

Highway Division
File 48858

17698

7-23-76

PARTIAL RELEASE OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, That ORE-CAL GENERAL WHOLESALE, INC., an Oregon corporation; RAY BYRNES and IRENE BYRNES, husband and wife; HARRY R. WAGGONER and NORMA E. WAGGONER, husband and wife; ORRIN L. STUEMPGES and SHIRLEY A. STUEMPGES, husband and wife; and DORMAN A. TURNER and ARLENE I. TURNER, husband and wife, having received the sum of One and No/100 DOLLAR (\$1.00) as a partial payment on that certain mortgage executed by WASHBURN ENTERPRISES, INC., an Oregon corporation, to Ore-Cal General Wholesale, Inc., an Oregon corporation; Ray Byrnes and Irene Byrnes, husband and wife; Harry R. Waggoner and Norma E. Waggoner, husband and wife; Orrin L. Stuempges and Shirley A. Stuempges, husband and wife; and Dorman A. Turner and Arlene I. Turner, husband and wife, dated July 30, 1975, and recorded July 31, 1975, in Volume M75, Micro-film Records of Klamath County, Oregon, at Page 8779, do hereby release from the lien of said mortgage the following described property, to wit:

PARCEL 1

A parcel of land lying in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; the said parcel being described as follows:

Beginning on the East line of Washburn Way at a point 10 feet North of the intersection of said East line with the North line of Crosby Avenue; thence South along the said East line 10 feet to said North line; thence East along said North line 25 feet; thence Northwesterly in a straight line to the point of beginning.

The parcel of land to which this description applies contains 125 square feet, more or less.

AND DO HEREBY SUBORDINATE the remainder of the property covered by the lien of said mortgage to that certain easement for a drainage facility contained in that certain deed from Washburn Enterprises, Inc., an Oregon corporation, 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 SE $\frac{1}{4}$ of Section 4, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property designated as Parcel 4 and described in that deed to Washburn Enterprises, Inc., recorded in Book M-75, Page 8772 of Klamath County Record of Deeds; the said parcel being that portion of said property situated in Lot 1, Block 2, TRACT 1080, WASHBURN PARK, Klamath County, Oregon lying Southerly of a line parallel with and 20 feet Northerly of the Northerly line of Crosby Avenue.

ALSO that portion of said property lying Westerly of said Tract 1080 and included in a strip of land 40 feet in width, 20 feet on each side of the Westerly extension of the Northerly line of Crosby Avenue.

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

12651

Highway Division
File 48858

Dated this 10th day of August, 1976.

ORE-CAL GENERAL WHOLESALE, INC.,
an Oregon corporation

By [Signature]
President

By [Signature]
Secretary

Ray Byrnes

by [Signature]
Ray Byrnes Attorney in fact

[Signature]
Irene Byrnes

[Signature]
Harry R. Waggoner

[Signature]
Norma E. Waggoner

[Signature]
Erin L. Stumpges

[Signature]
Shirley A. Stumpges

[Signature]
Dorman A. Turner

[Signature]
Arlene I. Turner

STATE OF OREGON, County of Klamath

Aug. 10, 1976. Personally appeared Harry R. Waggoner
and Jewell Huston, 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: [Signature]

[Signature]
Notary Public for Oregon

My Commission expires April 8, 1980

STATE OF OREGON, County of Klamath

Aug 10, 1976. Personally appeared the above named Ray Byrnes and
Irene Byrnes, who acknowledged the foregoing instrument to be their voluntary act.

Before me:
NOTARY
PUBLIC
OF

[Signature]
Notary Public for Oregon

My Commission expires 8/14/79

act. Before me:

My Commission expires 8/14/79

act. Before me:

My Commission expires 8/14/79

act. Before me:

My Commission expires 8/14/79

FEE \$ 9.00

Wm D. MILNE, County Clerk
By Hazel D. [Signature]