

## PARTIAL RELEASE OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, That DOMESTIC INDUSTRIAL GAS COMPANY, an Oregon corporation, having received the sum of One and No/100 DOLLAR (\$1.00) as a partial payment on that certain mortgage executed by BILL WYNN COUNTRY GAS, INC., a corporation, to Domestic Industrial Gas Company, dated August 19, 1969, and recorded October 13, 1969, in Book M-69, Microfilm Records for Klamath County, Oregon, at Page 8687 does hereby release from the lien of said mortgage the following described property, to wit:

## PARCEL 1

A parcel of land lying in the SE $\frac{1}{4}$  of Section 1, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Bill Wynn's Country Gas, Inc., recorded in Book M-69, Page 8685 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 44 feet in width, lying on the Northeast-erly 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 160+00, said station being 1251.29 feet North and 2642.69 feet West of the Southeast corner of Section 1, Township 39 South, Range 9 East, W.M.; thence South 46° 06' 30" East 3050 feet to Engineer's center line Station 190+50.

The parcel of land to which this description applies contains 4,200 square feet, more or less.

ALSO all right, title and interest in that portion of said SE $\frac{1}{4}$  lying South-erly of the Enterprise Irrigation Main Canal abutting said property and included in said strip of land.

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 Bill Wynn's Country Gas, Inc., an Oregon corporation to the State of Oregon, by 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 the right of way of the public way identified as the relocated Klamath Falls - Lakeview Highway and all of Grantor's remaining real property, 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 widths:

Hwy. Engr's Sta.	Width	Side of Hwy.	Purpose
171+00	40 feet	Northeasterly	Unrestricted
172+00	40 feet	Northeasterly	Unrestricted
173+80	35 feet	Northeasterly	Unrestricted

"It is understood that the access rights opposite Engineer's Station 173+80 are to be used and enjoyed in common with Enterprise Irrigation District.

"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."

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AND DOES ALSO HEREBY FURTHER SUBORDINATE the remainder of the property covered by the lien of said mortgage to that certain temporary easement for slopes contained in that certain deed from Bill Wynn's Country Gas, 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 2

A parcel of land lying in the SE1/4 of Section 1, Township 39 South, Range 9 East, W. M., Klamath County, Oregon and being a portion of that property described in that deed to Bill Wynn's Country Gas, Inc., recorded in Book M-69, Page 8685 of Klamath County Record of Deeds; the said parcel being that portion of said property lying between lines which are parallel with and 44 feet Northeasterly and 50 feet Northeasterly of the center line of the relocated Klamath Falls - Lakeview Highway, which center line is described in Parcel 1.

ALSO that portion of said SE1/4 lying Southerly of the Enterprise Irrigation Main Canal abutting said property and included between said parallel lines.

Subject to the rights of the Enterprise Irrigation District.

The parcel of land to which this description applies contains 1,960 square feet, more or less.

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

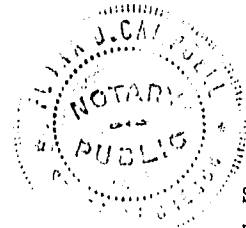
Dated this 21st day of April, 1972.

DOMESTIC INDUSTRIAL GAS COMPANY, an Oregon corporation

By *[Signature]*  
Secretary

STATE OF OREGON )  
County of Multnomah ) ss.

April 21, 1972. Personally appeared JAMES C. DEZENDORF who, being sworn, stated that he is the 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:



*[Signature]*  
Notary Public for Oregon

My Commission expires: May 1, 1972

STATE OF OREGON; COUNTY OF KLAMATH; ss.  
Filed for record at request of OREGON STATE HIGHWAY COMMISSION  
this 15th day of AUGUST A. D., 1972 at 9:50 o'clock A. M., and duly recorded in  
Vol. M 72 of MORTGAGES on Page 9081  
FEE \$4.00  
WM. D. MILNE, County Clerk  
By *[Signature]*