

74089

PARTIAL RELEASE OF REAL ESTATE MORTGAGE

K-31616
Vol. M79 Page 22146

(FLB No. 147512)

THIS CERTIFIES that THE FEDERAL LAND BANK OF SPOKANE, a corporation organized and existing under the laws of the United States, for and in consideration of the sum of ONE DOLLAR and other good and valuable consideration, hereby releases from the lien of that certain mortgage, executed by Tulana Farms, an Oregon corporation; Dick Henzel and Elizabeth Henzel, husband and wife; and Mabel E. Henzel, a widow,

to THE FEDERAL LAND BANK OF SPOKANE, dated June 30, 19 72,
and recorded as instrument No. 65873 in Book M72 of Mortgages on page 7301,
records of Klamath County, State of Oregon,
that part of the property covered by said mortgage, described as follows:

See Exhibit "A", Attached

879 SEP 17 PM 3 48

It is expressly understood that this release shall not in any way affect or impair the right of THE FEDERAL LAND BANK OF SPOKANE to hold under the said mortgage and as security for the sum remaining due thereon the remainder of the premises therein conveyed and not hereby released.

IN TESTIMONY WHEREOF, said corporation has caused its name to be signed hereto and its corporate seal to be affixed this 5th day of July, 19 79.

THE FEDERAL LAND BANK OF SPOKANE

By Donna Cianca
Authorized AgentSTATE OF WASHINGTON, }
COUNTY OF SPOKANE. } ss.

On this 5th day of July, 19 79, before me personally appeared Donna Cianca, to me known to be an authorized agent of the corporation that executed the within instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, and on oath stated that (s)he was authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

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

Approved

umkAndrea R. Darratt
Notary Public, residing at SpokaneSTATE OF _____ }
County of _____ } ss.

Document No. _____

I hereby certify that the within instrument was filed for record in the office of the County _____ of said County on the _____ day of _____ A.D. 19_____, at _____ o'clock and _____ minutes, _____ M, at the request of _____, and recorded as instrument No. _____ of Mortgages on page _____ in Book _____

Mail to _____

County _____

By _____, Deputy.

A piece or parcel of land lying between the rights-of-way for the Southern Pacific Railroad, and the Dalles-California Highway in Lot 1, Section 1, Township 40 South, Range 8 East, Willamette Meridian, described as follows: Beginning at a point at the intersection of the line marking the Easterly boundary of the right-of-way of the Southern Pacific Railroad, which is the line parallel with and 50.0 feet distant at right angles Southeasterly from the centerline of the said Southern Pacific Railroad, as the same is now located and constructed, with a line parallel with and 92.54 feet distant at right angles Southerly from the township line which marks the Northerly boundary of the said Section 1, from which point of intersection, the section corner at the Northeasterly corner of said section bears North $88^{\circ}22\frac{1}{2}'$ East, 2927.6 feet distant, and running thence Southwesterly along the said Easterly right-of-way line of the said Southern Pacific Railroad, 1105 feet, more or less, to its intersection with the meander line marking the Southerly boundary of the said Lot 1, of the said Section 1; thence South $40^{\circ}58'$ East along said meander line 97.5 feet, more or less, to its intersection with the line marking the Westerly boundary of the right-of-way of the Dalles-California Highway, which is a line parallel with and 50.0 feet distant at right angles Northwesterly from the centerline of the said Dalles-California Highway, as the same is now located and constructed; thence Northeasterly along the said Westerly right-of-way line of the said Dalles-California Highway 1190 feet, more or less, to its intersection with the said line parallel with and 92.54 feet distant at right angles Southerly from the township line marking the Northerly boundary of the said Section 1; thence North $89^{\circ}49'$ West along the said parallel line 97.3 feet, more or less, to the said point of beginning.

