

K-31616

69752

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KNOW ALL MEN BY THESE PRESENTS, That Dick Henzel, Samuel Henzel, and Jack Liskey, Agents having received the sum of TEN AND NO/100 DOLLARS as a partial payment on that certain mortgage executed by Tulana Farms, an Oregon Corporation mortgagor, dated December 27, 1976, in favor of Dick Henzel, Samuel Henzel, and Jack Liskey, as Agents mortgagee, and recorded in book M76 Record of Mortgages for the County of Klamath on page 20632, or as file number 27, State of Oregon, (indicate which), on the 27 day of December, 19 76, does hereby release from the lien of said mortgage, the following described premises therein described, viz:

See Exhibit A attached hereto and made a part hereof.

and that the remainder of said lands in said mortgage specified shall remain subject thereto as heretofore.

IN WITNESS WHEREOF, We may, 19 79 have hereunto set OUR hands this 24 day of

*Dick Henzel*  
*Sam Henzel*  
*Jack Liskey*

STATE OF OREGON

County of Klamath ss. On this 24 day of May, 19 79, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Dick Henzel, Samuel Henzel, and Jack Liskey

known to me to be the identical individual s described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written

*Walter Hummel*  
Notary Public for Oregon  
My Commission expires 9/23/81

Partial Release of  
MORTGAGE

TO

AFTER RECORDING RETURN TO

(DON'T USE THIS SPACE, RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON

County of                      ss. I certify that the within instrument was received for record on the                      day of                     , 19             , at                      o'clock              M., and recorded in book                      on page                      or as file number                     . Record of Mortgages of said County. Witness my hand and seal of County affixed.

By                      Title                       
Deputy                     

79 JUN 28 PM 1 00

PARCEL 1

IN TOWNSHIP 41 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN

IN SECTION 1: The W $\frac{1}{2}$

IN SECTION 2: All

IN SECTION 3:

All; EXCEPTING from Lot 1 that portion lying Westerly of the Central Pacific Railroad right of way, ALSO EXCEPTING Lot 4 heretofore conveyed to Klamath Drainage District by Deed Volume 233 page 550, records of Klamath County, Oregon.

IN SECTION 4:

The N $\frac{1}{2}$ NE $\frac{1}{4}$ , the SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and Lot 1; That portion of the N $\frac{1}{2}$  of Section 4; Township 41 South, Range 8 E.W.M., included within the land of the Southern Pacific Company described in deed dated May 10, 1907, from F. H. Downing, et al to California Northeastern Railway Company, Railway Company, recorded June 7, 1907, in Deed Book 22 page 549 and in Deed dated December 19, 1907 from D. E. Gordon, et ux to California Northeastern Railway Company, recorded January 30, 1908, in Deed Book 23 page 497, as conveyed to Tulana Farms by Deed Volume M66 page 5794, records of Klamath County, Oregon.

IN SECTION 6: The NE $\frac{1}{4}$ SE $\frac{1}{4}$

IN SECTION 10: The NE $\frac{1}{4}$ NE $\frac{1}{4}$

IN SECTION 11: All, EXCEPT the SW $\frac{1}{4}$ SW $\frac{1}{4}$

IN SECTION 12: The W $\frac{1}{2}$

IN SECTION 13: The N $\frac{1}{2}$ NW $\frac{1}{4}$  and Lots 3 and 4

IN SECTION 14:

The N $\frac{1}{2}$ NE $\frac{1}{4}$ , the NE $\frac{1}{4}$ NW $\frac{1}{4}$ , and Lots 1, 2 and 3

ALSO Lots 8 thru 16 in Block 45, Townsite Worden

IN TOWNSHIP 40 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN

IN SECTIONS 23 & 24:

All those portions of Sections 23 and 24 lying Easterly of Highway No. 97 and Southerly of the centerline of Klamath Straits as presently located and constructed. (See Exception)

IN SECTION 25: All EXCEPT the SE $\frac{1}{4}$ NW $\frac{1}{4}$

IN SECTION 26: All East of the Railroad. (See Exception)

IN SECTION 27:

That part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  lying East of the Easterly right of way line of the Klamath Falls-Dorris State Highway.

