

28785

McG 306

68-796

KNOW ALL MEN BY THESE PRESENTS, That First National Bank of Oregon, as Executor of the Estate of R. V. Ess, deceased, having received the sum of One Dollar as a partial payment on that certain mortgage executed by Donald E. McGhehey and Grace G. McGhehey, his wife, mortgagors, dated July 28, 1955, in favor of R. V. Ess, recorded in Book 164 Record of Mortgages for the County of Klamath, State of Oregon, on page 479, on the 28th day of July, 1966, does hereby release from the lien of said mortgage the following-described premises therein described, to-wit:

PARCEL NO. 1 - A purchase for right of way

A parcel of land lying in Section 1, Township 39 South, Range 8 East, W.M., Klamath County, Oregon, and being a portion of that property described in those deeds to Donald E. McGhehey and Grace G. McGhehey, recorded in Book 276, Page 216 and in Book 322, Page 356 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on each side of the following described center line:

Beginning at Engineer's center line Station 330+00, said station being 309.67 feet North and 1903.26 feet West of the North quarter corner of said Section 1; thence South 55° 17' 30" East 5000 feet to Engineer's center line Station 380+00.

The widths in feet of the strip of land above referred to are as follows:

Station	to Station	Width on Northeasterly Side of Center Line	Width on Southwesterly Side of Center Line
330+00	348+00	90	90
348+00	359+00	90 taper to 150	90
359+00	366+00	150 taper to 80	90
366+00	368+90	80	90
368+90	370+20	80	90 taper to 215
370+20	380+00	80	80

EXCEPT therefrom that property described in that deed to Geary Bros., recorded in Book 322, Page 357 of Klamath County Record of Deeds.

Bearings are based upon the Oregon Co-ordinate System, South Zone.

The parcel of land to which this description applies contains 14.1 acres, more or less.

AND DO HEREBY FURTHER SUBORDINATE the remainder of the property covered by the lien of said mortgage to the following terms, conditions, and restrictions contained in that certain deed from Donald E. McGehey and Grace G. McGehey, husband and wife, to the State of Oregon, by and through its State Highway Commission, as follows, to wit:

"As a part of the consideration hereinabove stated, there is also bargained, sold, conveyed and relinquished to the Grantee all existing, future or potential common law or statutory abutter's easements of access between all of the Grantors' remaining real property and the parcel hereinabove described; EXCEPT, however,

"Reserving, for service of the said remaining property, right of access from Grantors' remaining property to the highway right of way, at each of the following places and for the following width:

Hwy. Engr's Sta.	Width	Side of Hwy.	Purpose
347+50	35 foot	Northerly and Southerly	Unrestricted
364+10	35 foot	Northerly and Southerly	Unrestricted

"Grantee has the right to construct or otherwise provide at any future time a public frontage road or roads; whereupon all rights of access hereinabove reserved to and from the highway that are on or adjacent to any such frontage road or roads shall cease, but the Grantors, their heirs and assigns, shall have access to the frontage road or roads for any purpose upon obtaining a permit from the State under the applicable statutes and regulations governing the same. Said road or roads shall be connected to the main highway or to other public ways only at such places as the Grantee may select."

AND DO ALSO HEREBY FURTHER SUBORDINATE the remainder of the property covered by the lien of said mortgage to that certain temporary easement for a detour road contained in that certain easement from Donald E. McGehey and Grace G. McGehey, husband and wife, to the State of Oregon, by and through its State Highway Commission, over, across and upon the following-described premises, to wit:

PARCEL 2

A parcel of land lying in the W. 1/4 of Section 1, Township 39 South, Range 8 East, W.M., Klamath County, Oregon, and being a portion of that property described in those certain deeds to Donald E. McGehey and Grace G. McGehey, recorded in Book 276, Page 216 and in Book 322, Page 356 of Klamath County Record of Deeds; the

said parcel being that portion of said property lying Southeasterly of a line at right angles to the following described center line at Engineer's Station 353+50 and Northwesterly of a line at right angles to said center line at Engineer's Station 361+50, which center line is described as follows:

Beginning at Engineer's center line Station 330+00, said station being 309.67 feet North and 1903.26 feet West of the North quarter corner of said Section 1; thence South 55° 17' 30" East 5000 feet to Engineer's center line Station 380+00.

EXCEPT therefrom that portion lying Southwesterly of the following described line:

Beginning at a point which is opposite and 90 feet Northeasterly of Engineer's Station 348+00 on said center line; thence Southeasterly in a straight line to a point which is opposite and 150 feet Northeasterly of Engineer's Station 359+00 on said center line; thence Southeasterly in a straight line to a point which is opposite and 80 feet Northeasterly of Engineer's Station 366+00 on said center line.

Bearings are based upon the Oregon Co-ordinate System, South Zone.

The parcel of land to which this description applies contains 0.1 acre, more or less.

and that the remainder of said lands in said mortgage specified shall remain subject thereto as heretofore.

IN WITNESS WHEREOF, It has hereunto set its hand and seal this 18th day of December, 1968.



FIRST NATIONAL BANK OF OREGON

By H. D. O'Neil
Its Vice President

STATE OF OREGON)

County of Multnomah)

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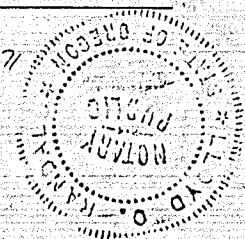
December 18, 1968

Personally appeared H. D. O'Neil, who, being duly sworn, did say that he is the Vice President of the First National Bank of Oregon, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that the 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:

Phil O'Neil
Notary Public for Oregon.

My Commission Expires: 6-17-71



STATE OF OREGON, }
County of Klamath }

Filed for record at request of

Transamerica Title Ins. Co.

on this 10th day of January A. D. 1969.

at 9:49 o'clock P. M. and U.

recorded in Vol. M-69 of Mortgages

Page 306 Wm D. Milne

ROBERTY ROGERS, County Clerk

By Robert Rogers Deputy

Fee \$4.50