

ORIGINAL

Highway Division
File 48396

11-4-75

9295

PARTIAL RELEASE OF MORTGAGE

Vol. 76 Page 808

KNOW ALL MEN BY THESE PRESENTS, That HARRY R. WAGGONER, having received the sum of One and NO/100 DOLLAR (\$1.00) as a partial payment on that certain mortgage executed by NEUMANN & BENNETTS, INC., a corporation, to Harry R. Waggoner, dated July 5, 1973, and recorded July 11, 1973, Volume M 73, Microfilm Records of Klamath County, Oregon at Page 8876, does hereby release from the lien of said mortgage the following described property, to wit:

A parcel of land lying in the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 13, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that agreement between Anna G. Booth and Neumann & Bennetts, Inc., recorded in Book M-69, Page 6193 of Klamath County Record of Deeds; the said parcel being that portion of said property lying Southerly of that property described in that deed to the United States of America, recorded in Book 99, Page 170 of Klamath County Record of Deeds and Northerly of a line parallel with and 50 feet Southerly of the center line of a county road, which center line is described as follows:

Beginning at Engineer's center line Station 345+00, said station being 1353.6 feet North and 224.10 feet East of the Southwest corner of Section 13, Township 39 South, Range 9 East, W.M.; thence South 80° 48' 04" East 279.25 feet; thence on a 2000 foot radius curve left (the long chord of which bears South 85° 48' 33" East) 349.62 feet; thence North 89° 10' 58" East 1365.61 feet; thence on a 1400 foot radius curve right (the long chord of which bears South 72° 27' 16.5" East) 897.37 feet; thence South 54° 05' 31" East 1108.15 feet to Engineer's center line Station 385+00.

EXCEPT therefrom that property described in that deed to the United States of America, recorded in Book 29, Page 277 of Klamath County Record of Deeds.

The parcel of land to which this description applies contains 3.85 acres, more or less.

AND DO HEREBY 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 Neumann & Bennetts, Inc., a California corporation; Anna G. Booth, to Klamath County, a political subdivision of the State of Oregon, 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 above described parcel and all of Grantors' remaining real property."

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 20th day of November, 1975.

STATE OF OREGON, County of Klamath

Nov. 20, 1975. Personally appeared the above named Harry R. Waggoner, who acknowledged the foregoing instrument to be his voluntary act. Before me:

L. James Huston
Notary Public for Oregon

My Commission expires 8/14/79

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 16th day of January A.D., 19 76 at 2:18 o'clock p.M., and duly recorded in Vol. M 76 of MORTGAGES on Page 11.

FEE \$ 3.00

WM. D. MJLNE, County Clerk

By W. D. MJLNE

Deputy