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OREGON FORM

389 (REV. 1-48)

## FEDERAL FARM LOAN AMORTIZATION MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, That on this 23rd day of August, 1965,

Tulana Farms, an Oregon Corporation; Dick Henzel and Elizabeth Henzel, husband and wife; Mabel E. Henzel, a widow; and Stuart Henzel,

hereinafter called the Mortgagors, hereby grant, bargain, sell, convey and mortgage to THE FEDERAL LAND BANK OF SPOKANE, a corporation organized and existing under the Federal Farm Loan Act as amended, with its principal place of business in the City of Spokane, County of Spokane, State of Washington, herein-

after called the Mortgagee, the following described real estate situate in the County of Klamath, State of Oregon, to wit:

The following described real property situated in Klamath County, Oregon:

TOWNSHIPS THIRTY-FOUR (34) AND THIRTY-FIVE (35) SOUTH, RANGE SEVEN AND ONE-HALF (7½) EAST OF THE WILLAMETTE MERIDIAN;

A piece or parcel of land in Sections Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), Thirty-three (33), and Thirty-four (34), Township 34 South, Range 7½ East Willamette Meridian, and Section Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), and Ten (10) in Township 35 South, Range 7½ East Willamette Meridian, situate in Klamath County, Oregon, and more particularly described as follows:

Beginning at the intersection of the center line of Seven Mile Canal, as the same is now located and constructed with a line parallel with and 70.0 feet distant at right angles Southeasterly from the center line of the Dixon and McQuiston Lower Levee as the same is now located and constructed, and from which point the Southeasterly corner of Section One (1), Township 34 South, Range 6 East Willamette Meridian, as established by Norman D. Price, U. S. Cadastral Engineer, between October 31, 1930 and June 22, 1931, bears North 52° 51½' West 18,650.2 feet distant, and running thence South 44° 40' West along the aforementioned parallel line 7011.7 feet; thence South 12° 30' East along a line parallel with and 70.0 feet distant at right angles Northeasterly from the center line of the said Dixon and McQuiston Lower Levee, 2,622.3 feet, more or less, to a point in the section line between the said Sections Twenty-eight (28) and Twenty-nine (29), Township 34 South, Range 7½ East Willamette Meridian; thence Southerly along the said section line between the said Sections Twenty-eight (28) and Twenty-nine (29), and Sections Thirty-two (32) and Thirty-three (33) of the same Township and Range, 7,928 feet, more or less, to the Southeasterly corner of the said Section Thirty-two (32); thence Southerly along the section line between the said Section Four (4) and Five (5), Township 35 South, Range 7½ East Willamette Meridian, 788.3 feet; thence Westerly along a line parallel with and 788.3 feet distant at right angles Southerly from the Township line between Township 34 South, Range 7½ East Willamette Meridian, and Township 35 South, Range 7½ East Willamette Meridian, 10,560 feet, more or less, to a point in the line marking the Westerly boundary of Section Six (6), Township 35 South, Range 7½ East Willamette Meridian; thence Southerly along the Westerly boundary of the said Section Six (6), 4,492 feet, more or less, to the Southwesterly corner of the said Section Six (6); thence continuing Southerly along the Westerly boundary of Section Seven (7), 5,280 feet, more or less, to the Southwesterly corner of said Section Seven (7); thence Easterly along the Southerly boundaries of the said Sections Seven (7), Eight (8), and Nine (9), Township 35 South, Range 7½ East Willamette Meridian, 10,560 feet, more or less, to the Southwest corner of Section Nine (9), Township 35 South, Range 7½ East Willamette Meridian; thence continuing Easterly along the South line of Section Nine (9), 1,980 feet; thence Northeasterly in a straight line to the Southwest corner of Lot Two (2).

of said Section Nine (9); thence Northerly along the Westerly line of said Lot Two (2) to the Northwesterly corner thereof; thence Easterly along the North line of said Lot Two (2), and of Lot One (1) of Section Nine (9), and of Lots Four (4), three (3), and Two (2) of Section Ten (10), to the shore line of Agency Lake; thence Northwesterly along the said shore line to its intersection with the

Northerly along the said shore line 2 1/2 miles, more or less, to its intersections with the said center line of Seven Mile Canal, as the same is now located and constructed, said point being South 41°02' East 11,000 feet distant from the said point of beginning; thence North 41°02' West along the said center line of Seven Mile Canal, 11,000 feet, more or less, to the said point of beginning. Together with the perpetual right and easement over the strip of land 150 feet in width adjoining the Southerly and most Southerly Easterly line of the abovedescribed land extending from the South westerly corner of said Section Seven (7) to the Northeasterly corner of Lot Two (2) of said Section Ten (10) in said Township and Range, for a borrow pit or canal and for support of dike which may be constructed.

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SAVING AND EXCEPTING from the above described lands those portions of the above described lands conveyed by Fort Klamath Meadows Co. to Meadows Drainage District by Deed recorded on Page 273 of Volume 59 of Deed Records of Klamath County, Oregon, This exception applies only to the lands conveyed by Fort Klamath Meadows Co. to T. B. Watters et al by Deed recorded in Volume 172 at page 497, Deed Records.

IN TOWNSHIP THIRTY-FIVE (35) SOUTH, RANGE SEVEN AND ONE-HALF (7 1/2) EAST OF THE WILLAMETTE MERIDIAN:

All of Fractional Section Twenty-four (24), Lying South of the Dyke presently located and constructed;  
All of Fractional Sections Twenty-Five (25), Twenty-six (26) and Twenty-seven (27);  
All of Fractional Section Twenty-eight (28) lying East of the Straits which connect Upper Klamath Lake and Agency Lake;  
All of Fractional Section Thirty-three (33);  
All of Section Thirty-four (34) and Thirty-Five (35);  
All of Section Thirty-six (36),

IN TOWNSHIP THIRTY-SIX (36) SOUTH, RANGE SEVEN AND ONE-HALF (7 1/2) EAST OF THE WILLAMETTE MERIDIAN:

All of Section One (1);  
All of Fractional Section Two (2);  
In Section Three (3): Lots 1, 2, 3, 4 and 5 and the North half of the Northeast Quarter (N 1/2 NE 1/4);  
In Section Four (4): Lot 1;  
All of Fractional Section Eleven (11);  
In Section Twelve (12): Lots 1, 2, 3, and 4, and the Northwest Quarter (NW 1/4) and the Northeast Quarter (NE 1/4).

IN TOWNSHIP THIRTY-FIVE (35) SOUTH, RANGE SEVEN (7) EAST OF THE WILLAMETTE MERIDIAN:

In Section Nineteen (19): Lots 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 20, 25, 26, 27, 28, 29, 30,

and the following described tract:

Starting at a point 7.85 chains West from the Section corner common to Sections Nineteen (19), Twenty (20), Twenty-nine (29) and Thirty (30), Township 35 South, Range 7 East of the Willamette Meridian, and running thence West 12.15 chains; thence North 20 chains to the center line of the old Dalles-California Highway; thence South 25° East following the center line of the said Old Dalles-California Highway 17.00 chains; thence in a Southeasterly direction also following the center of the said Dalles-California Highway 7.27 chains, more or less, to the starting point. Being a part of Lots 24 and 33 of said Section Nineteen (19).

