

83743

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ORIGINALHighway Division
File 44983, L-6588

PARTIAL RECONVEYANCE

KNOW ALL MEN BY THESE PRESENTS, That the undersigned trustee, or successor trustee, under that certain trust deed dated October 11, 1965, executed and delivered by Joseph T. Riker and Joyce L. Riker, husband and wife, as grantors, and in which First Federal Savings and Loan Association of Klamath Falls, a corporation, is named as beneficiary, recorded October 14, 1965, in Volume M-65 at Page 2755, Mortgage Records of Klamath County, Oregon, having received from the beneficiary under said deed, or its successor in interest, a written request to reconvey a portion of the real property covered by said trust deed, does hereby, for value received, grant, bargain, sell and convey, but without any covenant or warranty, express or implied, to the person or persons legally entitled thereto, all of the estate held by the undersigned in and to the following described portion of the real property covered by said trust deed, to wit:

PARCEL 1

A parcel of land lying in the NE 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 Joseph T. Riker and Joyce L. Riker, recorded in Book 235, Page 198 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 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 145+22.86, said station being 2258.63 feet North and 3723.80 feet West of the Southeast corner of Section 1, Township 39 South, Range 9 East, W.M.; thence on a spiral curve right (the long chord of which bears South 48° 49' East) 500 feet to Engineer's center line Station 150+22.86 Back equals 150+21.50 Ahead; thence South 46° 06' 30" East 1454.55 feet to Engineer's center line Station 164+76.05.

The parcel of land to which this description applies contains 3,220 square feet, more or less.

TOGETHER with all existing, future or potential common law or statutory abutter's rights of access between the parcel hereinabove described and all of the remaining real property held by the undersigned under the above mentioned trust deed, reserving however, for the service of said remaining property, a right of access to the highway right of way at the following places and for the following widths:

| Hwy. Engr's Sta. | Width | Side of Hwy. | Purpose |
|------------------|---------|--------------|--------------|
| 151+32 | 40 feet | Southerly | Unrestricted |
| 151+80 | 35 feet | Southerly | Unrestricted |
| 152+58 | 35 feet | Southerly | Unrestricted |

If, after written notice to desist, Grantors, or any person holding under them, 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 Grantors, their heirs 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 those certain easements for slopes over Parcel 2 and for overhang of electric transmission lines granted to Pacific Power & Light Company including a construction permit for road approaches over Parcel 3 contained in that deed from Joseph T. Riker and Joyce L. Riker, husband and wife, to the State of Oregon, by and through its Department of Transportation, Highway Division, over, across and upon the following described property, to wit:

PARCEL 2

A parcel of land lying in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ 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 Joseph T. Riker and Joyce L. Riker, recorded in Book 235, Page 198 of Klamath County Record of Deeds; the said parcel being that portion of said property lying Southwesterly of Parcel 1 and included in a strip of land variable 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 in Parcel 1.

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

| Station | to Station | Width on Southwesterly Side of Center Line |
|---------|------------|---|
| 150+00 | 150+50 | 62 |
| 150+50 | 151+50 | 62 taper to 49 |
| 151+50 | 154+00 | 49 |

The parcel of land to which this description applies contains 1,865 square feet, more or less.

PARCEL 3

A parcel of land lying in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ 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 Joseph T. Riker and Joyce L. Riker, recorded in Book 235, Page 198 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 center line of the relocated Klamath Falls - Lakeview Highway at Engineer's Station 151+15 and between lines which are parallel with and 44 feet Southwesterly and 85 feet Southwesterly of said center line, which center line is described in Parcel 1.

The parcel of land to which this description applies contains 6,560 square feet, more or less.

The remaining property described in said trust deed shall continue to be held by the said trustee under the terms of said deed. This partial reconveyance is made without affecting the personal liability of any person for payment of the indebtedness secured by this trust deed.

Dated this 16th day of November, 1973.

William Ganong, Trustee

15376

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STATE OF OREGON, County of Klamath
Nov 16, 1973. Personally appeared the above named William Canong, Trustee,
 and acknowledged the foregoing instrument to be his voluntary act and deed. Before me:

Clair M. Falvey
 Notary Public for Oregon

My Commission expires Feb. 5, 1977



STATE OF OREGON,
 County of Klamath
 Filed for record at request of

Oregon State Highway Division
 on this 26th day of Nov. A.D. 19 73
 at 11:21 o'clock A M. and day
 recorded in Vol. M73 of Mortgages

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Wm D. MILNE, County Clerk
 By [Signature] Deputy
 Fee \$6.00

Ret: Oregon State Hwy. Div.
 Right of Way Branch
 Rm 119 State Hwy. Bldg.
 Salem, Ore