

2013-003237

Klamath County, Oregon



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03/27/2013 08:55:07 AM

Fee: \$47.00

This Document Prepared By and
After Recording Mail To:
MGC MORTGAGE, INC.
Attn: Carissa Golden, Manager
Post Closing/Lien Release Dept.
P.O. Box 251686
Plano, Texas 75025-9933
(866) 544-9820
BC: 678708

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

Federal Deposit Insurance Corporation as Receiver for Franklin Bank, S.S.B., Houston, Texas
1601 Bryan Street, Dallas, TX 75201

Original Grantor: Klamath – Austin, LLC

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

LNV Corporation
7195 Dallas Parkway, Plano, TX 75024

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 is made by FEDERAL DEPOSIT INSURANCE CORPORATION AS RECEIVER FOR FRANKLIN BANK, S.S.B., HOUSTON, TEXAS, whose address is 1601 Bryan Street, Dallas, Texas 75201 ("Assignor"), to and in favor of LNV CORPORATION, whose address is 7195 Dallas Parkway, Plano, Texas 75024 ("Assignee"), pursuant to the terms of that certain Loan Sale Agreement, (the "Purchase Agreement"), effective June 4, 2009, between Federal Deposit Insurance Corporation in its Corporate and/or Receivership Capacity (the "FDIC") and LNV Corporation.

This assignment is made without recourse, representation or warranty, express or implied, by the FDIC in its corporate capacity or as Receiver.

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, except as expressly set forth in the Purchase Agreement, the following:

1. that certain Assignment of Leases and Cash Collateral, from Klamath – Austin, LLC, 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"), which Assignment 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 Mortgage 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 20 day of November, 2009.

This Assignment is to be effective
06/04/2009

FEDERAL DEPOSIT INSURANCE
CORPORATION as Receiver for Franklin Bank,
S.S.B., Houston, Texas

By: 

James Erwin, Sr. Vice President
LNV Corporation
Title: Attorney-In-Fact

ACKNOWLEDGMENT

STATE OF TEXAS

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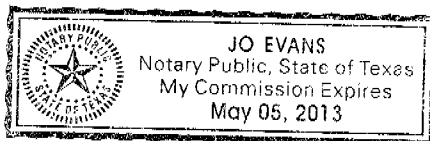
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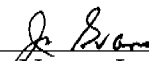
COUNTY OF COLLIN

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Before me, the undersigned, a Notary Public, on this day personally appeared James Erwin, who is personally well known to me (or sufficiently proven) to be the Sr. Vice President of LNV Corporation, Attorney-In-Fact of Federal Deposit Insurance Corporation as Receiver for Franklin Bank, S.S.B., Houston, Texas and the person who executed the foregoing instrument by virtue of the authority vested in him/her, and he/she acknowledged to me that he/she executed the same for the purposes and consideration therein expressed and in the capacities therein stated.

Given under my hand and seal this 20 day of November, 2009.




Notary Name: Jo Evans
Notary Public, State of Texas
My commission expires: May 5, 2013

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