IN SECTION 33:

W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; ALSO That portion of the SW $\frac{1}{4}$  of Section 33 Township 40 South, Range 8 East of the Willamette Base and Meridian, included within the land of the Southern Pacific Company described in Deed dated August 31, 1908, from H. F. Chapman, et al to California Northeastern Railway Company, recorded January 1, 1909, in Deed Book 25 page 399, and in Deed dated August 30, 1907 from H. F. Chapman, et al to California Northeastern Railway Company, recorded October 3, 1907, in Deed Book 23 page 205, as conveyed to Tulana Farms in Deed Volume M66 page 5795, records of Klamath County, Oregon.

IN SECTION 34:

Lot 5, LESS the West 400 feet thereof. ALSO Lots 6, 7, 8, 9, 10, 11, 12, 13 and 14.

IN SECTION 35: All

IN SECTION 36: All

IN TOWNSHIP 40 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN

IN SECTION 19:

That portion of Section 19, lying Southerly and Westerly of the Klamath Straits as presently located and constructed.

IN SECTION 30:

The W $\frac{1}{2}$  and the W $\frac{1}{2}$ NE $\frac{1}{4}$  West of Klamath Straits.

IN SECTION 31: The W $\frac{1}{2}$  and the SE $\frac{1}{4}$

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SAVING AND EXCEPTING THE FOLLOWING DESCRIBED PARCELS

A piece or parcel of land lying in a strip 100.0 feet in width immediately adjacent on the Southeasterly side of the original canal right of way of the Klamath Drainage District over and across the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 23, and the NE $\frac{1}{4}$ NW $\frac{1}{4}$  and the Fractional NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 26, Township 40 South Range 8 East of the Willamette Meridian, containing 5.98 acres, more or less, and more particularly described as follows: Beginning at the point in the line marking the Northerly boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 23, Township 40 South, Range 8 East of the Willamette Meridian, where a line parallel with and 310.0 feet distant at right angles Southeasterly from the center line of the Southern Pacific Railroad as the same is now located and constructed intersects the same and from which point the Section corner common to Sections 22, 23, 26 and 27 Township 40 South, Range 8 East of the Willamette Meridian, bears South 54°37' West, 2308.1 feet distant and running thence South 16°57 $\frac{1}{2}$ ' West along a line parallel with and 310.0 feet distant at right angles Southeasterly from the said center line of the Southern Pacific Railroad and which said parallel line is the Southeasterly boundary of the right of way of the Klamath Drainage District's South Canal, 2593.5 feet, more or less, to a point in the Northerly boundary of the right of way of the said South Canal of the Klamath Drainage District, which is a line parallel with and 100.0 feet distant at right angles Northeasterly from the center line of the said canal as the same is now located and running, thence South 75°34 $\frac{1}{2}$ ' East along last mentioned boundary line 100.1 feet, more or less, to its intersection with a line which is parallel with and 410.0 feet distant at right angles Southeasterly from the said centerline of the Southern Pacific Railroad, and running thence North 16°57 $\frac{1}{2}$ ' East, along said last mentioned parallel line, 2620.0 feet, more or less, to its intersection with the Northerly boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 23, Township 40 South, Range 8 East of the Willamette Meridian; thence South 89°48 $\frac{1}{2}$ ' West, along last mentioned boundary line, 104.7 feet, more or less, to the said point of beginning.

A piece or parcel of land situated in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; the S $\frac{1}{4}$ NW $\frac{1}{4}$ ; and the N $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 26; and the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 27; all in Township 40 South, Range 8 East of the Willamette Meridian, containing 79.7 acres, more or less, situate in Klamath County, Oregon, and more particularly described as follows: Beginning at the point of intersection of the Easterly boundary of the right of way of the Dalles-California Highway, as same is now located and constructed, with the Southerly boundary of the right of way of the Ady Canal of the Klamath Drainage District as now located and constructed, from which the Section corner common to Sections 22, 23, 26 and 27 of the above Township and Range bears North 36°30 $\frac{1}{2}$ ' West 1630.7 feet distant, and running thence South 75°34 $\frac{1}{2}$ ' East along the said Southerly boundary of the right of way of the Ady Canal 652.3 feet; thence South 0°07' West 2479.2 feet, more or less, to a point in the Southerly boundary of the N $\frac{1}{4}$ SW $\frac{1}{4}$  of the said Section 26; thence leaving the boundary of the right of way of the said Ady Canal, South 89°50' West along the said Southerly boundaries of the N $\frac{1}{4}$ SW $\frac{1}{4}$  of the said Section 26, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of the said Section 27, 2147.0 feet, more or less, to an intersection with the said Easterly boundary of the right of way of the Dalles-California Highway; thence North 32°21 $\frac{1}{2}$ ' East, following said right of way line, 2097.0 feet; thence following a 1°38 $\frac{1}{2}$ ' circular curve to the left, 937.8 feet; thence North 16°57 $\frac{1}{2}$ ' East 23.5 feet, more or less, to the said point of beginning.

