

NTC 1316-10414

2011-003389

Klamath County, Oregon



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03/09/2011 11:17:49 AM

Fee: \$57.00

WHEN RECORDED RETURN TO:

Harvest Capital Company
690 NW 1st Ave, Suite 101
Canby, OR 97013

(space above reserved for recorders use)

ASSIGNMENT OF NOTE AND MORTGAGE

This Assignment of Note and Mortgage is made this 2nd day of March, 2011 from HARVEST CAPITAL COMPANY ("Assignor") to U.S. BANK NATIONAL ASSOCIATION, as Custodian/Trustee ("Assignee").

RECITALS

Assignor is the holder of a promissory note dated July 6, 2009 (Promissory Note "A") made by CAMERON A. CURTISS AND LEONA V. CURTISS, AS TRUSTEES OF THE CAMERON A. CURTISS REVOCABLE TRUST U/T/A dated August 17, 2007; LEONA V. CURTISS AND CAMERON A. CURTISS, AS TRUSTEES OF THE LEONA V. CURTISS REVOCABLE TRUST U/T/A dated August 17, 2007; CAMERON A. CURTISS and LEONA V. CURTISS (collectively "**Borrower**"), to the order of Assignor in the original principal amount of \$2,000,000. Assignor is the holder of a promissory note dated July 6, 2009 (Promissory Note "B") made by CAMERON A. CURTISS AND LEONA V. CURTISS, AS TRUSTEES OF THE CAMERON A. CURTISS REVOCABLE TRUST U/T/A dated August 17, 2007; LEONA V. CURTISS AND CAMERON A. CURTISS, AS TRUSTEES OF THE LEONA V. CURTISS REVOCABLE TRUST U/T/A dated August 17, 2007; CAMERON A. CURTISS and LEONA V. CURTISS (collectively "**Borrower**"), to the order of Assignor in the original principal amount of \$1,000,000 (collective the "**Notes**"). The Notes are secured by a Line of Credit Mortgage encumbering real property in Klamath County, Oregon described on attached Exhibit A which was recorded July 10, 2009 as Instrument No. 2009009438, Records of Klamath County, Oregon (the "**Mortgage**"). The Notes are also secured by other security instruments (collectively, the "**Other Security Documents**"). In connection with the Notes, the Borrower executed and delivered to Assignor an Environmental Indemnity Agreement with respect to environmental condition of the property. Assignor wishes to assign its interest in the Notes, the Mortgage, the Other Security Documents and the Environmental Indemnity Agreement to Assignee.

NOW, THEREFORE, ASSIGNOR, for good and valuable consideration and receipt of which is acknowledged hereby, assigns, sets over and transfers to Assignee, all of Assignor's right, title and interest in and to the Notes and the indebtedness evidenced thereby, without recourse, and the Mortgage, the Other Security Documents and the Environmental Indemnity Agreement.

70560278.1 0021392-00001

AMERITITLE, has recorded this
Instrument by request as an accomodation only,
and has not examined it for regularity and sufficiency
or as to its effect upon the title to any real property
that may be described therein.

57 AMJ

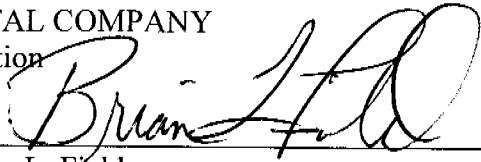
IN WITNESS WHEREOF, Assignor has executed this Assignment of Note and Mortgage on the date and year first written above.

HARVEST CAPITAL COMPANY
an Oregon corporation

By: _____

Name: Brian L. Field

Its: President

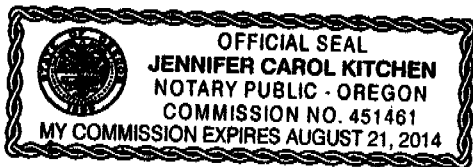
A handwritten signature in cursive script, appearing to read "Brian L. Field", is written over a horizontal line.

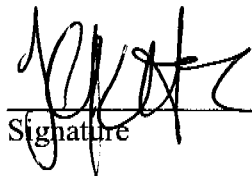
ACKNOWLEDGMENT

STATE OF OREGON)
) ss.
County of CLACKAMAS)

On this 2nd day of March, 2011, before me personally appeared Brian L. Field to me known to be the President of the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of the corporation, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument and that the seal affixed is the corporate seal of this corporation.

Give under my hand this 2nd day of March, 2011.