In Section Thirty (30): Lots 3, 4, 5, 6, 7, 14, 15, 16, 17, 19, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36, 37 and that portion of Lots 8, 13 and 18 described as beginning at the center of Section 30 and running East thence 10 chains; thence North 30 chains to a point of intersection with the North boundary of Lot 8; thence West 10 chains to the Northwest corner of the said Lot 8; thence South 30 chains to the said center of Section 30 or place of beginning.

In Section Thirty-One (31): Lots 5, 6, 7, 12, 13, 14, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 27, 30, 31, 32, 33, 34, 35, 36, 37, and portion of Lots 11, 20, 21, 28, 29, and 38, in Section 31, more particularly described as follows:

326 Beginning at the stone monument marking the section corner common to Sections 31 and 32, Township 35 South Range 7, East of the Willamette Meridian and to Sections 5 and 6, Township 36 South Range 7 East of the Willamette Meridian; thence South 89° 55' 3/4" West along the section line common to said Sections 31 and 6, 425.0 feet to a point; thence North 0° 25' West 30.0 feet to an iron pipe on the Northerly

right of way line of a county road as the same is presently located and constructed and the True Point of beginning of this description; 2856  
 thence South  $89^{\circ} 55' 3/4''$  West along the said Northerly right of way line 868.7 feet to a point in the fence line marking the Westerly boundary of lot 38 of said Section 31; thence North  $0^{\circ} 55' 3/4''$  West 1271.7 feet to the stone monument marking the Northwest corner of Lot 29 of said Section 31 (said monument being also the SE  $1/16$  corner of said Section 31); thence North  $0^{\circ} 25'$  West 1316.7 feet to the stone monument marking the Northwest corner of Lot 21 of said Section 31 (said monument being also the East  $1/16$  corner on the East-west centerline of said Section 31); thence North  $0^{\circ} 19' 3/4''$  West 1263.3 feet to a iron pin on the Westerly boundary of Lot 11 of said Section 31 and from which point the Northwest corner of said Lot 11 bears North  $0^{\circ} 19' 3/4''$  West 55.0 feet distant; thence South  $13^{\circ} 14' 1/2''$  East 3955.5 feet more or less to the True Point of beginning; containing 39.8 acres more or less and being subject to all rights of way and/or easements, mineral reservations, and irrigation district liens of record or apparent on the premises.

Excepting that portion of Lot 12, more particularly described as follows:

A portion of Lot 12 beginning at the Northeast corner of Lot 12, said Township and Range; thence South  $0^{\circ} 19' 3/4''$  East 55.0 feet to an iron pin; thence North  $45^{\circ} 18' 3/4''$  West 77.8 feet to an iron pin; thence North  $89^{\circ} 40' 1/2''$  East 55.0 feet more or less to the point of beginning; containing 0.04 acres, more or less.

IN TOWNSHIP THIRTY-SIX (36) SOUTH, RANGE SEVEN (7) EAST OF THE WILLAMETTE MERIDIAN:

In Section Five (5): Lots 12, 13, 20, 21, 27, 28, 29, 30; ALSO a piece or parcel of land situate in Government Lot 5, being more particularly described as follows:

Beginning at a point from which the Northwest corner of said Section 5 bears North  $0^{\circ} 17'$  West 672.1 feet distant; thence South  $33^{\circ} 41' 2/3''$  East 778.2 feet; thence South  $89^{\circ} 52'$  West 428.5 feet; thence North  $0^{\circ} 17'$  West 648.5 feet more or less, to the point of beginning.

Also those portions of Lots 19 and 22, more particularly described as follows:

A piece or parcel of land situate in the SE  $1/4$  NW  $1/4$  and the NE  $1/4$  SW  $1/4$  of Section 5, said Township and Range, as follows:

Beginning at the Northwest corner of the NE  $1/4$  SW  $1/4$  of Section 5, from which the stone monument marking the West quarter-section corner of said Section 5 bears South  $89^{\circ} 40' 20''$  West 1318.20 feet distant and the stone monument marking the center quarter-section corner of said Section 5 bears North  $89^{\circ} 40' 40''$  East 1318.15 feet distant; thence North  $0^{\circ} 27' 20''$  East along the West boundary of the SE  $1/4$  NW  $1/4$  10.65 feet to a point; thence South  $33^{\circ} 55' 20''$  East 1588.80 feet to a point on the Southerly boundary of the said NE  $1/4$  SW  $1/4$ ; thence South  $89^{\circ} 01' 40''$  West along the Southerly boundary of the said NE  $1/4$  SW  $1/4$ ; 901.70 feet to the Southwest corner; thence North  $0^{\circ} 37' 50''$  East along the Westerly boundary of the said NE  $1/4$  SW  $1/4$  1322.95 feet, more or less, to the point of beginning.

Excepting that portion of Lots 12 and 13, more particularly described as follows:

A piece or parcel of land situate in the SW  $1/4$  NW  $1/4$  of Section 5, said Township and Range, described as follows:

Beginning at a point on the Northerly boundary of the SW  $1/4$  NW  $1/4$  of Said Section 5 from which the Northwest corner of said section 5 bears North  $33^{\circ} 55' 20''$  West 812.95 feet and North  $0^{\circ} 21' 20''$  West 644.5 feet distant; thence North  $89^{\circ} 48' 00''$  East 887.5 feet along the said Northerly boundary to the Northeast corner of the said SW  $1/4$  NW  $1/4$ ; thence South  $0^{\circ} 27' 20''$  West along the Easterly boundary of said SW  $1/4$  NW  $1/4$  1307.15 feet to a point; thence North  $33^{\circ} 55' 20''$  West 1571.45 feet, more or less, to the point of beginning.

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 And also excepting that portion of Lot 27, more particularly described as follows:

A piece or parcel of land situate in the SE  $1/4$  SW  $1/4$  of Section 5, said Township and Range, described as follows:

Beginning at a point on the Easterly boundary of the SE  $1/4$  SW  $1/4$  of said Section 5, from which the stone monument marking the South quarter-section corner of said Section 5 bears South  $1^{\circ} 18' 55''$  West 723.9 feet distant; thence North  $33^{\circ} 55' 20''$  West 693.35 feet to a point on the Northerly boundary of the said SE  $1/4$  SW  $1/4$ ; thence North  $89^{\circ} 01' 40''$  East along the said Northerly boundary 400.35 feet to the Northeast

corner of the said SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence South 1° 18' 55" West along the Easterly boundary of the said SE $\frac{1}{4}$ SW $\frac{1}{4}$  582.3 feet, more or less to the point of beginning. 2857

In Section Six (6): All of Section 6 EXCEPTING the following:

A piece or parcel of land situate in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 6, said Township and Range, described as follows:

Beginning at an iron pin on the Southerly right of way boundary of the County Road as the same is presently located and constructed from which the stone monument marking the Northeast corner of Section 6 bears North 89° 55' 30" East 369.5 feet and North 0° 21' 20" West 30.0 feet distant; thence South 0° 21' 20" East 59.3 feet to an iron pin; thence South 33° 55' 20" East 668.5 feet to a point on the Easterly boundary of the said Section 6 from which the said Northeast corner of the said Section 6 bears North 0° 21' 20" West 644.5 feet distant; thence South 0° 21' 20" East along the said Easterly boundary 27.55 feet to the existing Tulana Farms- Dock property line; thence North 33° 46' West along said property line 771.7 feet to a point on the said Southerly county road right of way line; thence North 89° 55' 30" East along said right of way line 55.5 feet, more or less, to the point of beginning.