The following property conveyed to United States of America in Deed 15296 Volume M76 page 4718 records of Klamath County, Oregon: A strip or parcel of land in said Section 23, Township 40 South, Range 8 East of the Willamette Meridian, said County and State, containing an area of 3.8 acres, and described as follows: Beginning at said Point "D", said point being the most westerly point of the hereinabove described Parcel One; thence from said point of beginning North 89°02' West 142.2 feet; thence North 71°43' West 1226.7 feet to a point in the Easterly right of way boundary of the U. S. Highway No. 97, said point being South 69°53' East 2942.6 feet from the northwest corner of Section 23, thence along said right of way boundary North 18°17' East 150.0 feet; thence leaving said boundary South 72°06' East 900.1 feet; thence South 36°56' East 162.1 feet; thence South 68°03' East 330.0 feet to the point of beginning.

The following described parcels conveyed to Southern Pacific Company in Deed Volume M65, page 300, records of Klamath County, Oregon:

PARCEL 1: A piece or parcel of land situate in Government Lot 1 of Section 3, in Government Lot 1 and the E½NE¼ of Section 4, all in Township 41 South, Range 8 East of the Willamette Meridian, County of Klamath, State of Oregon, and described as follows: That portion of said Lot 1 of Section 3 and said Lot 1 and said E½NE¼ Section 4 bounded easterly by the westerly line of Oregon State Highway U.S. 97, bounded southerly by the easterly prolongation of the southerly line of the 0.701 acre parcel of land described as Parcel 2 in Deed dated December 25, 1963, from Winston H. Patterson, et ux, to Southern Pacific Company recorded December 27, 1963, in Volume 350 of Deeds, page 146, Records of said County (said prolongation being the southerly line of Lot 1 of said Section 4 and bearing South 80°00' East), bounded northerly by the southerly line of the County Road leading from said Oregon State Highway U. S. 97 to Keno, Oregon, and bounded westerly by the following described line: Beginning at the point of intersection of the east line of the W½SE¼ of said Section 4 with the southerly line of Lot 2 of said Section 4, said point being the southeasterly corner of said 0.701 acre parcel of land described as Parcel 2 in said deed and is distant South 17°55'06" West 4267.65 feet from the Northeast corner of said Section 4; thence North along said east line, being also the west line of said Lot 1 of Section 4, a distance of 320.83 feet to a point; thence Northeasterly along a curve to the left having a radius of 5679.60 feet and central angle of 10°50'35" (tangent to said curve at last mentioned point bears North 31°47'35" East) an arc distance of 1074.85 feet; thence North 20°37' East 99.56 feet; thence North 20°27' East 2359.20 feet; thence North 22°08'15" East 75.75 feet to a point; thence Northeasterly along a curve to the right having a radius of 3869.75 feet and central angle of 6°40'19" (tangent to said curve at last mentioned point is last described course) an arc distance of 450.62 feet to a point in the north line of said Section 3, distant thereon North 89°29'30" East 245.33 feet from the northwest corner of said Section 3; thence continuing Northeasterly along the continuation of said curve to the right having a radius of 3869.75 feet, an arc distance of 111.65 feet to the northerly terminus of the line being herein described.

PARCEL 2: That portion of Government Lot 1 of Section 3, Township 41 South, Range 8 East of the Willamette Meridian, County of Klamath, State of Oregon, included within a strip of land 100.0 feet in width, lying contiguous to and easterly of the line particularly described in the above described Parcel 1.

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EXCEPTING THEREFROM that portion thereof lying southerly of the northerly line of County Road leading from Oregon State Highway U. S. 97 to Keno, Oregon.  
ALSO EXCEPTING THEREFROM that portion of the above described 100.00 foot wide strip of land lying northwesterly of the southeasterly line of land of the Southern Pacific Company.

STATE OF OREGON; COUNTY OF KLAMATH; ss.  
Filed for record at request of Klamath County Title Co.  
this 28th day of June A. D. 1979 at 1:00 o'clock P M., and  
duly recorded in Vol. 1173, of Mortgages on Page 15292  
by Wm D. MILNE, County Clerk  
Berntha Hetch  
Fee \$18.00