

2018-011406

Klamath County, Oregon



00228986201800114060060065

09/20/2018 09:51:23 AM

Fee: \$107.00

AFTER RECORDING, RETURN TO

Melvin D. Ferguson
Attorney at Law
514 Walnut Avenue
Klamath Falls, Oregon 97601

SEND TAX STATEMENTS TO:

Terry R. Sellars
886 Rosemont Ct.
Klamath Falls, OR 97603

ASSIGNMENT OF BENEFICIAL INTEREST IN TRUST DEED

ASSIGNOR: Estate of Joyce C. Sellars
514 Walnut Avenue
Klamath Falls, OR 97601

ASSIGNEES: Robert D. Sellars
728 West Oregon Avenue
Klamath Falls, OR 97601

Michael J. Sellars
151 East 1060 North
Orem, UT 84057

Terry R. Sellars
886 Rosemont Ct.
Klamath Falls, OR 97603

Consideration: There is no consideration for this assignment, it is done pursuant to court order as a distribution of estate assets.

**ASSIGNMENT OF BENEFICIAL INTEREST
IN TRUST DEED**

DATED: September 14, 2018

BETWEEN: Estate of Joyce C. Sellars "Assignor"
514 Walnut Avenue
Klamath Falls, OR 97601

AND Robert D. Sellars "Assignees"
728 West Oregon Avenue
Klamath Falls, OR 97601

Michael J. Sellars
151 East 1060 North
Orem, UT 84057

Terry R. Sellars
886 Rosemont Ct.
Klamath Falls, OR 97603

RECITALS

A. On or about June 20, 2014, Harry A. Caldwell and Debra L. Caldwell issued an Installment Note to Joyce C. Sellars in the principal sum of \$125,000.

B. On or about June 20, 2014, Harry A. Caldwell and Debra L. Caldwell issued a Second Trust Deed to Joyce C. Sellars to secure payment of the above described Installment Note.

C. Joyce C. Sellars died March 28, 2015.

D. On or about May 29, 2015, Michael J. Sellars, Terry R. Sellars and Robert D. Sellars were appointed as Joint Personal Representatives of the Estate of Joyce C. Sellars by the Klamath County Circuit Court under Case No. 1501775CV.

E. On or about July 2, 2015, Joyce C. Sellars' Payee/Seller's interest in the aforescribed Installment Note was assigned to the Estate of Joyce C. Sellars, the beneficial interest in that Second Deed of Trust was not assigned, but remains with the Estate of Joyce C. Sellars following Joyce C. Sellars' death.

WHEREFORE

Michael J. Sellars, Terry R. Sellars and Robert D. Sellars, Joint Personal Representatives of the Estate of Joyce C. Sellars, Klamath County Circuit Court Case No. 1501775CV, pursuant to an order issued by said court dated April 18, 2018, do grant, assign and transfer a one-third interest each to each of said named Assignees, the interest of the Beneficiary (Joyce C. Sellars) of that Second Deed of Trust dated June 20, 2014, made by Harry A. Caldwell and Debra L. Caldwell as Grantors, in favor of First American Title, as Trustee, for the benefit of Joyce C. Sellars, as Beneficiary recorded on June 23, 2014, in the records of the Clerk of Klamath County, Oregon as Document No. 2014-006670.

Assignor owns all of the beneficial interest under said Trust Deed and is the holder of the Installment Note dated June 20, 2014 in the face amount of \$125,000, which the Second Trust Deed secures. Said Installment Note is simultaneously being assigned from the Estate of Joyce C. Sellars to Michael J. Sellars as to a one-third interest, Terry R. Sellars as to a one-third interest and Robert D. Sellars as to a one-third interest. The Second Trust Deed is a lien against certain real property in Klamath County, Oregon described as:

Real Property and improvements thereon more specifically described as follows:

A tract of land situated in Lot 1, Block 2, Tract 1080, Washburn Park, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southeast corner of said Lot 1; thence north 00° 03' 00" East, along the Westerly line of Washburn Way, 175.00 feet; thence North 89° 55' 10" West 250.00 feet; thence South 00° 03' 00" West 175.00 feet to the Northerly line of Crosby Avenue; thence South 89° 55' 10" East 250.00 feet to the point of beginning, with bearings based on the subdivision plat of said Tract 1080, Washburn Park.