In Section Seven (7): All of fractional Section 7:

In Section Eight (8):

Lots 1, 2 EXCEPTING any part thereof that may lie Easterly of the Easterly boundary of the dike on the Easterly boundary of the channel running Northerly and Southerly near the boundary between Lot 2, and the SW NE $\frac{1}{4}$  of said Section 8, and NW $\frac{1}{4}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$  and a piece or parcel of land situate in the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 5 and the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 8, Township 36 South Range 7 East of the Willamette Meridian more particularly described as follows:

BEGINNING at the stone marking the quarter-section corner common to Sections 5 and 8; thence North 1° 18' 55" East along the North-South centerline of said Section 5, 723.9 feet to an iron pin; thence South 1° 09' 50" East 1768.3 feet to deep water; thence West 52.55 feet to a point on the North-South centerline of said Section 8; thence North along the North-South centerline of said Section 8, 1044.2 feet, more or less, to the point of beginning.

SAVINGS and EXCEPTING a substation site 40 feet square described as follows:

Beginning at a point on the right hand or Westerly bank of Williamson River, and on the Easterly side or boundary of Lot 37 of Section Thirty (30), Township 35 South, Range 7 East of the Willamette Meridian, said point being situated South 89° 09' West 2.7 feet and West 3,114 feet, more or less, from the Southeast corner of said Section Thirty (30); thence West 110.0 feet; thence North 88° 22' West 249.4 feet; thence West 1,750.0 feet; thence North 70° 00' West 7.0 feet to a point on the East boundary fence line of that certain structure known and referred to as Indian Lands Substation and from which the Southeast corner of said substation bears South 12.5 feet, being the true point of beginning; thence South 12.5 feet to the Southeast corner; thence West 40 feet; thence North 40 feet; thence East 40 feet; thence South 27.5 feet to the true point of beginning.

The North 30 feet of Lot 1 of Section Six (6), Township 36 South, Range 7 East of the Willamette Meridian, as conveyed by Tulana Farms to Klamath County by deed executed January 11, 1954, recorded January 13, 1954 in Deed Volume 265 at page 50, Deed Records of Klamath County, Oregon.

And subject to two perpetual easements for power line right-of-way described as follows:

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5 (1) A right-of-way for power line across Lots 36 and 37 of Section Thirty (30), Township 35 South, Range 7 East of the Willamette Meridian, and lying between the Southerly boundaries of said Lots 36 and 37 and a line Northerly therefrom and parallel thereto and 25 feet North of the center line of the power line as now constructed.

(2) Beginning at a point on the Easterly 1/16th Section line of Section Nineteen (19), Township 35 South, Range 7 East of the Willamette Meridian, said point being North 400.0 feet, more or less, from the Southeast corner of Lot 30, said Section Nineteen (19); thence from point of beginning therein described North 36° 56' West 955.0 feet; thence North 20° 56' West 2,240.0 feet; thence North 5°

56° East 425.0 feet, more or less, to a point on the Westerly side or boundary of the Dalles-California Highway (old Alignment), said point being situate South 38° 58' West 2,017.0 feet, more or less, from the Northeast corner of Lot 2 of Section Nineteen (19), Township 35 South, Range 7 East of the Willamette Meridian; Also beginning at a point which bears North 400.0 feet, more or less, and thence North 36° 56' West 740.0 feet from the Southeast corner of Lot 30, said Section Nineteen (19); thence from point of beginning herein described North 53° 04' East 190.0 feet, more or less, Said Power line to be 25.0 feet in width, 12.5 feet on each side of center line as now constructed.

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TOWNSHIP FORTY (40) SOUTH, RANGE EIGHT (8) EAST OF THE WILLAMETTE MERIDIAN:

In Section One (1) as follows:

A piece or parcel of land lying between the rights-of-way for the Southern Pacific Railroad, and the Dalles-California Highway in Lot 1 of Section 1, Township 40 South, Range 8 East of the Willamette Meridian, and more particularly described as follows:

Beginning at a point at the intersection of the line marking the Easterly boundary of the right-of-way of the Southern Pacific Railroad, which is a line parallel with and 50.0 feet distant at right angles Southeasterly from the center line of the said Southern Pacific Railroad, as the same is now located and constructed, with a line parallel with and 92.54 feet distant at right angles Southeasterly from the township line which marks the Northerly boundary of the said Section 1, Township 40 South, Range 8 East of the Willamette Meridian, from which point of intersection, the section corner at the Northeast corner of the said Section 1, Township 40 South, Range 8 East of the Willamette Meridian, bears North 88° 22' East, 2927.6 feet distant, and running thence Southwesterly along the said Easterly right-of-way line of the said Southern Pacific Railroad, 1105 feet, more or less, to its intersection with the meander line marking the Southerly boundary of the said Lot 1, of the said Section 1, Township 40 South, Range 8 East of the Willamette Meridian; thence South 40° 58' East along said meander line 97.5 feet, more or less, to its intersection with the line marking the Westerly boundary of the right-of-way of the Dalles-California Highway, which is a line parallel with and 50.0 feet distant at right angles Northwesterly from the center line of the said The Dalles-California Highway, as the same is now located and constructed; thence Northeasterly along the said Westerly right-of-way line of the said The Dalles-California Highway 1190 feet, more or less, to its intersection with the said line parallel with and 92.54 feet distant at right angles Southerly from the township line marking the Northerly boundary of the said Section 1, Township 40 South, Range 8 East of the Willamette Meridian; thence North 89° 49' West, along said parallel line 97.3 feet, more or less, to the said point of beginning.

Beginning at the Northwest corner of the S $\frac{1}{2}$ SE $\frac{1}{4}$  of the said Section 1, Township 40 South, Range 8 East of the Willamette Meridian, and running thence North 89° 49' West, 704.4 feet, more or less, to a point in the line marking the Northeasterly boundary of the right-of-way of the Midland-Mack Store Road, which is a line parallel with and 30.0 feet distant at right angles Northeasterly from the center line of the said Midland-Mack Store Road, as the same is now located and constructed; thence South 38° 25' East, along said Northeasterly right-of-way boundary 1134.2 feet, more or less, to its intersection with the line marking the Easterly boundary of Lot 2, of Section 1, Township 40 South, Range 8 East of the Willamette Meridian; thence North 0° 02' West, along said line marking the Easterly boundary of the said Lot 2 of Section 1, Township 40 South, Range 8 East of the Willamette Meridian, 825.3 feet, more or less, to the said point of beginning.

