

2017-010651

Klamath County, Oregon

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**This document was prepared by**

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Marion P. Mathiason, P.A.  
455 N. Indian Rocks Rd.  
Belleair Bluffs, Florida 33770



REF136301388A

File 1st

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**ASSIGNMENT AND ASSUMPTION OF LINE OF CREDIT LEASEHOLD DEED OF TRUST, ASSIGNMENT OF RENTS AND LEASES, SECURITY AGREEMENT AND FIXTURE FILING (SECURITY FOR CONSTRUCTION LOAN)**

FOR VALUE RECEIVED, on this 1st day of September, 2017, **SEMINOLE FUNDING RESOURCES, LLC**, a Delaware limited liability company ("**Assignor**"), hereby assigns, transfers and conveys to **SAS MORTGAGE GROUP I, LLC**, a Delaware limited liability company with a place of business at 455 N. Indian Rocks Rd. Belleair Bluffs, Florida 33770 ("**Assignee**"), all of its right, title and interest in and to the following:

1. The loan made by Assignor to **CHILOQUIN SOLAR, LLC**, an Oregon limited liability company ("**Borrower**") evidenced and secured by certain documents, including those documents described on Schedule 1 hereto (the "**Loan**") including, without limitation, that certain Line of Credit Leasehold Deed of Trust, Assignment of Rents and Leases, Security Agreement and Fixture Filing (Security for Construction Loan) dated as of July 12, 2017 (the "**Construction Deed of Trust**") executed by Borrower, as grantor, to Amerititle, as trustee, for the benefit of Assignor, as beneficiary, and recorded as Instrument No. 2017-007766, of the Official Records of Klamath County, Oregon (the "**Public Records**"), and secured by that certain real property located in Klamath County, Oregon, more completely described in Exhibit A attached hereto, and all other documents relating to the Loan; and

2. All of the documents described on Schedule 1 hereto and the rights, liens, security interests and remedies arising thereunder.

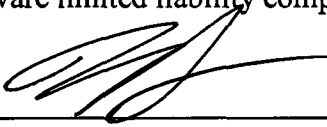
This Assignment and Assumption is made without representation or warranty of any kind.

*[Remainder of page intentionally blank]*

IN WITNESS WHEREOF, the undersigned has executed this Assignment and Assumption as of the date first above written.

**ASSIGNOR:**

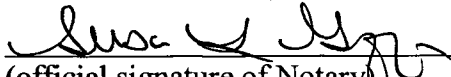
**SEMINOLE FUNDING RESOURCES, LLC**  
a Delaware limited liability company

By:   
Timothy S. Fetter  
Its: Executive Vice President

STATE OF FLORIDA       )  
                                      ) SS.  
COUNTY OF PINELLAS   )

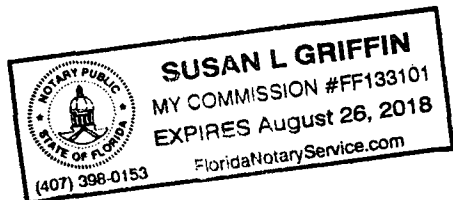
The undersigned, a Notary Public in and for the said County, in the State aforesaid, DO HEREBY CERTIFY that Timothy S. Fetter, the Executive Vice President of **SEMINOLE FUNDING RESOURCES, LLC**, a Delaware limited liability company, on behalf of said entity, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Timothy S Fetter, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act and as the free and voluntary act of the limited liability company, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 31 day of Aug, 2017.

  
(official signature of Notary)  
Susan L Griffin, Notary Public  
(Notary's printed or typed name)

(Official Seal)

My Commission Expires: 8-26-18



Schedule 1

to Assignment and Assumption of Line of Credit Leasehold Deed of Trust, Assignment of Rents and Leases, Security Agreement and Fixture Filing (Security for Construction Loan)

LIST OF LOAN DOCUMENTS

(Each dated effective as of July 12, 2017 unless otherwise noted)

1. Promissory Note executed by Borrower for the benefit of Assignor in the original amount of \$13,885,000.00;
2. Construction Loan Agreement between Borrower and Assignor (the "Loan Agreement");
3. Line of Credit Leasehold Deed of Trust, Assignment of Rents and Leases, Security Agreement and Fixture Filing (Security for Construction Loan) (the "Construction Deed of Trust") executed by Borrower, as grantor, to Amerititle, as trustee, for the benefit of Assignor, as beneficiary, and recorded as Instrument No. 2017-007766, of the Official Records of Klamath County, Oregon (the "Public Records"), encumbering the real property legally described on Exhibit A attached hereto and made a part hereof ("Property");
4. Guaranty of Payment and Completion, by Heelstone Energy Holdings, LLC ("Heelstone") to and for the benefit of Assignor;
5. Guaranty of Payment and Completion, by Saturn Power International, Inc. ("Saturn") to and for the benefit of Assignor;
6. Indemnity Agreement, from Borrower and Saturn to Assignor;
7. Registration Agreement by Borrower in favor of Seminole Financial Services, LLC;
8. Collateral Assignment of Agreements by Borrower for the benefit of Assignor;
9. Security Agreement executed by Borrower to and for the benefit of Assignor;
10. Collateral Assignment of Membership Interests, Capital Contributions and Pledge Agreement by Saturn to Assignor;
11. Consent and Agreement (EPC) by and among Borrower, Saturn, and Assignor; and
12. UCC-1 Financing Statements for the benefit of Assignor, as secured party, as required by Assignor.

