

UTC 1396-10414

2011-003390

Klamath County, Oregon



00098699201100033900040040

03/09/2011 11:17:53 AM

Fee: \$52.00

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 December 14, 2006 made by PETER M. BOURDET and LINDA L. LONG, husband and wife (collectively "Borrower"), to the order of Assignor in the original principal amount of \$990,000 (the "Note"). The Note is secured by a Line of Credit Mortgage encumbering real property in Klamath County, Oregon described on attached Exhibit A which was recorded December 21, 2006 as Instrument No. 2006025143, Records of Klamath County, Oregon (the "Mortgage"). The Note is also secured by other security instruments (collectively, the "Other Security Documents"). In connection with the Note, 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 Note, 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 Note and the indebtedness evidenced thereby, without recourse, and the Mortgage, the Other Security Documents and the Environmental Indemnity Agreement.

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

20060118

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.

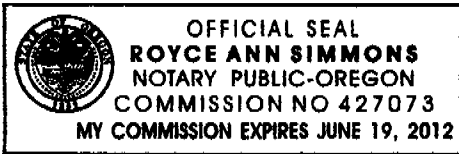
52 Dewt

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.



Royce Ann Simmons
Signature

**EXHIBIT A
TO MORTGAGE**

LEGAL DESCRIPTION

PARCEL 1

All in Township 36 South, Range 7 East, Willamette Meridian, Klamath County, Oregon.

Section 4: The S1/2 of Government Lot 13, EXCEPT that portion lying in Modoc Point Highway (SR 427); the S1/2 of Government Lot 14; Government Lots 18, 19, 23, 26 and 31. That portion of Government Lots 22, 27 and 30, described as follows: E1/2; E1/2 E1/2 W1/2; E1/2 E1/2 W1/2 E1/2 W1/2; E1/2 E1/2 W1/2 E1/2 W1/2 E1/2 W1/2; E1/2 E1/2 W1/2 E1/2 W1/2 E1/2 W1/2 E1/2 W1/2.

Section 9: That portion of Government Lot 1, described as follows:

Beginning at the Northwest corner of said Government Lot 1; thence East, along the North line of said Government Lot 1, 233 feet, more or less, to a point from which a tree bears North 25 feet, more or less and West 10 feet; thence Southerly 660 feet to a fence corner on the South line of said Government Lot 1; thence West 233 feet to the Southwest corner of said Government Lot 1; thence North 660 feet to the point of beginning.

Government Lots 2, 7, 8, 9, 10, 15, 16, 17 and 24; Government Lot 18 EXCEPT that portion lying in Modoc Point Highway (SR 427); ALSO EXCEPTING that portion of Government Lot 18 lying West of Modoc Point Hwy (SR 427); all that portion of Government Lots 3, 6, 11 and 14, and the E1/2 of Government Lot 23 lying East of Modoc Point Highway (SR 427).

PARCEL 2

The following described real property situate in Klamath County, Oregon:

TOWNSHIP 36 SOUTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN

Section 9: Lots 25, 32 and the E1/2 of Government Lot 31

Section 10: Lots 13, 20, 21, 28 and 29 and those portions of Lots 5, 11, 12, 14, 19, 22, 27 and 30, lying West of the Southern Pacific Railroad right of way. Section 15: Lots 4 and 5 and those portions of Lots 12 and 13 lying Northerly of Highway 427; all those portions of Lots 3, 6, 11 and 14 lying West of the southern Pacific Railroad Right of Way, and that portion of Lot 19 lying North of Highway 427 and West of a line in a 20 foot canal running North 01°35'15" West from a point on Highway 427 as disclosed by Survey Number 2667 filed with the Klamath County Surveyor's Office.

Section 16: All those portions of Lots 1, 9 and the East half of Lot 8, lying Northerly of

20060118

Highway 427.

PARCEL 3
INTENTIONALLY DELETED

PARCEL 4
INTENTIONALLY DELETED

PARCEL 5
INTENTIONALLY DELETED

PARCEL 6
INTENTIONALLY DELETED

PARCEL 7
Government Lots 25, 32 and the E1/2 of Government Lot 31, Section 9, Township 36 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 8
Government Lots 13, 20, 21, 28 and 29 and those portions of Lots 5, 11, 12, 14, 19, 22, 27 and 30, lying West of the Southern Pacific Railroad right of way, Section 10, Township 36 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 9
Government Lots 4 and 5 and those portions of Lots 12 and 13 lying Northerly of Highway 427; all those portions of Lots 3, 6, 11 and 14 lying West of the Southern Pacific Railroad Right of Way, and that portion of Lot 19 lying North of Highway 427 and West of a line in a 20 foot canal running North 01°35'15" West from a point on Highway 427 as disclosed by Survey Number 2667 filed with the Klamath County Surveyor's Office, Section 15, Township 36, South Range 7 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 10
All those portions of Lots 1, 9, and the E1/2 of Lot 8, lying Northerly of Highway 427, Section 16, Township 36 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 11
INTENTIONALLY DELETED