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All those portions of Lots 1 and 2, Section 1, lying Southwesterly of the Midland-Mack Store Highway as now constructed and in use, in Township 40 South, Range 8 East of the Willamette Meridian.

The S $\frac{1}{2}$  of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 1, Township 40 South, Range 8 East of the Willamette Meridian.

Lots 3, 4 and 9 of Section 1, SAVING AND EXCEPTING that portion of the A. H. Patterson, Sr. property described in deed recorded in Book 199 at page 113 which lies Northerly and Easterly of the North-East boundary of the New North Canal of the Klamath Drainage District and SAVING AND EXCEPTING THEREFROM that portion conveyed to State of Oregon by deed dated May 23, 1947, recorded June 3, 1947 in Deed Book 207 at page 156, Records of Klamath County, Oregon.

All that portion of Lot 6, Section 1, lying Easterly of the Central

56. East 425.0 feet, more or less, to a point on the Eastern side of the Pacific Railway Company right-of-way, SAVING AND EXCEPTING that portion thereof lying Northerly of the Midland-Mack Store Highway and having been conveyed to Arthur Neil Phipps, et al, by deed dated March 14, 1950, recorded March 17, 1950 in Book 237 at page 387, Deed Records of Klamath County, Oregon, and also SAVING AND EXCEPTING that portion thereof conveyed to Klamath County by deed dated April 21, 1934, recorded September 19, 1934 in Deed Book 103 at page 506 Records of Klamath County, Oregon, and also SAVING AND EXCEPTING therefrom the portion conveyed to the State of Oregon by deed dated May 31, 1947 and recorded June 25, 1947 in Book 208 at page 87, Deed Records of Klamath County, Oregon.

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That portion of Lot 7, of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  and of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 1, lying Easterly of the Central Pacific Railway Company right-of-way SAVING AND EXCEPTING from said Lot 7, that portion conveyed to the State of Oregon by deed dated May 31, 1947 and recorded June 25, 1947 in Book 208 at page 87, Deed records of Klamath County, Oregon.

All of Lots 5 and 8, and the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 1.

In Section Eleven (11): That portion of the E $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 11, lying Easterly of the right-of-way of Central Pacific Railway Company.

In Section Twelve (12): The E $\frac{1}{2}$ , the SW $\frac{1}{4}$ , the E $\frac{1}{2}$  of the NW $\frac{1}{4}$  and that portion of the E $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 12, lying East of the right-of-way of Central Pacific Railway Company.

In Section Thirteen (13): All of Section 13;

In Section Fourteen (14): That portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$  the S $\frac{1}{2}$  of NE $\frac{1}{4}$ ; the E $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 14 lying Easterly of the right-of-way of the Central Pacific Company, all of the E $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 14.

In Section Twenty-Three (23): as follows

That portion of N $\frac{1}{2}$  of the NE $\frac{1}{4}$  and of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 23 lying Easterly of the right-of-way of the Central Pacific Railway Company and Northerly of the center line of the Klamath Straits.

The South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$ ), East of the Railway, and all of the South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$ ), the North Half of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$ ), all of the South Half of the Northeast Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$ ) lying South of the Channel or canal leading from lower Klamath Lake into Klamath River, all that part of the East Half of the West Half (E $\frac{1}{2}$ W $\frac{1}{2}$ ) lying West of the East half of said Section 23, South of the Channel or canal leading from Lower Klamath Lake to Klamath River, East of the California North-eastern Railroad Co. right-of-way and North of the North boundary line of the Southeast Quarter of the Southwest Quarter of Section 23; all that portion of Lot 4, lying Easterly of the right-of-way of the Central Pacific Railway Company and Southerly of the center line of the Klamath Straits, and all being situated and located in Section 23, Township 40 South, Range 8 East of the Willamette Meridian, in Klamath County, State of Oregon.

In Section Twenty-Four (24): All

In Section Twenty-five (25): All, EXCEPT the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ ):

In Section Twenty-six (26): All, East of the Railroad.

In Section Twenty-seven (27): That part of the Southeast Quarter (SE $\frac{1}{4}$ ) lying East of the Easterly right-of-way line of the Klamath Falls-Dorris State Highway.

In Section Thirty-four (34): Lots 6, 7, 8, 9, 10, 11, 12, 13, and 14, and also a strip of land 30 feet wide, North and South, of the South side of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ) of said Section Thirty-four (34), adjoining on the North side the parcel of land hereinafter described and designated as "Parcel One (1) of Lot One (1)" in Section Three (3), Township 41 South, Range 8 East of the Willamette Meridian, and also a piece or parcel of land in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of

Beginning at the Southeasterly corner of the said Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of said Section Thirty-four (34) thence North 0° 27' West along the Easterly boundary of the said Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ) 60 feet; thence South 89° 14' West along a line parallel with and 60 feet distant at right angles Northerly from the Section line which marks the Southerly boundary of the said Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of said Section Thirty-four (34), 690 feet, more or less, to a point in the Easterly boundary of the right-of-way of the Klamath Falls-Dorris Highway; thence Southerly along the said right of way boundary 67.2 feet, more or less, to its intersection with the said Section line; thence North 89° 14' East along the said Section line, 722 feet, more or less, to the said point of beginning, and situated

in Klamath County, Oregon, and being a part of Block 82 of vacated Townsite of Worden.

Part of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Thirty-four (34) Township 40 South, Range 8 East of the Willamette Meridian, described as follows:

Beginning at a point that is distant South 89° 29' East 351.66 feet from the Section corner common to Sections Three (3) and Four (4), Township 41 South, Range 8 East of the Willamette Meridian, and Sections Thirty-three (33) and Thirty-four (34), Township 40 South, Range 8 East of the Willamette Meridian, said point being distant 50 feet Southeasterly measured at right angles from the center line of the Central Pacific Company's originally located main track at Engineer Station 2640+59.67; thence North 32° 17' 30" East, parallel to said center line of main track, 1740.33 feet to a point distant 50 feet Southeasterly at right angles from said center line of the Central Pacific Railway Company's originally located main track at Engineer's Station 2658+00; thence South 57° 42' 30" East 100.0 feet; thence South 32° 17' 30" West 1678.39 feet to the South line of said Section Thirty-four; thence North 89° 29' West along said South line of Section Thirty-four (34); also the North line of said Section Three (3) a distance of 117.63 feet to the point of beginning;

A piece or parcel of land situated in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section Thirty-four (34), Township 40 South, Range 8 East of the Willamette Meridian, more particularly described as follows:

Beginning at a point in the East line of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section Thirty-four (34), Township 40 South, Range 8 East of the Willamette Meridian, which is North 0° 27' West along the Easterly line of said Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ), 60 feet from the Southeast corner of the said Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ); thence South 89° 14' West along a line parallel with and 60 feet distant at right angles Northerly from the Section line which marks the Southerly boundary of the said Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of said Section Thirty-four (34) to the Easterly right of way line of the Central Pacific Railway right-of-way as described in the deed to California Northeastern Railway Company dated June 22, 1910 and recorded July 12, 1910 in Deed Book 29 at Page 459, Deed Records of Klamath County, Oregon; thence Northeasterly along said right-of-way line to the East line of said Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of said Section Thirty-four (34); thence South along the said East line of said Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of said Section Thirty-four (34), 1280 feet, more or less, to the point of beginning, being Blocks numbered "A", "B", "C", "D" and a part of Block 82 of Townsite of Worden, now vacated, and the vacated streets accruing to said vacated lots and blocks:

3/ Excepting from the above described property a portion thereof described in a deed to Klamath County, Oregon, dated October 3, 1933, recorded October 5, 1933, in Deed Volume 101 at page 470, Deed Records of Klamath County, Oregon; AND FURTHER EXCEPTING from said property that portion thereof lying and being within the right-of-way of the Klamath Falls-Weed Highway No. 97, as located and constructed as of April 16, 1945.