## **EXHIBIT A**

### **LEGAL DESCRIPTION**

A Parcel of land being a portion of Parcel 3 of Major Land Partition 7-85, situated in the S 1/2 of the NE1/4, and the NE1/4 of the SE1/4 of Section 22, Township 34 South, Range 07 East of the Willamette Meridian, Klamath County, Oregon, Being more particularly described as follows:

Commencing at the East 1/4 corner of said Section 22; thence North 00°09'57" West, 1325.67 feet to the North line of the S1/2 of the NE1/4; thence, along said North line, North 89°58'33" West, 353.90 feet to the westerly Right-of-Way line of the Union Pacific Rail Road and the TRUE POINT OF BEGINNING; thence continuing along said westerly Right-of-Way line, along the arc of a 1507.69 foot radius curve to the left, through a central angle of 20°05'41" (the long chord of which bears South 10°06'06" West, 526.07 feet) an arc distance of 528.78 feet to a point of spiral; thence continuing along said westerly Right-of-Way line, along a spiral to the left, the long chord of which bears South 02°58'05" East, 187.29 feet; thence continuing along said westerly Right-of-Way line, North 84°25'48" East, 25.00 feet to a point of spiral; thence, continuing along said westerly Right-of-Way line, along a spiral to the left, the long chord of which bears South 07°45'07" East, 272.90 feet; thence, continuing along said westerly Right-of-Way line, South 08°56'42" East, 687.97 feet, to the North line of Tract 1314, Pine Ridge Ranches, a duly recorded subdivision on file at the Klamath County Clerk's Office; thence along said North line of said Tract 1314, North 89° 52' 22" West, 1925.97 feet; thence, leaving said North line, North 00° 10' 59" West, 120.00 feet; thence North 89° 52' 22" West 30.00 feet; thence, North 00° 10' 59" West, 1528.99 feet, to the North line of S1/2 of the NE1/4 line; thence along said North line, South 89° 58' 33" East, 1875.15 feet to the true point of beginning. Basis of Bearings is Grid North of the Oregon Coordinate Reference System, Bend- Klamath Falls Zone.

TOGETHER WITH THAT CERTAIN EMERGENCY VEHICLE TURNAROUND AREA comprised of Parcel A and Parcel B, as further outlined below:

#### **PARCEL A**

Commencing at the northeast corner of Tract 1314, Pine Ridge Ranches, a duly recorded subdivision on file at the Klamath County Clerk's Office, said point marked with a 5/8" rebar with a yellow plastic cap stamped "True Line Surveying"; thence along the north line of said Tract 1314, North 89°52'22" West, 1955.97 feet to the TRUE POINT OF BEGINNING; thence North 00°10'59" West, 120.00 feet; thence South 89°52'22" East, 30.00 feet; thence South 00° 10' 59" East, 120.00 feet; thence North 89°52'22" West, 30.00 feet to the true point of beginning.

SEMINOLE / CHILOQUIN

**PARCEL B**

A Parcel of land being a portion of Parcel 3 of Major Land Partition 7-85, situated in the S 1/2 of the NE1/4, and the NE1/4 of the SE1/4 of Section 22, Township 34 South, Range 07 East of the Willamette Meridian, Klamath County, Oregon, Being more particularly described as follows:

Commencing at the northeast corner of Tract 1314, Pine Ridge Ranches, a duly recorded subdivision on file at the Klamath County Clerk's Office, said point marked with a 5/8" rebar with a yellow plastic cap stamped "True Line Surveying"; thence along the north line of said Tract 1314, North 89°52'22" West, 1955.97 feet to the TRUE POINT OF BEGINNING; thence North 89°52'22" West, 98.31 feet; thence North 00°07'38" East, 30.00 feet; thence South 89°52'22" East, 53.15 feet; thence North 00°10'59" West, 65.00 feet; thence South 89°52'22" East, 45.00 feet; thence South 00°10'59" East 95.00 feet to the true point of beginning. Containing 0.13 Acres, more or less.

Together with Access Easement recorded March 2, 2017 in Instrument No. 2017-002249 and re-recorded March 14, 2017 in Instrument No. 2017-002679, Klamath County records.