

ORIGINAL

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File 45128

PARTIAL RELEASE OF MORTGAGE

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KNOW ALL MEN BY THESE PRESENTS, That FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF KLAMATH FALLS, a federal corporation, having received the sum of One and No/100 DOLLAR (\$1.00) as a partial payment on that certain mortgage executed by J A K E, INC., an Oregon corporation, to First Federal Savings and Loan Association of Klamath Falls, a Federal Corporation, dated November 16, 1965, and recorded November 17, 1965, in Book M-65, Microfilm Records for Klamath County, Oregon, at Page 3721 and that conditional assignment of rentals between J A K E, Inc., an Oregon corporation, and First Federal Savings and Loan Association of Klamath Falls, a Federal corporation, dated November 16, 1965, and recorded November 17, 1965, in Volume M-65, Page 3723 of said Microfilm Records, does hereby release from the lien of said mortgage the following described property, to wit:

PARCEL 1

A parcel of land lying in Lots 1 and 2, Block 1, HILYARD TRACTS, Klamath County, Oregon; the said parcel being that portion of said Lots 1 and 2 included in a strip of land 44 feet in width, lying on the Southwesterly side of the center line of the Klamath Falls - Lakeview Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 185+00, said station being 481.94 feet South and 841.06 feet West of the Northeast corner of Section 12, Township 39 South, Range 9 East, W.M.; thence South 46° 06' 30" East 685.14 feet to Engineer's center line Station 191+85.14, at which station the Southeasterly line of said strip of land lies at right angles to said center line.

EXCEPT therefrom that property described in that deed to Enoch Johnson and Ellen Johnson, recorded in Book 167, Page 112 of Klamath County Record of Deeds.

The parcel of land to which this description applies contains 340 square feet, more or less.

PARCEL 2

A parcel of land lying in Lots 2, 3, 4 and 5, Block 1; Lots 1, 2, 3, 4, 5 and 6, Block 2; Lots 1, 2, and 3, Block 3, HILYARD TRACTS, Klamath County, Oregon; the said parcel being that portion of said lots included in a strip of land 44 feet in width, lying on the Southwesterly side of the center line of the Klamath Falls - Malin Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station "KFM2" 191+85.14, at which station the Northwesternly line of said strip of land lies at right angles to said center line, said station being 956.95 feet South and 347.31 feet West of the Northeast corner of Section 12, Township 39 South, Range 9 East, W.M.; thence on a spiral curve right (the long chord of which bears South 39° 26' 55" East) 400 feet; thence on a 572.96 foot radius curve right (the long chord of which bears South 23° 04' 30" East) 60.67 feet; thence on a spiral curve right (the long chord of which bears South 6° 42' 05" East) 400 feet to Engineer's center line Station "KFM2" 200+45.81 Back equals "KFM2" 200+53.82 Ahead; thence South 0° 02' 30" East 946.18 feet to Engineer's center line Station "KFM2" 210+00.

EXCEPT therefrom that property described in that deed to Klamath County, recorded in Book M-68, Page 2239 of Klamath County Deed Records.

The parcel of land to which this description applies contains 0.48 acre, more or less.

AND DOES 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 J A K E, Inc., an Oregon corporation, to the State of Oregon, by

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and through its State

"Also for the above existing, future or possible between all of Grantor the right of way of the and the relocated Klamath

"Reserving for service said remaining property for the following width:

Hwy. Engr's Sta.

191+52  
194+20  
207+80

"If, after written notice use any of the above places permit or suffer any person to be suspended and Grantee shall The suspension shall terminate that the places of access will

"Grantee has the right to public frontage road or roads, and from the highway that are on cease, but Grantor, its successors road or roads for any purpose up statutes and regulations governing the main highway or to other public

AND DOES ALSO HEREBY FURTHER the lien of said mortgage to that contained in that certain deed from of Oregon, by and through its State ing described property, to wit:

PARCEL 3

A parcel of land lying in Lot Oregon; the said parcel being that a line at right angles to the center Lakeview Highway at the center described in that deed to Page 112 of Klamath County Record of Deeds

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and through its State Highway Commission, as follows, to wit:

"Also for the above stated consideration, there is hereby conveyed to Grantee all existing, future or potential common law or statutory abutter's easements of access between all of Grantor's real property remaining after the conveyance herein made and the right of way of the public ways identified as the relocated Klamath Falls - Lakeview and the relocated Klamath Falls - Malin Highways, EXCEPT, however,

"Reserving for service of Grantor's remaining property, access rights to and from said remaining property to the abutting highway right of way at the following places and for the following width:

Hwy. Engr's Sta.	Width	Side of Hwy.	Purpose
191+52	40 feet	Southwesterly	Unrestricted
194+20	40 feet	Southwesterly	Unrestricted
207+80	40 feet	Southwesterly	Unrestricted

"If, after written notice to desist, Grantor, or any person holding under it, shall use any of the above places of access in a width greater than above stated, or shall permit or suffer any person to do so, the right of access therefor shall automatically be suspended and Grantee shall thereupon have the right to close said places of access. The suspension shall terminate when satisfactory assurance has been furnished Grantee that the places of access will be used in a width not greater than above stated.

"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 Grantor, its successors and assigns, shall have access to the frontage road or roads for any purpose upon obtaining a permit from Grantee 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 Grantee may select."

