

2013-003235

Klamath County, Oregon



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**This Document Prepared By &
After Recording Return To:**

CLMG CORP.
Donna Koestner - Supervisor
Post Closing Department
PO Box 251686
Plano, TX 75025-9933
BC: 678708

03/27/2013 08:53:45 AM

Fee: \$47.00

Please print or type information **OREGON STATE RECORDER'S Cover Sheet**

1. DOCUMENT TITLE(s) ASSIGNMENT OF ASSIGNMENT OF LEASES AND CASH
COLLATERAL

2. DIRECT PARTY/GRANTOR, required by ORS 205.125(1)(b) and ORS 205.160
Sterling Savings Bank
5285 S.W. Meadows Road, Suite 400, Lake Oswego, OR 97035

Original Grantor: Klamath – Austin, LLC

3. INDIRECT PARTY / GRANTEE(s) required by ORS 205.125(1)(a) and ORS 205.160

Franklin Bank, S.S.B., a Texas savings bank
1601 Bryan Street, Dallas, TX 75201

4. TRUE and ACTUAL CONSIDERATION (if any), ORS 93.030)

5. ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS:

**6. FULL OR PARTIAL SATISFACTION ORDER or WARRANT FILED IN THE COUNTY
CLERKS LIEN RECORDS**, ORS 205.121(1)(E)

**7. THE AMOUNT OF THE CIVIL PENALTY or THE AMOUNT, INCLUDING PENALTIES,
INTEREST AND OTHER CHARGES FOR WHICH THE WARRANT, ORDER OR JUDGMENT
WAS ISSUED.** ORS 205.125(1)© and ORS 18.325

**ASSIGNMENT OF ASSIGNMENT OF LEASES AND CASH
COLLATERAL**

THIS ASSIGNMENT OF ASSIGNMENT OF LEASES AND CASH COLLATERAL (this "Assignment") is made by STERLING SAVINGS BANK, whose address is 5285 S.W. Meadows Road, Suite 400, Lake Oswego, Oregon 97035 ("Assignor"), to and in favor of FRANKLIN BANK, S.S.B., A TEXAS SAVINGS BANK, whose address is 1601 Bryan Street, Dallas, Texas 75201 ("Assignee").

THIS ASSIGNMENT WITNESSES THAT, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration paid by Assignee, Assignor hereby assigns, transfers, sets over and conveys to Assignee and its successors and assigns, without recourse, and without representation or warranty, whether express, implied, or created by operation of law, except as expressly set forth in the Purchase Agreement, the following:

1. that certain Assignment of Leases and Cash Collateral, from Klamath – Austin, LLC, an Oregon limited liability company, dated July 6, 2005, and recorded July 8, 2005, in Book M05, at Page 52115, as Instrument No. n/a, recorded in the Clerk's Office of the County of Klamath, State of Oregon (the "Assignment of Leases"), which Assignment of Leases secures that certain Promissory Note dated July 6, 2005, in the original principal amount of \$2,115,000.00, made by Klamath – Austin, LLC, an Oregon limited liability company, executed by M. Eugene Dickerhoof, Member and Manager, and payable to the order of Sterling Savings Bank, as renewed, extended, amended or modified (the "Note");
2. such other documents, agreements, instruments and other collateral that evidence, secure or otherwise relate to Assignor's right, title or interest in and to the Assignment of Leases and/or the Note and/or the loan evidenced by the Note, including without limitation the title insurance policies and hazard insurance policies relating thereto that are in effect.

IN WITNESS WHEREOF, Assignor has caused this Assignment to be executed and delivered by its Authorized Representative as of the 23rd day of January, 2013.

This Assignment is to be effective
12/26/2006

STERLING SAVINGS BANK

By: *Daniel W. Smith*
Name: Daniel W. Smith
Title: SVP, Treasurer

ACKNOWLEDGMENT

STATE OF Washington

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COUNTY OF Spokane

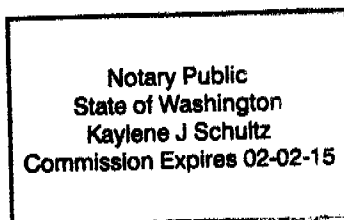
§

On January 23, 2013 before me, Kaylene J. Schultz,

(Insert Name of Notary Public and Title)

personally appeared Daniel W. Smith, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Signature: *Kaylene J. Schultz*
Notary Name: *Kaylene J. Schultz*
Notary Public, State of *Washington*
My Commission expires *2/2/15*

A F F I X N O T A R Y S E A L