ALSO, beginning at the Northwesterly corner of the $S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$ of the said Section 1, and running thence North $89^{\circ}49'$ West 704.4 feet, more or less, to a point in the line marking the Northeasterly boundary of the right-of-way of the Midland-Mack Store Road, which is a line parallel with and 30.0 feet distant at right angles Northeasterly from the centerline of the said Midland-Mack Store Road, as the same is now located and constructed; thence South $38^{\circ}25\frac{1}{2}'$ East, along said Northeasterly right-of-way boundary 1134.2 feet, more or less, to its intersection with the line marking the Easterly boundary of Lot 2, of Section 1, thence North $0^{\circ}02'$ West along said line marking the Easterly boundary of the said Lot 2, Section 1, 886.3 feet, more or less, to the said point of beginning. All those portions of Lots 1 and 2, Section 1, lying Southwesterly of the Midland-Mack Store Highway as now constructed and in use, and the $S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$ of Section 1, Township 40 South, Range 8 East, Willamette Meridian.

Lots 3, 4 and 9 of Section 1, Township 40 South, Range 8 East, Willamette Meridian, SAVING AND EXCEPTING that portion of the A. H. Patterson, Sr., property described in deed recorded in Book 199, at page 113, which lies Northerly and Easterly of the Northeast boundary of the New North Canal of the Klamath Drainage District and SAVING AND EXCEPTING therefrom that portion conveyed to State of Oregon by deed dated May 23, 1947, recorded June 3, 1947, in Deed Book 207, at Page 156, records of Klamath County, Oregon.

All that portion of Lot 6, Section 1, Township 40 South, Range 8 East, Willamette Meridian, lying Easterly of the Central Pacific Railway Company right-of-way, SAVING AND EXCEPTING that portion thereof lying Northerly of the Midland-Mack Store Highway and having been conveyed to Arthur Neil Phipps, et al, by deed dated March 14, 1950, recorded March 17, 1950, in Book 237, at Page 387, Deed Records of Klamath County, Oregon, and also SAVING AND EXCEPTING that portion thereof conveyed to Klamath County by deed dated April 21, 1934, recorded September 19, 1934, in Deed Book 103, at Page 506, records of Klamath County, Oregon, and also SAVING AND EXCEPTING therefrom the portion conveyed to the State of Oregon by deed dated May 31, 1947, and recorded June 25, 1947, in Book 208, at Page 87, records of Klamath County, Oregon.

Those portions of Lot 7, the $NE\frac{1}{4}SW\frac{1}{4}$, and of the $SW\frac{1}{4}SW\frac{1}{4}$ of Section 1, Township 40 South, Range 8 East, Willamette Meridian, lying Easterly of the Central Pacific Railway Company right-of-way, SAVING AND EXCEPTING from said Lot 7, that portion conveyed to the State of Oregon by deed dated May 31, 1947 and recorded June 25, 1947, in Book 208, at Page 87, deed records, Klamath County, Oregon.

Township 40 South, Range 8 East, Willamette Meridian

Section 1: All of lots 5 & 8, and the $SW\frac{1}{4}SE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$

Section 11: That portion of the $E\frac{1}{2}SE\frac{1}{4}$, lying Easterly of the right-of-way of Central Pacific Railway Company.

Section 12: The $E\frac{1}{2}$, $SW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$ and that portion of the $W\frac{1}{2}NW\frac{1}{4}$ lying East of the right-of-way of Central Pacific Railway Company.

Section 13: All

Section 14: That portion of the $NE\frac{1}{4}NE\frac{1}{4}$, the $S\frac{1}{2}NE\frac{1}{4}$, and the $W\frac{1}{2}SE\frac{1}{4}$ lying Easterly of the right-of-way of the Central Pacific Company, and all of the $E\frac{1}{2}SE\frac{1}{4}$.