AND DOES ALSO HEREBY FURTHER SUBORDINATE the remainder of the property covered by the lien of said mortgage to that certain permanent easement for an irrigation facility contained in that certain deed from J A K E, Inc., an Oregon corporation, to the State of Oregon, by and through its State Highway Commission, over, across and upon the following described property, to wit:

#### PARCEL 3

A parcel of land lying in Lot 1, Block 1, HILYARD TRACTS, Klamath County, Oregon; the said parcel being that portion of said Lot 1 lying Northwesterly of a line at right angles to the center line of the relocated Klamath Falls - Lakeview Highway at Engineer's Station 191+10; Southeasterly of that property described in that deed to Enoch Johnson and Ellen Johnson, recorded in Book 167, Page 112 of Klamath County Record of Deeds and included in a strip of land 13 feet in width lying between lines which are parallel with and 44 feet Southwesterly and 57 feet Southwesterly of said center line, which center line is described in Parcel 1.

The parcel of land to which this description applies contains 120 square feet, more or less.

AND DOES ALSO HEREBY FURTHER SUBORDINATE the remainder of the property covered by the lien of said mortgage to that certain permanent easement for slopes over the above described Parcel 3 and the following described Parcel 4 as contained in that certain deed from J A K E, Inc., an Oregon corporation, to the State of Oregon, by and through its State Highway Commission, to wit:

#### PARCEL 4

A parcel of land lying in Lots 1, 2, 3, 4, 5 and 6, Block 2; Lots 1, 2 and 3, Block 3, HILYARD TRACTS and in the S $\frac{1}{4}$  of vacated Naoma Street, Klamath County,

Oregon; the said parcel being that portion of Naoma Street included in a strip of land on the south side of the center line of the Klamath Falls - Lakeview Highway, which center line is

Station	to	Station	Width of C
"KFM2"195+00		"KFM2"197+00	
"KFM2"197+00		"KFM2"205+00	
"KFM2"205+00		"KFM2"210+00	

EXCEPT therefrom Parcel 2.

ALSO EXCEPT therefrom that property recorded in Book M-68, Page 2239 of Klamath County Record of Deeds.

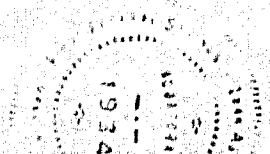
The parcel of land to which this description applies contains more or less.

And does hereby further subordinate all temporary easement for slopes over 1,725 square feet to the State of Oregon, by and through its State Highway Commission.

And does also hereby further subordinate certain easement for right of way granted by J A K E, Inc., over and across a portion of the above described property.

Provided, however, that the remainder of the said mortgage shall remain subject to such mortgage.

Dated this 15th day of December



By \_\_\_\_\_

Oregon; the said parcel being that portion of said lots and said S $\frac{1}{2}$  of vacated Naoma Street included in a strip of land variable in width, lying on the Westerly side of the center line of the Klamath Falls - Malin Highway as said highway has been relocated, which center line is described in Parcel 2.

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

Station	to	Station	Width on Westerly Side of Center Line
"KFM2"195+00		"KFM2"197+00	65
"KFM2"197+00		"KFM2"205+00	75
"KFM2"205+00		"KFM2"210+00	65

EXCEPT therefrom Parcel 2.

ALSO EXCEPT therefrom that property described in that deed to Klamath County, recorded in Book M-68, Page 2239 of Klamath County Deed Records.

The parcel of land to which this description applies contains 0.51 acre, more or less.

And does hereby further subordinate all right, title and interest in and to those temporary easement for slopes over 1,725 square feet heretofore granted by J A K E, Inc. to the State of Oregon, by and through its State Highway Commission.

And does also hereby further subordinate all right, title and interest in and to that certain easement for right of way granted by J A K E, Inc., to Pacific Power and Light Company, over and across a portion of the above described Parcels 1 and 2.

Provided, however, that the remainder of the property covered by and described in said mortgage shall remain subject to such mortgage as heretofore.

Dated this 15th day of December, 1971.

FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION  
OF KLAMATH FALLS, a federal corporation

By Van S. Mollison  
President

By James D. Bocchi  
Secretary

STATE OF OREGON, County of Klamath

December 15, 1971. Personally appeared Van S. Mollison  
and James D. Bocchi, who, being sworn, stated that they are the  
President and Secretary of grantor corporation and that this instrument was voluntarily  
signed in behalf of the corporation by authority of its Board of Directors. Before me:

Mary Ethell  
Notary Public for Oregon

My Commission expires 8/16/73

ba/Ka

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LELIA HAST  
Newton, deceased  
in Klamath County  
South half  
of Second Ad  
The true and actu  
The foregoing rec  
dated this

STATE OF OREGON  
County of Clackamas  
Personally appear  
the foregoing instrumen  
Before me:

STATE OF OREGON, COUNTY  
Filed



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STATE OF OREGON, COUNTY OF KLAMATH, ss.  
Filed for record at request of Oregon State Highway Dept.  
this 24th day of December A. D. 19 71 at 1:05 P.M., and  
duly recorded in Vol. M 71 Mortgages on Page 13546

W. D. MILNE, County Clerk

*Alice S. Hays*

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LELIA HASK  
Newton, deceased  
In Klamath County  
South half of  
of Second Ad  
The true and actual  
The foregoing recd  
Dated this

DEC 24 1 54 PM '71  
DEC 24 1 54 PM '71

STATE OF OREGON  
County of Clackamas )  
Personally appear  
the foregoing instrume  
Before me:

STATE OF OREGON, COUNTY OF  
Filed