

798218-6W

Jackson County Official Records	2012-028179
R-AS	
Stn=10 ALONZOKM	08/21/2012 03:42:25 PM
\$15.00 \$10.00 \$5.00 \$11.00 \$15.00 \$3.00	\$59.00
I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Christine Walker - County Clerk	

After recording, return to:

BVH USA Limited Partnership
c/o Cedar Coast Properties, Ltd.
6060 Blink Bonnie Road
West Vancouver, BC V7W 1V8

Until a change is requested, all tax statements shall be sent to the following address:

BVH USA Limited Partnership
c/o Cedar Coast Properties, Ltd.
6060 Blink Bonnie Road
West Vancouver, BC V7W 1V8

ASSIGNMENT OF CLAIMS

This Assignment of Claims (this "Assignment") is dated as of this 30th day of July, 2012 (the "Effective Date"), between Bank of the Cascades, an Oregon state-chartered bank ("Assignor"), and BVH USA Limited Partnership ("Assignee").

Recital

Assignor and Assignee entered into a Purchase and Sale Agreement dated May 22, 2012 (the "Sale Agreement"), pursuant to which Assignor agreed to convey to Assignee the real property described on Exhibit A attached hereto (the "Property"). Under the Sale Agreement, Assignor agreed to assign to Assignee any claims that Assignor may have against the City of Medford, Oregon, that relate to landslides on the Property that resulted from a broken water pipe (the "Landslides") and any special declarant rights, as that term is used in ORS 94.550-94.783 ("Special Declarant Rights") that Assignor may have with respect to the Property.

Agreement

Now, therefore, for valuable consideration:

1. Assignor hereby assigns to Assignee, without any representation or warranty whatsoever, (i) any claims that Assignor has or may have against the City of Medford, Oregon, relating to or arising from the Landslides and (ii) any Special Declarant Rights that Assignor has or may have with respect to the Property.

2. Assignee shall indemnify Assignor for, hold Assignor harmless from, and defend Assignor (with counsel reasonably acceptable to Assignor) against any and all claims, liabilities, losses, damages, actions, causes of action, costs, and expenses (including without limitation reasonable attorney fees) arising from or in connection with Assignee's exercise of and/or enforcement of or failure to enforce the Special Declarant Rights on and/or after the Effective Date.



798218-6W

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44

Recorded Electronically	
ID	2012-028179
County	Jackson
Date	8-21-12 Time 3:42
Simplifile.com 800.460.5657	

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3. This Assignment may be signed in one or more counterparts, each of which shall be deemed an original and all of which counterparts shall be deemed one and the same instrument.

ASSIGNOR:

ASSIGNEE:

BANK OF THE CASCADES, an Oregon state-chartered bank

BVH USA LIMITED PARTNERSHIP

By: [Signature]
Brian D. Bergler, Vice President

By: [Signature]
Name: ENDER ILKAY

Title: ON BEHALF OF BVH GENERAL, LLC
GENERAL PARTNER

STATE OF OREGON)
COUNTY OF Multnomah)ss.

The foregoing instrument was acknowledged before me on July 30th, 2012, by Brian D. Bergler as vice president of Bank of the Cascades, Assignor herein.

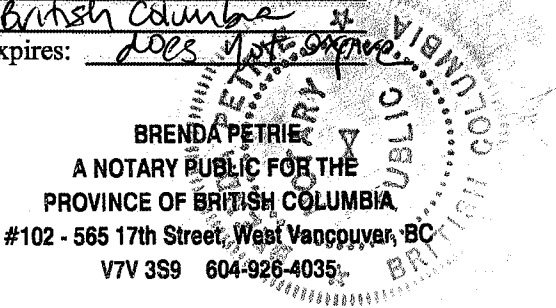


[Signature]
Notary Public for Oregon
My commission expires: 4/22/16

to Province
STATE OF British Columbia
County
COUNTY OF Canada)ss.

The foregoing instrument was acknowledged before me on August 2, 2012, by Ender Ilkay as authorized signatory of BVH USA Limited Partnership, Assignee herein.

[Signature]
Notary Public for British Columbia
My commission expires: does not expire



**EXHIBIT A
TO
ASSIGNMENT OF CLAIMS**

Lots One (1) through Thirty-Five (35), inclusive, and Lots Thirty-Eight (38) through Lot One Hundred-Seven (107), inclusive, and Tract A (West La Strada Circle) Tract B (Common Area), Tract D (Open Space), Tract E (Sorrento Lane), Tract F (Carno Lane) and Tract G (Camina Drive), in Bella Vista Heights Subdivision, Phases 1 and 2 in the City of Medford, Jackson County, Oregon, according to the official plat thereof, recorded February 8, 2007 in Volume 33, Page 101, Deed Records.

and

Lot Thirty-Six (36), in Bella Vista Heights Subdivision, Phases 1 and 2 in the City of Medford, Jackson County, Oregon, according to the official plat thereof, recorded February 8, 2007 in Volume 33, Page 101, Deed Records.

TOGETHER WITH that portion of vacated East McAndrews right-of-way adjoining that would attach thereto by Ordinance 2007-82,
Recorded : April 26, 2007 Document No. 2007-019934

and

Lot Thirty-Seven (37), in Bella Vista Heights Subdivision, Phases 1 and 2 in the City of Medford, Jackson County, Oregon, according to the official plat thereof, recorded February 8, 2007 in Volume 33, Page 101, Deed Records.

TOGETHER WITH that portion of vacated East McAndrews right-of-way adjoining that would attach thereto by Ordinance 2007-82,
Recorded : April 26, 2007 Document No. 2007-019934

and

Tract C (Open Space), in Bella Vista Heights Subdivision, Phases 1 and 2 in the City of Medford, Jackson County, Oregon, according to the official plat thereof, recorded February 8, 2007 in Volume 33, Page 101, Deed Records.

TOGETHER WITH that portion of vacated East McAndrews right-of-way adjoining that would attach thereto by Ordinance 2007-82,
Recorded : April 26, 2007 Document No. 2007-019934