Township 40 South, Range 8 East, Willamette Meridian

- Section 23: That portion of the $N\frac{1}{2}NE\frac{1}{4}$ and of the $NE\frac{1}{4}NW\frac{1}{4}$ lying Easterly of the right-of-way of the Central Pacific Railway Company and Northerly of the centerline of the Klamath Straits. ALSO, $SE\frac{1}{4}SW\frac{1}{4}$ East of the Railway, and all of the $S\frac{1}{2}SE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, all of the $S\frac{1}{2}NE\frac{1}{4}$ lying South of the Channel, all that part of the $E\frac{1}{2}W\frac{1}{2}$ lying West of the $E\frac{1}{2}$ of said Section 23, South of the Channel or canal leading from the Lower Klamath Lake to Klamath River, East of the California Northeastern Railroad Co. right-of-way and North of the North boundary line of the $SE\frac{1}{4}SW\frac{1}{4}$; all that portion of Lot 4, lying Easterly of the right-of-way of the Central Pacific Railway Company and Southerly of the centerline of the Klamath Straits.
- Section 24: All
- Section 25: All, EXCEPT the $SE\frac{1}{4}NW\frac{1}{4}$
- Section 26: All East of the Railroad
- Section 27: That part of the $SE\frac{1}{4}$ lying East of the Easterly right-of-way of the Klamath Falls-Dorris State Highway.
- Section 34: Lots 6, 7, 8, 9, 10, 11, 12, 13 and 14 and also a strip of land 30 feet wide, North and South of the South side of the $SE\frac{1}{4}SW\frac{1}{4}$, adjoining on the North side the parcel of land hereinafter described and designated as Parcel One of Lot One, in Section 3, Township 41 South, Range 8 East, Willamette Meridian, and also a piece or parcel of land in the $SW\frac{1}{4}SW\frac{1}{4}$, described as follows: Beginning at the Southeasterly corner of the said $SW\frac{1}{4}SW\frac{1}{4}$ of said Section 34, thence North $0^{\circ}27'$ West along the Easterly boundary of the said $SW\frac{1}{4}SW\frac{1}{4}$ 60 feet; thence South $89^{\circ}14\frac{1}{2}'$ West along a line parallel with and 60 feet distant at right angles Northerly from the Section line which marks the Southerly boundary of the said $SW\frac{1}{4}SW\frac{1}{4}$, 690 feet, more or less, to a point in the Easterly boundary of the right-of-way of the Klamath Falls-Dorris Highway; thence Southerly along the said right of way boundary 67.2 feet, more or less, to its intersection with the said Section line; thence North $89^{\circ}14\frac{1}{2}'$ East along the said Section line, 722 feet, more or less, to the said point of beginning, being a part of Block 82 of vacated Townsite of Worden. ALSO, part of the $SW\frac{1}{4}$ described as follows: Beginning at a point that is distant South $89^{\circ}29'$ East 351.66 feet from the Section corner common to Sections 3 and 4, Township 41 South, Range 8 East, Willamette Meridian & Sections 33 & 34, Township 40 South, Range 8 East, Willamette Meridian said point being distant 50 feet Southeasterly measured at right angles from the centerline of the Central Pacific Company's originally located main track at Engineer Station 2640+59.67; thence North $32^{\circ}17'30''$ East, parallel to said centerline of main tract 1740.33 feet to a point distant 50 feet Southeasterly at right angles from said centerline of the Central Pacific Railway Company's originally located main tract at Engineer's Station 2658+00; thence South $57^{\circ}42'30''$ East 100 feet; thence South $32^{\circ}17'30''$ West 1678.39 feet to the South line of said Section; thence North $89^{\circ}29'$ West along said South line of said Section, also the North line of said Section 3, a distance of 117.63 feet to the point of beginning. ALSO, a piece or parcel of land situated in the $SW\frac{1}{4}SW\frac{1}{4}$ of Section 34, described as follows: Beginning at a point in the East line of the $SW\frac{1}{4}SW\frac{1}{4}$ which is North $0^{\circ}27'$ West along the Easterly line of said $SW\frac{1}{4}SW\frac{1}{4}$ 60 feet from the Southeast corner of said $SW\frac{1}{4}SW\frac{1}{4}$; thence South $89^{\circ}14\frac{1}{2}'$ West along a line parallel with and 60 feet distant at right angles Northerly from the Section line which marks the Southerly boundary of the said $SW\frac{1}{4}SW\frac{1}{4}$ to the Easterly right of way line of the Central Pacific Railway right-of-way as described in the deed to California Northeastern Railway Company dated June 22, 1910 and recorded July 12, 1910, in deed Book 29, at Page 459, Deed Records of Klamath County, Oregon; thence Northeasterly along said right-of-way line to the East line of said $SW\frac{1}{4}SW\frac{1}{4}$ of said Section 34, thence South along the East line of said $SW\frac{1}{4}SW\frac{1}{4}$ of said Section 34, 1280 feet, more or less, to the point of beginning, being Blocks numbered "A", "B", "C", "D" and a part of Block 82 of Townsite of Worden, now vacated, and the vacated streets accruing to said vacated lots and blocks: EXCEPTING from the above described property a portion thereof described in a deed to Klamath County, Oregon, dated October 3, 1933, recorded October 5, 1933, in Deed Volume 101, at Page 470, Deed Records of Klamath County, Oregon; AND FURTHER EXCEPTING from said property that portion thereof lying and being within the right-of-way of the Klamath Falls-Weed Highway No. 97, as located and constructed as of April 16, 1945.
- Section 35: All
- Section 36: All

