the use of public as public ways forever all streets shown on said plat."
4. Right of Way Easement created by instrument, subject to the terms and provisions thereof,
Dated: December 19, 1980
Recorded: May 3, 2001
Volume: M01, page 20255, Microfilm Records of Klamath County, Oregon
In favor of: Kenneth D. Davis
For: To construct, operate and maintain an electric transmission and/or distribution line or system
5. Right of Way Easement created by instrument, subject to the terms and provisions thereof,
Recorded: May 3, 2001
Volume: M01, page 20259, Microfilm Records of Klamath County, Oregon
In favor of: Charles Halfew
For: To construction, operate and maintain an electric transmission and/or distribution line system