Less and Except that portion deeded to the City of Klamath Falls and its successors and assigns a dedication deed road right-of-way, recorded December 14, 2006 in 2006-24749, Records of Klamath County, Oregon

Map Tax Lot: R-3909-004DA-00300-000
Property ID: R531268

commonly known as 2424 Washburn Way and 2430 Washburn Way, Klamath Falls, Oregon

Assignor hereby assigns all of its right, title and interest under the Second Trust Deed and Installment Note to Assignees as to a one-third interest each. Assignees desire to individually assume Assignor's rights and obligations under the Second Trust Deed and ownership of the Installment Note as to a one-third interest each.

Assignees hereby accept this assignment and assume and agree to perform all obligations of the Beneficiary under the terms of the Second Trust Deed and as holder of the Installment Note in strict accordance with the terms of the Second Trust Deed from and after the effective date.

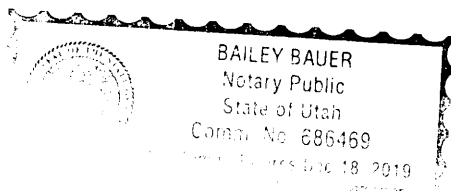
This assignment may be executed in counterparts, each of which will be considered an original and all of which together will constitute one and the same agreement.

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

Michael J. Sellars
Michael J. Sellars
Joint Personal Representative

STATE OF UTAH)
) ss.
County of Utah)

This instrument was acknowledged before me on July 17, 2018, by Michael J. Sellars as Joint Personal Representative of the Estate of Joyce C. Sellars, Klamath County Circuit Court Case No. 1501775CV.




Bailey Bauer
Notary Public - State of Utah
My commission expires: 12/18/19

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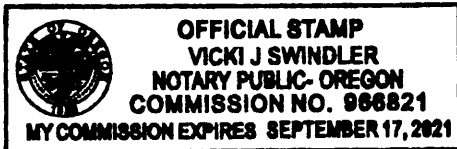
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Terry R. Sellars
Joint Personal Representative

STATE OF OREGON)
) ss.
County of Klamath)

This instrument was acknowledged before me on September 14, 2018, by Terry R. Sellars as Joint Personal Representative of the Estate of Joyce C. Sellars, Klamath County Circuit Court Case No. 1501775CV.




Notary Public - State of Oregon
My commission expires: 9-17-2021

Robert D. Sellars
Joint Personal Representative

STATE OF OREGON)
) ss.
County of Klamath)

This instrument was acknowledged before me on _____, 2018, by Robert D. Sellars as Joint Personal Representative of the Estate of Joyce C. Sellars, Klamath County Circuit Court Case No. 1501775CV.

Notary Public - State of Oregon
My commission expires: _____

APPROVED BY ASSIGNEES:

Robert D. Sellars

Michael J. Sellars


Terry R. Sellars

Terry R. Sellars
Joint Personal Representative

STATE OF OREGON)
) ss.
County of Klamath)

This instrument was acknowledged before me on _____, 2018, by Terry R. Sellars as Joint Personal Representative of the Estate of Joyce C. Sellars, Klamath County Circuit Court Case No. 1501775CV.

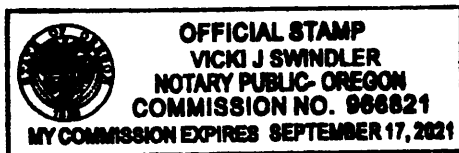
Notary Public - State of Oregon
My commission expires: _____

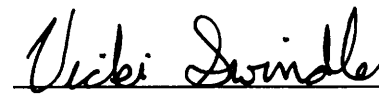


Robert D. Sellars
Joint Personal Representative

STATE OF OREGON)
) ss.
County of Klamath)

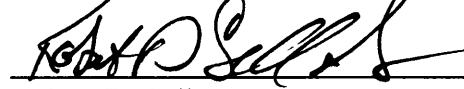
This instrument was acknowledged before me on July 27, 2018, by Robert D. Sellars as Joint Personal Representative of the Estate of Joyce C. Sellars, Klamath County Circuit Court Case No. 1501775CV.





Notary Public - State of Oregon
My commission expires: 9-17-2021

APPROVED BY ASSIGNEES:



Robert D. Sellars

Michael J. Sellars

Terry R. Sellars