

WT 1396-10908

2012-009256

Klamath County, Oregon



00123083201200092560030039

08/21/2012 11:13:27 AM

Fee: \$47.00

**RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:**

Fairway Blue Oak Fund, LLC  
6650 SW Redwood Lane  
Suite 290  
Portland, Oregon 97224

Space Above Line For Recorder's Use Only

**REASSIGNMENT OF COLLATERAL ASSIGNMENT OF MORTGAGE  
AND LOAN DOCUMENTS**

This REASSIGNMENT OF COLLATERAL ASSIGNMENT OF MORTGAGE AND LOAN DOCUMENTS ("Assignment") is made as of Aug 8, 2012, by **Wells Fargo Capital Finance, LLC**, a Delaware limited liability company, formerly known as Wells Fargo Foothill, LLC ("Assignor"), with an address at 14241 Dallas Parkway, Suite 1300, Dallas, Texas 75254, in favor of **Fairway Blue Oak Fund, LLC**, an Oregon limited liability company ("Assignee"), with an address at 6650 SW Redwood Lane, Suite 290, Portland, Oregon 97224, as follows:

1. FOR VALUE RECEIVED, Assignor hereby endorses, negotiates, sells, assigns, conveys and transfers to Assignee without recourse, representation or warranty all of Assignor's right, title, and interest in and to that certain **Line of Credit Commercial Deed of Trust and Assignment of Rents (Security Agreement and Fixture Filing)** dated **December 28, 2010**, executed by **Khoury Development, LLC**, an Oregon limited liability company, and recorded on **December 30, 2010**, as **Instrument No. 2010-014738**, in the Official Records of **Klamath County, Oregon** thereof (hereinafter collectively called the "Deed of Trust"), describing certain real property therein (the "Real Property") as:

**Please refer to Exhibit "A" attached hereto and made a part hereof by this reference for the legal description.**

TOGETHER, with the note or notes and the other documents, instruments and agreements therein described or referred to, the money due and to become due thereon, with interest, and all rights accrued or to accrue under, said Deed of Trust and all related loan documents, and

TOGETHER, with all of Assignor's right, title, and interest in and to the Property.

2. The Deed of Trust was previously assigned to Assignor by Collateral Assignment of Mortgage and Loan Documents, dated as of December 28, 2010, executed by Assignee, as assignor, in

47721

favor of Assignor, as assignee, and recorded on December 30, 2010, as Instrument No.: 2010-014740, in the Official Records of Klamath County, Oregon.

3. The provisions of this Assignment shall be binding upon and shall inure to the benefit of Assignor and Assignee and their respective heirs, executors, administrators, successors and assigns.

4. This Assignment is being delivered in accordance with the terms of that certain Loan and Security Agreement, dated as of September 4, 2008, as amended, among Assignor, Assignee, and each of the lenders from time to time a party thereto (as amended, the "Loan and Security Agreement").

5. If any provision of this Assignment or the application thereof to any person or circumstance shall be invalid or unenforceable to any extent under applicable law, the remainder of this Assignment and the application of such provisions to other persons or circumstances shall not be affected thereby and shall be enforced to the greatest extent permitted by law.

6. This Assignment shall be interpreted, construed and enforced according to the laws of the state in which the Real Property is located.

7. Neither this Assignment nor any provisions hereof may be changed, waived, discharged or terminated orally, but only by an instrument in writing signed by the party against whom enforcement of the change, waiver, discharge or termination is sought.

IN WITNESS WHEREOF, Assignor has executed this Assignment as of the date first set forth above.

WELLS FARGO CAPITAL FINANCE, LLC,  
a Delaware limited liability company, formerly known  
as Wells Fargo Foothill, Inc.

By: \_\_\_\_\_

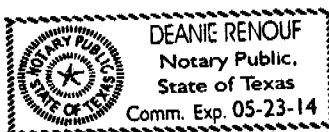
Ajay Jagsi  
Vice President

STATE OF TEXAS

COUNTY OF DALLAS

On Aug 8, 2012, before me, Deanie Renouf, Notary Public, personally appeared Ajay Jagsi, Vice President of Wells Fargo Capital Finance, LLC, personally known to me to be the person who executed the instrument and acknowledged to me he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon which the person acted, executed the instrument.

Witness my hand and official seal.



Deanie Renouf  
(Signature of Notary)

**Exhibit "A"**

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

**PARCEL 1:**

THE WESTERLY 300 FEET OF THE NORTHERLY 135 FEET OF LOT 2, BLOCK 3, TRACT 1080, WASHBURN PARK, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

**PARCEL 2:**

A PARCEL OF LAND SITUATED IN LOT 2 OF BLOCK 3, TRACT 1080-WASHBURN PARK, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 2" INCH PIPE ON THE WEST LINE OF SAID LOT 2, FROM WHICH THE NORTHWEST CORNER OF SAID LOT 2 BEARS NORTH 00° 30' 30" EAST 314.74 FEET; THENCE NORTH 00° 03' 30" EAST ALONG SAID WEST LINE 112.50 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89° 56' 30" EAST, 400.00 FEET TO THE EAST LINE OF SAID LOT 2; THENCE NORTH 00° 03' 30" EAST ALONG THE EAST LINE OF LOT 2, 202.24 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE NORTH 89° 56' 30" WEST ALONG THE NORTH LINE OF LOT 2, 400.00 FEET TO THE NORTHWEST CORNER OF LOT 2; THENCE SOUTH 00° 03' 30" WEST ALONG THE WEST LINE OF LOT 2, 202.24 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THE WESTERLY 300 FEET OF THE NORTHERLY 135 FEET THEREOF, WITH BEARINGS BASED ON MINOR PARTITION NO. 83-82, AS FILED IN THE KLAMATH COUNTY ENGINEER'S OFFICE.

TOGETHER WITH A PERPETUAL NON-EXCLUSIVE EASEMENT FOR DRAINAGE AND INSTALLATION OF UTILITIES ALONG AND UPON A 10-FOOT STRIP OF LAND MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE EASTERLY AND NORTHERLY LINES OF SAID LOT 2, SAID LINES BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT SOUTH 00° 03' 30" WEST 314.74 FEET FROM THE NE CORNER OF SAID LOT 2; THENCE SOUTH 00° 03' 30" WEST 285.00 FEET, THENCE SOUTH 89° 56' 30" EAST 84.91 FEET.

Tax Parcel Number: R526023 and R526032

AMERITITLE has recorded this instrument by request as an accommodation 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.