Township 40 South, Range 9 East, Willamette Meridian

Section 7: Lots 1, 8, 9, 10 and 13; and the $S\frac{1}{2}NW\frac{1}{4}$, the $SW\frac{1}{4}$, the $W\frac{1}{2}SE\frac{1}{4}$, and the $SE\frac{1}{4}SE\frac{1}{4}$ and that portion of the $NE\frac{1}{4}$ and Lot 7 lying Southerly and Westerly of the centerline of the said New North Canal.

Section 18: All

Section 19: All

Section 30: $W\frac{1}{2}$ and the $W\frac{1}{2}NE\frac{1}{4}$, West of Klamath Straits.

Section 31: $W\frac{1}{2}$ and the $SE\frac{1}{4}$

Township 41 South, Range 8 East, Willamette Meridian

Section 1: $W\frac{1}{2}$

Section 2: All

Section 3: $E\frac{1}{2}$, $SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, and Lots 5, 6 and 7, and the following described two parcel or pieces of land in Lot 1:
Parcel 1 of Lot 1: Beginning at a point on the Section line marking the Northerly boundary of Lot 1 of said Section 3, from which the North-westerly corner of the said Section 3, bears South $89^{\circ}14\frac{1}{2}'$ West 1314.2 feet distant, and running thence North $89^{\circ}14\frac{1}{2}'$ East along the said Section line 608.2 feet, more or less, to the meander corner as established by the Survey of 1858; thence South $20^{\circ}57'$ East along the meander line of 1858 which marks the Easterly boundary of the said Lot 1, 591.1 feet; thence South $57^{\circ}52'$ West still following the said meander line 577.5 feet; thence North $21^{\circ}12\frac{1}{2}'$ West 913.2 feet, more or less, to the said point of beginning and being in Lot 1, said township and range.

Parcel 2 of Lot 1: Beginning at a point in the Northerly boundary of the said Lot 1 from which the Northwest corner of the said Section 3 bears South $89^{\circ}14\frac{1}{2}'$ West 1314.2 feet distant, and running thence South $21^{\circ}12\frac{1}{2}'$ East along the Westerly boundary of Tract #1 above 64 feet; thence South $89^{\circ}14\frac{1}{2}'$ West along a line parallel with and 60 feet distant at right angles Southerly from said Section line marking the Northerly boundary of said Lot 1, 760 feet, more or less, to a point in the line marking the Easterly boundary of the right of way of the Klamath Falls-Dorris Highway; thence Northerly along the said right of way boundary 67.2 feet, more or less, to its intersection with said Section line; thence North $89^{\circ}14\frac{1}{2}'$ East along the said Section line 708 feet, more or less, to the said point of beginning.

Section 10: $NE\frac{1}{4}NE\frac{1}{4}$

Section 11: $E\frac{1}{2}$, $NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$

Section 12: $W\frac{1}{2}$

Section 13: $N\frac{1}{2}NW\frac{1}{4}$, and Lots 3 and 4

Section 14: $N\frac{1}{2}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, and Lots 1, 2, 3 and 4