In Section Thirty-five (35): All

In Section Thirty-six (36): All

TOWNSHIP FORTY (40) SOUTH, RANGE NINE (9) EAST OF THE WILLAMETTE MERIDIAN:

In Section Seven (7): Lots 1, 3, 9, 10 and 13; and the S $\frac{1}{4}$  of the NW $\frac{1}{4}$ ; the SW $\frac{1}{4}$ ; then E $\frac{1}{2}$  of the SE $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  and that portion of the NE $\frac{1}{4}$  and Lot 7 lying Southerly and Westerly of the center line of the said New North Canal, all in Section 7.

56° East 425.0 feet, more or less, to a point on the Westerly side

2861

In Section Eighteen (18): All

In Section Nineteen (19): All

In Section Thirty (30): The West Half ( $\frac{1}{2}$ ) and the West Half of the Northeast Quarter ( $\frac{1}{4}$ NE $\frac{1}{4}$ ), West of Klamath Straits.

In Section Thirty-One (31): The West Half ( $\frac{1}{2}$ ) and the Southeast Quarter ( $\frac{1}{4}$ SE $\frac{1}{4}$ ).

TOWNSHIP FORTY-ONE (41) SOUTH RANGE EIGHT (8) EAST OF THE WILLAMETTE MERIDIAN:

The West Half ( $\frac{1}{2}$ ) of Section One (1);

All of Section Two (2);

In Section Three (3): The East Half ( $\frac{1}{2}$ ), the Southeast Quarter of the Northwest Quarter ( $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ ), the East Half of the Southwest Quarter ( $\frac{1}{2}$ SW $\frac{1}{4}$ ), and Lots 5, 6, and 7, and the following described two parcel or pieces of land in lot 1:

Parcel One (1) of Lot 1: Beginning at a point on the Section line marking the Northerly boundary of Lot 1 of said Section Three (3), Township 41 South, Range 8 East of the Willamette Meridian, from which the Northwestern corner of the said Section Three (3) bears South 89° 14' West 1,314.2 feet distant, and running thence North 89° 14' East along the said Section line 608.2 feet, more or less, to the meander corner as established by the Survey of 1858; thence South 20° 57' East along the meander line of 1858 which marks the Easterly boundary of the said Lot 1, 591.1 feet; thence South 57° 52' West still following the said meander line 577.5 feet; thence North 21° 12' West 913.2 feet, more or less, to the said point of beginning and being in Lot 1, Township 41 South, Range 8 East of the Willamette Meridian.

Parcel Two (2) of Lot 1: Beginning at a point in the Northerly boundary of the said Lot 1 from which the Northwest corner of the said Section Three (3) bears South 89° 14' West 1,314.2 feet distant, and running thence South 21° 12' East along the Westerly boundary of Tract #1 above 64.0 feet; thence South 89° 14' West along a line parallel with and 60.0 feet distant at right angles Southerly from the said Section line marking the Northerly boundary of the said Lot 1, 760 feet, more or less, to a point in the line marking the Easterly boundary of the right-of-way of the Klamath Falls-Dorris Highway; thence Northerly along the said right-of-way boundary 67.2 feet, more or less, to its intersection with said Section line; thence North 89° 14' East along the said Section line 708 feet, more or less, to the said point of beginning.

In Section Ten (10): The Northeast Quarter of the Northeast Quarter ( $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ ).

In Section Eleven (11): The East Half ( $\frac{1}{2}$ ), the Northwest Quarter ( $\frac{1}{4}$ NW $\frac{1}{4}$ ), the North Half of the Southwest Quarter ( $\frac{1}{2}$ SW $\frac{1}{4}$ ), and the Southeast Quarter of the Southwest Quarter ( $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ ).

The West Half of Section Twelve (12).

In Section Thirteen (13): The North Half of the Northwest Quarter ( $\frac{1}{2}$ NW $\frac{1}{4}$ ) and Lots 3 and 4.

In Section Fourteen (14): The North Half of the Northeast Quarter ( $\frac{1}{2}$ NE $\frac{1}{4}$ ), the Northeast Quarter of the Northwest Quarter ( $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ ), and Lots 1, 2, 3 and 4.

TOWNSHIP FORTY-ONE (41) SOUTH, RANGE NINE (9) EAST OF THE WILLAMETTE MERIDIAN:

In Section Six (6): The South Half of the Southwest Quarter ( $\frac{1}{2}$ SW $\frac{1}{4}$ ).

In Section Seven (7): All

SAVING AND EXCEPTING from the above described lands, the following:

32 A piece or parcel of land lying in a strip 100.0 feet in width immediately adjacent on the Southeasterly side of the original canal right-of-way of the Klamath Drainage District over and across the Southeast Quarter of the Southwest Quarter ( $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section Twenty-three (23), and the Northeast Quarter of the Northwest Quarter

561 East 425.0 feet more or less from the Northwest Quarter (NE1/4) and the Fractional Northwest Quarter of the Northwest Quarter (NW1/4) of Section Twenty-six (26), Township 40 South, Range 8 East of the Willamette Meridian, containing 5.98 acres, more or less, and more particularly described as follows: 2862

Beginning at the point in the line marking the Northerly boundary of the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) of Section Twenty-three (23), Township 40 South, Range 8 East of the Willamette Meridian, where a line parallel with and 310.0 feet distant at right angles Southeasterly from the center line of the Southern Pacific Railroad as the same is now located and constructed intersects the same and from which point the Section corner common to Sections Twenty-two (22), Twenty-three (23), Twenty-six (26) and Twenty-seven (27), Township 40 South, Range 8 East of the Willamette Meridian bears South 54° 37' West 2,308.1 feet distant and running thence South 16° 57' West along a line parallel with and 310.0 feet distant at right angles Southeasterly from the said center line of the Southern Pacific Railroad and which said parallel line is the Southeasterly boundary of the right-of-way of the Klamath Drainage District's South Canal, 2,593.5 feet more or less, to a point in the Northerly boundary of the right-of-way of the said South Canal of the Klamath Drainage District, which is a line parallel with and 100.0 feet distant at right angles Northeasterly from the center line of the said canal as the same is now located, and running thence South 75° 34' East along last mentioned boundary line 100.1 feet, more or less, to its intersection with a line which is parallel with and 410.0 feet distant at right angles Southeasterly from the said center line of the Southern Pacific Railroad, and running thence North 16° 57' East, along said last mentioned parallel line, 2,620.0 feet, more or less, to its intersection with the Northerly boundary of the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) of Section Twenty-three (23), Township 40 South, Range 8 East of the Willamette Meridian; thence South 89° 48' West, along last mentioned boundary line, 104.7 feet, more or less, to the said point of beginning.

