

2013-001748

Klamath County, Oregon



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02/15/2013 09:06:50 AM

Fee: \$47.00

Returned • Counters

After Recording Return To:

DAVID E. PETERSEN
MERRILL O'SULLIVAN LLP
805 SW INDUSTRIAL WAY, SUITE 5
BEND, OR 97702

ASSIGNMENT AND ASSUMPTION OF TRUST DEED

For valuable consideration, the receipt of which is hereby acknowledged, WILLIAM D. KENNEDY, Trustee, or Successor, U/D/T dated August 8, 2011, F/B/O the William D. Kennedy Trust, Assignor, hereby assigns unto K-CUBED, LLC, an Oregon limited liability company, Assignee, its interest in that certain Trust Deed executed by Assignor, as Grantor, to AMERITITLE, an Oregon corporation, as Trustee, in favor of KENNEDY LAND COMPANY, LLC, a California limited liability company, as Beneficiary, dated December 18, 2012, and recorded on December 21, 2012, recording number 2012-014228, Klamath County, Oregon, Deed Records, given to secure the payment of \$500,000.00 and pertaining to the following-described real property located in Klamath County, Oregon:

See Exhibit A which is made a part hereof by this reference.


WILLIAM D. KENNEDY, Trustee

Dated: February 14, 2013

MERRILL, O'SULLIVAN, LLP

ATTORNEYS AT LAW
805 SW INDUSTRIAL WAY, SUITE 5
BEND, OR 97702

Assignment and Assumption
of Trust Deed

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STATE OF OREGON)
) ss.
County of Klamath)

The foregoing instrument was acknowledged before me this 14 day of February, 2013, by WILLIAM KENNEDY, Trustee.



Trinity L. Hayden
Notary Public for Oregon

ASSUMPTION OF TRUST DEED

The undersigned accepts the above Assignment, assumes the obligations of the Assignor as Grantor to the Beneficiary or its assigns as contained in the Trust Deed and agrees to indemnify, defend and hold Assignor harmless therefrom.

K-CUBED, LLC,
an Oregon limited liability company

William D. Kennedy Authorized Manager
WILLIAM D. KENNEDY, Authorized Manager

Dated: February 14, 2013

STATE OF OREGON)
) ss.
County of Klamath)

The foregoing instrument was acknowledged before me this 14 day of February, 2013, by WILLIAM KENNEDY, Authorized Manager.



Trinity L. Hayden
Notary Public for Oregon

MERRILL, O'SULLIVAN, LLP

ATTORNEYS AT LAW
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BEND, OR 97702

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EXHIBIT "A"
LEGAL DESCRIPTION

Parcel 1:

Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon

Section 1: N1/2 NE1/4

Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon

Section 25: S1/2 SE1/4; NE1/4 SE1/4

Section 36: E1/2

Township 37 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon

Section 30: S1/2 S1/2

Section 31: All

Township 38 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon

Section 6: N1/2 NW1/4; SE1/4 NW1/4; E1/2; SE1/4 SW1/4; NE1/4 SW1/4; Government Lots
5 and 6

Parcel 2:

Township 39 South, Range 11 1/2 East of the Willamette Meridian, Klamath County, Oregon

Section 16: SW1/4 NE1/4; SE1/4 NW1/4; E1/2 SW1/4; SW1/4 SW1/4; SE1/4 SE1/4