Township 41 South, Range 9 East, Willamette Meridian

Section 6: $S\frac{1}{2}SW\frac{1}{4}$

Section 7: All

SAVING AND EXCEPTING from the above described lands, the following: A piece or parcel of land lying in a strip 100 feet in width immediately adjacent on the South-easterly 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, Willamette Meridian, 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, Willamette Meridian, where a line parallel with and 310 feet distant at right angles Southeasterly from the centerline 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, Willamette Meridian bears South $54^{\circ}37'$ West 2308.1 feet distant and running thence South $16^{\circ}57\frac{1}{2}'$ West along a line parallel with and 310 feet distant at right angles Southeasterly from the said centerline 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 feet distant at right angles Northeasterly from the centerline of the said canal as the same is now located, and running thence South $75^{\circ}34\frac{1}{2}'$ East along last mentioned boundary line 100.1 feet, more or less, to its intersection with a line which is parallel with and 410 feet distant at right angles Southeasterly from the said centerline of the Southern Pacific Railroad, and running thence North $16^{\circ}57\frac{1}{2}'$ East along said last mentioned parallel line, 2620 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 9 East, Willamette Meridian, thence South $89^{\circ}48\frac{1}{2}'$ West, along last mentioned boundary line, 104.7 feet, more or less, to the said point of beginning.

ALSO EXCEPT the following: A piece or parcel of land situate in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ N $\frac{1}{2}$ 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, Willamette Meridian, 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 Section 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 $\frac{1}{2}$ 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 $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 26, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, 2147 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 feet; thence following a 1°38 $\frac{1}{2}$ ' circular curve to the left 937.6 feet; thence North 16°57 $\frac{1}{2}$ ' East 23.5 feet, more or less, to the said point of beginning.

Township 41 South, Range 8 East, Willamette Meridian

Section 3: Government Lots 1, 2 and 3, EXCEPT that part in Deed Book 138 at page 491, dated May 29, 1941, recorded June 14, 1941, Deed Records of Klamath County, Oregon, as follows: Two pieces or parcels of land in Lot 1, Section 3, each more particularly described as follows: Beginning at a point on the Section line marking the Northerly boundary of said Lot 1 of the said Section 3, from which the section corner marking the Northwestern corner of said Section 3 bears South 89°14 $\frac{1}{2}$ ' West 1314.2 feet distant; running thence North 89°14 $\frac{1}{2}$ ' East along the said Section line 608.2 feet, more or less, to the meander corner as established by the survey of 1858 thence South 20°57'00" East along the meander line of 1858 which marks the Easterly boundary of the said Lot 1, 591.1 feet; thence South 57°52' West still following the said meander line 577.5 feet; thence North 21°12 $\frac{1}{2}$ ' West, 913.2 feet, more or less, to the point of beginning. ALSO EXCEPT, Beginning at a point in the section line marking the Northerly boundary of said Lot 1, of the said Section 3, from which the Section corner marking the Northwestern corner of the said Section 3 bears South 89°14 $\frac{1}{2}$ ' West 1314.2 feet distant, and running thence South 21°12 $\frac{1}{2}$ ' East along the Westerly boundary of Parcel No. 1 above, 64 feet; thence South 89°14 $\frac{1}{2}$ ' West along a line parallel with and 60 feet distant at right angles Southerly from the said Section line marking the Northerly boundary of the said Lot 1, 760 feet, more or less, to a point in the line marking the Easterly boundary of the right of way of the Klamath Falls-Dorris Highway; thence Northerly along said right of way boundary 67.2 feet, more or less, to its intersection with the Section line; thence North 89°14 $\frac{1}{2}$ ' East along the said section line 708 feet, more or less, to the said point of beginning.

ALSO EXCEPTING the part in Deed Book 204 at page 461, Deed Records, of Klamath County, Oregon, described as follows: Beginning at the Section corner between Sections 33 and 34, Township 40 South, Range 8 East, Willamette Meridian, and Sections 3 and 4 Township 41 South, Range 8 East, Willamette Meridian, and running thence South along the Section line between Sections 3 and 4, Township 41 South, Range 8 East, Willamette Meridian, 20 rods, more or less, to a point where said Section line intersects the Western line of the right of way of the Central Pacific Railway Co.; thence North-easterly along the Western line of said railway right of way to its intersection with the Township line running East and West between Township 40 and 41; thence running West along said Township line, 13 rods, more or less, to the place of beginning, being a triangular piece of land situated in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 41 South, Range 8 East, Willamette Meridian.

Lots 1 through 6, Block 2, Second Addition to Midland, Klamath County, Oregon.

KCTC

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County Title Co.

this 17th day of September A. D. 1979 at 3:48 clock P.M., and

duly recorded in Vol. M79, of Mortgages on Page 22146

W. D. MILNE, County Clerk

By Bernetha J. Helich

Fee \$17.50