ALSO EXCEPT the following:

A Piece or parcel of land situate in the Northwest Quarter of the Northwest Quarter (NW1/4NW1/4); the South Half of the Northwest Quarter (S1/2NW1/4); and the North Half of the Southwest Quarter (N1/2SW1/4) of Section Twenty-six (26); and the Northeast Quarter of the Southeast Quarter (NE1/4SE1/4) of Section Twenty-seven (27); all in Township 40 South, Range 8 East of the Willamette Meridian, containing 79.7 acres, more or less, situate in Klamath County, Oregon, and more particularly described as follows:

Beginning at the point of intersection of the Easterly boundary of the right-of-way of the Dalles-California Highway, as same is now located, and constructed, with the Southerly boundary of the right-of-way of the Ady Canal of the Klamath Drainage District as now located and constructed, from which the Section corner common to Sections Twenty-two (22), Twenty-three (23), Twenty-six (26) and Twenty-seven (27) of the above Township and Range bears North 36° 30' West 1,630.7 feet distant, and running thence South 75° 34' East along the said Southerly boundary of the right-of-way of the Ady Canal 652.3 feet; thence South 0° 07' West 2,479.2 feet, more or less, to a point in the Southerly boundary of the North half of the Southwest Quarter (N1/2SW1/4) of the said Section Twenty-six (26); thence leaving the boundary of the right-of-way of the said Ady Canal, South 89° 50' West along the said Southerly boundaries of the North Half of the Southwest Quarter (N1/2SW1/4) of the said Section Twenty-six (26), and the Northeast Quarter of the Southeast Quarter (NE1/4SE1/4) of the said Section Twenty-seven (27) 2,147.0 feet, more or less, to an intersection with the said Easterly boundary of the right-of-way of the Dalles-California Highway; thence North 32° 21' East, following said right-of-way line, 2,097.0 feet; thence following a 1° 38' circular curve to the left, 937.8 feet; thence North 16° 57' East 23.5 feet, more or less, to the said point of beginning.

TOWNSHIP FORTY-ONE (41) SOUTH, RANGE EIGHT (8) EAST OF THE WILLAMETTE MERIDIAN:

In Section Three (3): Government lots 1, 2 and 3,

Except that part in Deed Book 138 at page 491, dated May 29, 1941, recorded June 14, 1941, Deed Records of Klamath County, Oregon, as follows:

Two pieces or parcels of land in Lot 1, Section 3, Township 41 South, Range 8 East of the Willamette Meridian, each more particularly described as follows:

32. Beginning at a point on the Section line marking the Northerly boundary of said Lot 1 of the said Section 3, from which the section

corner marking the Northwesterly corner of said Section 3 bears South 89° 14½' West 1314.2 feet distant; running thence North 89° 14½' East along the said Section line 608.2 feet, more or less, to the meander corner as established by the survey of 1858; thence South 20° 57' East along the meander line of 1858 which marks the Easterly boundary of the said Lot 1, 591.1 feet; thence South 57° 52' West still following the said meander line 577.5 feet; thence North 21° 12½' West, 913.2 feet, more or less to the said point of beginning. 2863

Beginning at a point in the section line marking the Northerly boundary of said Lot 1, of the said Section 3, from which the Section corner marking the Northwesterly corner of the said Section 3 bears South 89° 14½' West, 1314.2 feet distant, and running thence South 21° 12½' East along the Westerly boundary of Parcel No. 1 above, 64.0 feet; thence South 89° 14½' West along a line parallel with and 60 feet distant at right angles Southerly from the said Section line marking the Northerly boundary of the said Lot 1, 760 feet, more or less, to a point in the line marking the Easterly boundary of the right of way of the Klamath Falls-Dorris Highway; thence Northerly along said right of way boundary 67.2 feet, more or less, to its intersection with the Section line; thence North 89° 14½' East along the said section line 708.0 feet, more or less, to the said point of beginning, ALSO EXCEPTING the part in Deed Book 204 at page 461, Deed Records of Klamath County Oregon, as follows:

Beginning at the Section corner between Section 33 and 34, Township 40 South, Range 8 East of the Willamette Meridian and Section 3 and 4 Township 41 South, Range 8 East of the Willamette Meridian, and running thence South along the Section line between Sections 3 and 4 Township 41 South, Range 8 East of the Willamette Meridian 20 rods more or less to a point where said Section line intersects the Western line of the right of way of the SP (Central Pacific) Railway Co.; thence North-easterly along the Western line of said railway right of way to its intersection with the Township line running East and West between Township 40 and 41; thence running West along said Township line 13 rods more or less to the place of beginning; being a triangular piece of land situated in the NW¼ of Section 3, Township 41 South, Range 8 East of the Willamette Meridian.

Lots 1 thru 6 Block 2 Second Addition to Midland, Klamath County, Oregon.

The following described real property in Klamath County, Oregon:

That part of the NE¼ of the NE¼ of Section 23, Township 40 South, Range 8 East of the Willamette Meridian, which lies South of Klamath Straits and East of the Railroad Right of Way, EXCEPT that portion of the above described property conveyed to the United States of America by deed recorded March 31, 1908, in Volume 24 at page 163, and that portion conveyed to the United States of America by deed recorded January 20, 1945, in Volume 172 at page 336, Deed Records of Klamath County, Oregon.

ALSO, the following leasehold tract:

A piece or parcel of land situate, lying and being in the Southeast Quarter of Section 34, Township 34 South, Range 7 East of the Willamette Meridian, Chiloquin, County of Klamath, State of Oregon, more particularly described as follows:

COMMENCING at a point in the originally located center line of Central Pacific Railway Company's (formerly Oregon Eastern Railway Company) main tract at Engineer's Station 641+20, said point being distant 1838.5 feet measured North-easterly along said center line from the intersection of said center line and the southerly line of said Section 34; thence Northwesterly at right angles from said center line 48.5 feet to the actual point of beginning of the parcel of land to be described; thence continuing Northwesterly at right angles from said center line 101.5 feet, to a point in the Northwesterly line of the land of Central Pacific Railway Company, thence Northeasterly along said Northwesterly line of the land of Central Pacific Railway Company 425 feet to a point which is distant 150 feet measured Northwesterly at right angles from said center line of Central Pacific Railway Company's main track at Engineer Station 636+95; thence Southeasterly at right angles from said Northwesterly line of the land of Central Pacific Railway Company 101.5 feet; thence Southwesterly parallel with and distant 101.5 feet measured Southeasterly from said Northwesterly line of the land of Central Pacific Railway Company, a distance of 425 feet to the point of beginning, containing an area of 43,138 square feet, more or less, in the location shown enclosed within red lines on the print of Shasta Div'n. Drawing L 1574, Sheet No. 1, hereto attached and made a part hereof.

