AFN #2009172815 Recorded 05/11/09 at 02:43 PM DocType: ASGN Filed by: CLUNAS FUNDING GROUP INC Page: 1 of 1 Auditor J. Michael Garvison Skamania County, WA

After Recording Return To:

Brett Agost c/o Clunas Funding Group, Inc. PO Box 896 Lake Oswego, OR 97034

ASSIGNMENT OF NOTE AND TRUST DEED

- 1. <u>Assignment</u> The undersigned, Clunas Funding Group, Inc. (fka Clunas Development Co.) ("Assignor") for valuable consideration received, assigns and transfers to Sterling Trust FBO Brett Agost ("Assignee") and to Assignee's successors and assigns, all of the Assignor's right, title and interest in: (a) Promissory Note dated December 11, 2001, made and delivered by John E. Kitting ("Promisor") to Assignor, in the principal sum of \$70,000.00 (the "Note") and (b) Assignor's beneficial interest in Trust Deed collateralizing the Note dated December 11, 2001, recorded on December 13, 2001, as Document No. 143199, Book 218, Page 185, in the records of Skamania County, Washington (the "Trust Deed") and the real property described therein (the "Property").
- 2. <u>Warranties</u>. Assignor represents and warrants to Assignee: (a) Assignor is the owner of the Note and the beneficial interest in the Trust Deed, and such interests are free and clear of all liens and encumbrances; (b) The unpaid balance on the Note is not less than \$20,000.00; (c) The Note and Trust Deed are not in default and no offset is claimed by Promisor; and (d) There are no monetary liens or encumbrances against the Property which have priority over the Trust Deed.
- 3. Attorney Fees. In the event of a legal action related to or arising from this Assignment, the prevailing party shall be entitled to recover, in addition to any other remedy or relief their reasonable attorney's fees at trial or on appeal.

DATED: May /, 2009.

OFFICIAL SEAL
ANNE E RILEY
NOTARY PUBLIC-OREGON
COMMISSION NO. 41 4403
MY COMMISSION EXPIRES FEBRUARY 19, 2011

CLUNAS FUNDING GROUP, INC.

GARY CLUNAS, President

State of Oregon County of Clackamas

This instrument was acknowledged before me on May _____, 2009, by Gary Clunas as President of Clunas Funding Group, Inc.

Notary Public for Oregon