Signature

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

Parcel 1 of Land Partition 43-01 in Sections 28, 32, 33 and 34 in Township 36 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon and Sections 3, 4 and 9 in Township 37 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon by and through its Department of Transportation by Warranty Deed recorded December 5, 2003 in Volume M03, page 89160, Microfilm Records of Klamath County, Oregon.

PARCEL 2:

Township 36 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon:

Section 21: Government Lot 1

Section 27: Government Lots 1, 2, 3, 4 and 5, SW1/4, SW1/4 SE1/4

Section 28: Government Lots 1 and 2, NE1/4, E1/2 SE1/4, and NW1/4 SE1/4
EXCEPTING the following: Beginning at the Northwest corner of said NW1/4 SE1/4; thence South along the West line of said NW1/4 SE1/4 to the Southwest corner thereof; thence East along the South line of said NW1/4 SE1/4 to the Southeast corner thereof; thence Northwesterly along a straight line to the point of beginning.

Section 33: That portion of Government Lot 1, more particularly described as follows:

Beginning at the Northeast corner of said Section 33; thence West along the North line thereof to the Southwest corner of the SE1/4 SE1/4 of Section 28; thence Southeasterly along a straight line to the Southeast corner of said Government Lot 1; thence North along the East line of said Section 33 to the point of beginning.

Section 34: Government Lot 6, NW1/4 NE1/4, N1/2 NW1/4, SW1/4 NE1/4, SE1/4 NW1/4, The East 60 feet of the E1/2 SW1/4, that portion of the SW1/4 NW1/4, more particularly described as follows:

Beginning at the Northwest corner of said SW1/4 NW1/4; thence Southeasterly along a straight line to the Southeast corner of said SW1/4 NW1/4; thence North along the East line of said SW1/4 NW1/4 to the Northeast corner thereof; thence West along the North line of said SW1/4 NW1/4 to the point of beginning.

PARCEL 3:

Township 37 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon:

Section 4: Government Lots 2, 3, 7, 8, 12, 13 and 14; SE1/4 NW1/4; NE1/4 SW1/4 and Government Lot 9 lying Southerly and Westerly of the Lake of the Woods Highway.

ALSO Government Lot 1 EXCEPT that portion thereof heretofore conveyed to Weyerhaeuser Timber Company to the State of Oregon by deed dated September 13, 1951, recorded October 3, 1951 in Volume 250, page 175, Deed Records of Klamath County, Oregon.

Section 8: NW1/4 SW1/4; S1/2SW1/4; NE1/4 SW1/4; SE1/4

Section 9: Government Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9; N1/2 SW1/4; NW1/4 SE1/4

ALSO that part of the SW1/4 SW1/4 described as follows:

Beginning at the Southwest corner of said SW1/4 SW1/4; thence North along the West line of said SW1/4 SW1/4 to the Northwest corner thereof; thence East along the North line of said SW1/4 SW1/4 to the Northeast corner thereof; thence Southwesterly along a straight line to the point of beginning.

Section 17: N1/2 NW1/4

EXCEPTING THEREFROM that portion conveyed to the State of Oregon by and through its Department of Transportation by Warranty Deed recorded December 5, 2003 in Volume M03, page 89160, Microfilm Records of Klamath County, Oregon.

PARCEL 4:

A parcel of land situated in the N1/2 of the N1/2 of Section 3, Township 37 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point which bears North 89° 10' 48" West 60.00 feet from the N1/4 corner of said Section 3; thence South 01° 12' 43" East 699.28 feet to the North line of Eagle Ridge Road; thence along the North line of Eagle Ridge Road 152.28 feet along the arc of a 307.03 feet radius curve to the left, the long chord of which bears North 43° 46' 29" East 150.73 feet and having a delta angle of 28° 25' 04"; thence 307.71 feet along the arc of a 480.00 foot radius curve to the right, the long chord of which bears North 47° 55' 52" East 302.47 feet and having a delta angle of 36° 43' 51"; thence 64.33 feet along the arc of a 110.00 radius curve to the right, the long chord of which bears North 83° 03' 05" East 63.42 feet and having a delta angle of 33° 30' 36"; thence leaving the North line of Eagle Ridge Road North 00° 09' 31" East 374.12 feet to a point on the North line of said Section 3; thence along the North line of said Section 3 at a bearing of North 89° 10' 48" West 407.63 feet to the point of beginning; with bearings based on County Survey 6076.