34 It is understood that at the present time the mortgagors have a lease upon the land above described from Central Pacific Railway Company and others, which lease is dated October 25, 1951, and expires September 20th, 1971, and that a grain elevator and other buildings and machinery belonging to the mortgagors

are located thereon. It is further understood that said lease is being assigned to the mortgagee herein, and that this mortgage covers all of said leasehold interest, together with any extensions or renewals thereof, and any and all 2864 additional interest therein which may be acquired by the mortgagors.

TOGETHER with all of mortgagor's interest in and to the access road from the old The Dalles-California Highway, now Oregon State Highway 422, to Wood River, as shown on the map attached marked Exhibit A and by this reference made a part hereof, and together with a right of way for access to the lands described above, across Sections 24, 25, and 26, Township 34 South, Range 7½ East of the Willamette Meridian, along the existing roadways for access to said lands and together with any interest in any right of way or easement which mortgagor may acquire in the future for access to the above-described lands or the rights of way described above from the old The Dalles-California Highway, now Oregon State Highway 422.

Together with all pumps, motors, and other irrigation equipment now or hereafter used with said property, which are hereby declared appurtenant thereto.

This rider is attached to and made a part of this mortgage, dated August 23, 1965, executed by the undersigned.

ATTEST Elizabeth Hengge  
Secretary

TULANA FARMS, an Oregon Corporation  
By: C. C. Hengge  
President

2864

together with the tenements, hereditaments, rights, privileges and appurtenances, including private roads, now or hereafter belonging to or used in connection with the above described premises; and all plumbing, lighting, heating, cooling, ventilating, elevating, watering and irrigating apparatus, stationary scales and other fixtures, now or hereafter belonging to or used in connection with the above described premises, all of which are hereby declared to be appurtenant to said land; and together with all waters and water rights of every kind and description and however evidenced, and all ditches or other conduits, rights therein and rights of way therefor, which now are or hereafter may be appurtenant to said premises or any part thereof, or used in connection therewith.

This conveyance is intended as a mortgage securing the performance of the covenants and agreements hereinafter contained, and the payment of the debt represented by one promissory note made by the mortgagors to the order of the mortgagee, of even date herewith, for the principal sum of \_\_\_\_\_

Three Million Seven Hundred Fifty Thousand \_\_\_\_\_ Dollars (\$3,750,000.00) with interest thereon from date at the rate of 5 1/2% per annum on the principal sum from time to time remaining unpaid, payable to the mortgagee at its office in the City of Spokane, State of Washington, as follows:

Interest only payable on \_\_\_\_\_ December 1st, 1965, and \_\_\_\_\_ annually thereafter to and including \_\_\_\_\_ December 1st, 1968. Thereafter 31 \_\_\_\_\_ equal \_\_\_\_\_ annual payments of \$251,606.97 each, payable on the first day of \_\_\_\_\_ December \_\_\_\_\_ and \_\_\_\_\_ in each year, beginning on the first day of \_\_\_\_\_ December \_\_\_\_\_, 1969 and a final payment of \$251,606.97 payable on the first day of \_\_\_\_\_ December \_\_\_\_\_, 1990 unless matured sooner by extra payments on principal; each of said payments shall be applied first to interest, then to principal. All payments not made when due shall bear interest thereafter until paid at six per cent per annum.

**Mortgagors covenant and agree:**

That they are lawfully seized of said premises in fee simple, have good right and lawful authority to convey and mortgage the same, and that said premises are free from encumbrance; and each of the mortgagors will warrant and defend the same forever against the lawful claims and demands of all persons whomsoever, and this covenant shall not be extinguished by any foreclosure hereof, but shall run with the land;

To pay all debts and moneys secured hereby when due;

To keep the buildings and other improvements now or hereafter existing on said premises in good repair and not to remove or demolish or permit the removal or demolition of any thereof; not to cut or permit the cutting of timber from said premises except for domestic use; to maintain and cultivate the premises in a good and husbandlike manner, using approved methods of preserving the fertility thereof; to keep the orchards on said land properly irrigated, cultivated, sprayed, pruned and cared for; not to commit or suffer waste of any kind upon said premises; not to use or permit the use of said premises for any unlawful or objectionable purpose; and to do all acts and things necessary to preserve all water rights now or hereafter appurtenant to or used in connection with said premises;

To pay when due all taxes and assessments upon said premises and to deliver to the mortgagee proper receipts therefor; and to suffer no other lien or encumbrance prior to the lien of this mortgage to exist at any time against said premises;

To keep all buildings insured against loss or damage by fire in manner and form and in such company or companies and in such amount as shall be satisfactory to the mortgagee; to pay all premiums and charges on all such insurance when due; to deposit with the mortgagee all insurance policies affecting the mortgaged premises, with receipts showing payment of all premiums and charges affecting said policies; and that all insurance whatsoever affecting the mortgaged premises shall be made payable, in case of loss, to the mortgagee, with a mortgagee clause in favor of and satisfactory to the mortgagee. The mortgagee shall be entitled to receive the proceeds of any loss under any such policy, which, if not used in accordance with the regulations of the Farm Credit Administration for reconstruction of the buildings damaged or destroyed, may be applied by the mortgagee upon the indebtedness hereby secured in such manner as it shall elect.

If any of the mortgaged property shall be taken under right of eminent domain, the mortgagee shall be entitled at its option to receive all compensation for the portion taken and damages to the remaining portion, to be applied by the mortgagee upon the indebtedness hereby secured in such manner as it shall elect.

Should the mortgagors be or become in default in any of the covenants or agreements herein contained, then the mortgagee (whether electing to declare the whole indebtedness hereby secured due and payable or not) may, at its option, perform the same in whole or in part, and all expenditures made by the mortgagee in so doing shall draw interest at the rate of 6 per cent per annum, and shall be immediately repayable by the mortgagors without demand, and, together with interest and costs accruing thereon, shall be secured by this mortgage.

Time is material and of the essence hereof; and in case of breach of any of the covenants or agreements hereof, or if default be made in the payment of any of the sums hereby secured, or if the whole or any portion of said loan shall be expended for purposes other than those specified in the original application therefor, except by the written permission of said mortgagee, or if said land or any portion thereof shall be hereafter included in any special assessment district, then, in any such case, all indebtedness hereby secured, shall, at the election of the mortgagee, become immediately due without notice, and this mortgage may be foreclosed; but the failure of the mortgagee to exercise such option in any one or more instances shall not be considered as a waiver or relinquishment of the right to exercise such option upon or during the continuance of the same or any other default.

In case of any suit to foreclose this mortgage or to collect any charge growing out of the debt hereby secured, or any suit which the mortgagee may deem it necessary to prosecute or defend to effect or protect the lien hereof, the mortgagors agree to pay a reasonable sum as attorney's fees and all costs and legal expenses in connection with said suit, and further agree to pay the reasonable costs of searching records and abstracting or insuring the title, and such sums shall be secured hereby and included in the decree of foreclosure.

Upon or during the continuance of any default hereunder, the mortgagee shall have the right forthwith to enter into and upon the mortgaged premises and take possession thereof, and collect the rents, issues and profits

thereof, and apply the same, less reasonable costs of collection, upon the indebtedness hereby secured, and the mortgagee shall have the right to the appointment of a receiver to collect the rents, issues and profits of the mortgaged premises. The rents, issues and profits of said premises after default are hereby assigned and mortgaged to the mortgagee as additional security for the indebtedness herein described.

This mortgage and the note secured hereby are executed and delivered under and in accordance with the said Federal Farm Loan Act and acts amendatory thereof or supplementary thereto, and are subject to all the terms, conditions and provisions thereof, which acts are made a part hereof the same as if set out in full herein.

The covenants and agreements herein contained shall extend to and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, Tulana Farms, a corporation, one of the mortgagors has caused its corporate name to be hereunto subscribed and its corporate seal to be affixed by its proper and duly authorized officers, and the individual mortgagors have hereunto set their hands the day and year first above written.

IN WITNESS WHEREOF, the mortgagors have hereunto set their hands and seals this 18th day of October, 1965.

ATTEST: Elizabeth Henzel  
Secretary

Stuart Henzel  
(Stuart Henzel)

TULANA FARMS, an Oregon Corporation  
BY: Dick Henzel  
President  
(Dick Henzel)  
Elizabeth Henzel  
(Elizabeth Henzel)  
Mabel E. Henzel  
(Mabel E. Henzel)

STATE OF OREGON,  
County of Klamath } ss.

On this 18th day of October, 1965, personally appeared the above named  
Dick Henzel and Elizabeth Henzel, husband and wife; Mabel E. Henzel, a widow;  
and Stuart Henzel,  
and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Bryan D. McLean  
Notary Public in and for the State of Oregon,  
residing at Klamath Falls, Oregon  
My commission expires 8/13/1966

0883

Amortization Mortgage

FROM

Tulana Farms,

TO

The Federal Land Bank of Spokane

STATE OF OREGON,

County of Klamath } ss.

I hereby certify that the within instrument was filed for record in the office of the County Clerk of said County on the

day of \_\_\_\_\_

A. D. 19\_\_\_\_, at \_\_\_\_\_ o'clock

and \_\_\_\_\_ minutes, \_\_\_\_\_ M.,

at the request of \_\_\_\_\_

and recorded on page \_\_\_\_\_

of Book \_\_\_\_\_ of Mortgages.

County Clerk

By \_\_\_\_\_, Deputy

The fee for recording this mortgage is \$ \_\_\_\_\_

and was paid by \_\_\_\_\_

THE FEDERAL LAND BANK OF SPOKANE  
SPOKANE, WASHINGTON

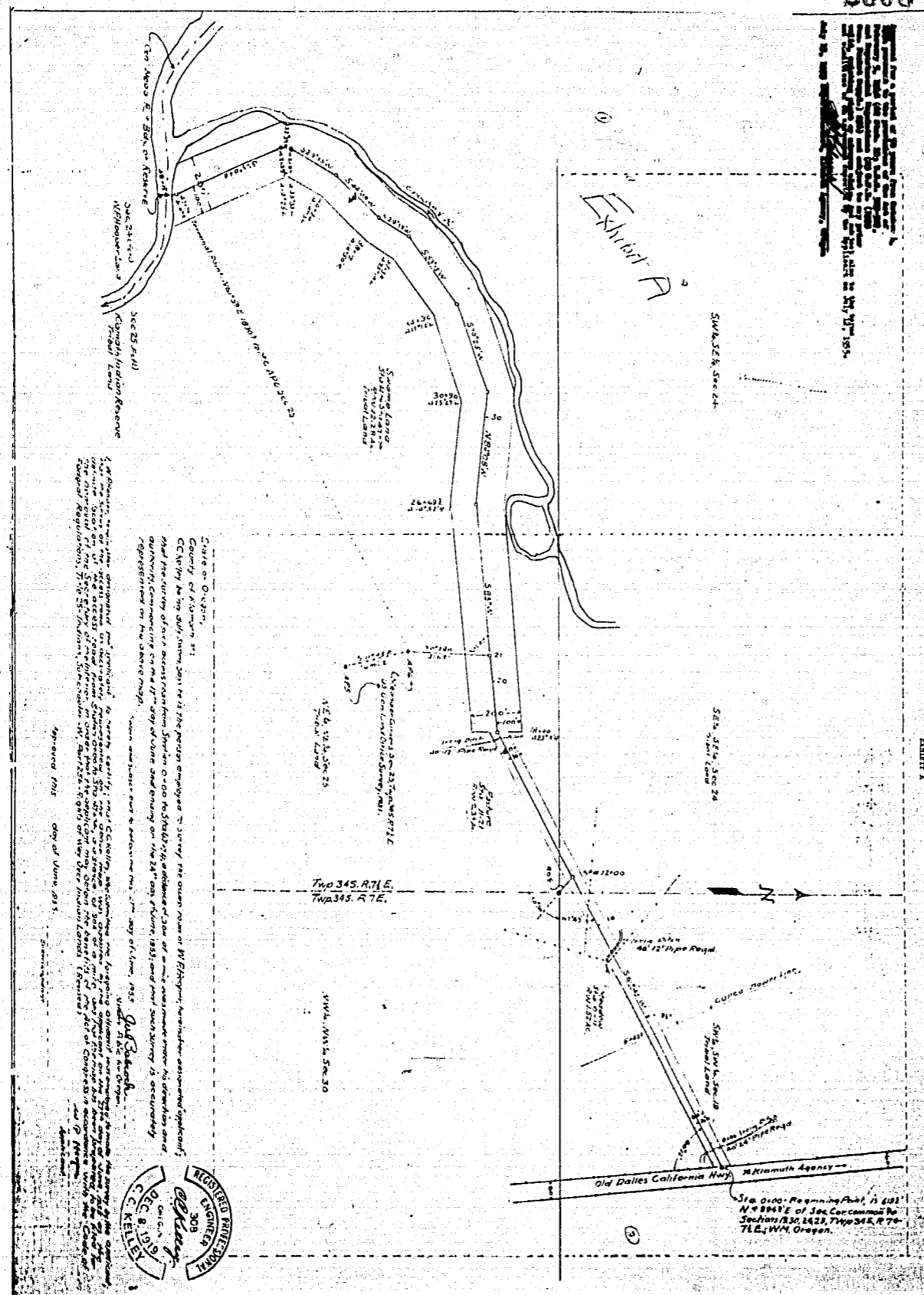
2867

STATE OF OREGON )  
County of Klamath ) ss

On this 18th day of October, 1965, personally appeared, Dick Henzel, who, being duly sworn, did say that he is the president of Tulana Farms an Oregon Corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors; and he acknowledged said instrument to be its voluntary act and deed.

Before me:

*Bryan Williams*  
Notary Public for the State of Oregon  
residing at Klamath Falls, Oregon  
My commission expires 8/13/1966



STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Oregon Title Insurance Co.

this 18 day of Oct. A.D. 19 65 at 3:51 o'clock P.M., and

only recorded in Vol. M-65 of Mortgages on Page 2854

Fee \$22.50

DOROTHY ROGERS/ County Clerk

By Jane Mear

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