

33789

Form FHA 440-6  
(Rev. 12-2-70)

Position 1

Vol. MS4 Page 2797

FEB 10 1984

UNITED STATES DEPARTMENT OF AGRICULTURE  
FARMERS HOME ADMINISTRATION

## SEVERANCE AGREEMENT

DEC 27 1983

WHEREAS, HENZEL BROTHERS and \_\_\_\_\_  
of P. O. Box 84, Midland, County of Klamath, State of  
Oregon

, herein called Borrower, has applied to the United States of America,  
herein called the Government, for a loan for the purpose of installing, constructing, erecting, adding, or refinancing  
indebtedness relating to, for other advance of funds, or for advantages in connection with the servicing of a loan  
previously made, and has agreed to give the Government as security a chattel lien(s) on the following structures,  
works, and equipment, to wit:

See attached list

located or to be located on the following-described real estate situated in the county and State aforesaid:

## Description of real estate attached

COMBOWILL, OREGON

1. 100 AC. TRACT, 1/4 SEC. 10, T. 12N, R. 12E, S. 1E, CO. 1, OR.

2. 100 AC. TRACT, 1/4 SEC. 10, T. 12N, R. 12E, S. 1E, CO. 1, OR.

3. 100 AC. TRACT, 1/4 SEC. 10, T. 12N, R. 12E, S. 1E, CO. 1, OR.

4. 100 AC. TRACT, 1/4 SEC. 10, T. 12N, R. 12E, S. 1E, CO. 1, OR.

NOW, THEREFORE, for and in consideration of the making, insuring of, or servicing advantages with respect  
to, a loan by the Government and of the installation of such structures, works, and equipment by the Borrower,  
the parties hereto covenant and agree that, as to the liens of the Government or its assigns and until the Borrower  
is no longer indebted for any loans made or insured by the Government which are secured by a chattel lien thereon,  
such structures, works, and equipment, shall be considered as personal property, shall be and remain severed  
from and shall not be or become fixtures or a part of the real estate described above even though attached thereto,  
and shall not be subject to any encumbrances heretofore or hereafter placed on said real estate by any of the  
parties hereto or their successors and assigns, except the chattel liens of the Government.

(OVER)

FHA 440-6 (Rev. 12-2-70)

S308

284 FEB 23 AM 9 11

ck  
\$2.00

IN WITNESS WHEREOF, The parties hereto have executed this instrument this 23rd day of December, 19 83.

Borrower - Husband  
Borrower - Wife  
Individual Mortgagee Owner \*  
Individual Mortgagee Owner \*

UNITED STATES OF AMERICA  
 Real Estate Mortgagee  
 By Deadrick W. Dunlap  
DEADRICK W. DUNLAP  
 Title County Supervisor  
Farmers Home Administration

If a corporation: Yes  
Henry B. Bess  
 (Name of Corporation Mortgagee Owner) \*  
 By Santhya  
Duly Authorized Officer  
 Title Secretary

CORPORATE SEAL

\* Delete "Mortgagee" or "Owner"

ACKNOWLEDGMENTS

☆ U.S. G.P.O. 1977-765-006/1539 REG.#6

Return to

FARMERS HOME ADMINISTRATION, USDA  
 P. O. BOX 1323  
 KLAMATH FALLS, OR 97601

Notarizing Corporation to wit:  
 Notary Public and Notary for the State of Oregon, do hereby certify that the foregoing instrument was duly executed by the parties hereto in my presence and in the presence of the undersigned witnesses, and that the execution of the same was acknowledged by the parties hereto to be the free and voluntary act and deed of the parties hereto.

NOTARY PUBLIC

RECEIVED

FARMERS HOME ADMINISTRATION  
 UNITED STATES DEPARTMENT OF AGRICULTURE

2799

1	Elbow		
1	Surge Plug		
1	Steering Stinger		
2	Elbow	Wade	10 inch
1	Elbow		10 inch
4	Hydrostatic Movers		
120	Pipe		45 Degree
120	Pipe	Wade-Rain	10 inch 90 degree
120	Pipe		70
4	End Plugs		5" x 40'
4	Starter Pipe		5" x 3'
64	Rainbirds		5" x 76'
64	Self Levelers		
64	Plugs		
4	Hose	Jensen	70
4	Valve Openers		
99	Mainline		1 inch
99	Mainline		4" x 15'
2	Field Tee		4" x 4"
2	Surge Plugs		10" x 40'
2	End Plugs		10" x 40'
1	Increaser		10"
1	Female Coupler		10"
2	Sumps		10"
2	Suctions & Discharge		8" x 10"
2	Pump Units		8"
		Deutz-Cornell	
6	Irrigation Systems	Zimmatic	
			BF6L913-5RB64B4-3 Serial #
			5860596-24611-12
			BF6L913-5RB64B4-3 Serial #
			5868588-24612-12
			Linear move Serial # L13087
			L16006
			L16053
			L09415
			A11473
			L09416
1	Pivot	Zimmatic	
			307-9 tower Serial #L11461

That certain real property in Klamath County, Oregon, described as follows:

PARCEL 1 - DUNN FARM

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

IN SECTION 1:

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 of Section 1, Township 40 South, Range 8 East of the Willamette Meridian, and more particularly 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 a line parallel with and 50.0 feet distant at right angles Southeasterly from the center line 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, Township 40 South, Range 8 East of the Willamette Meridian, from which point of intersection, the section corner at the Northeasterly corner of the said Section 1, Township 40 South, Range 8 East of the Willamette Meridian, 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, Township 40 South, Range 8 East of the Willamette Meridian; 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 center line of the said The Dalles-California Highway, as the same is now located and constructed; thence Northeasterly along the said Westerly right of way line of the said The Dalles-California Highway 1190 feet, more or less, to its intersect 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, Township 40 South, Range 8 East of the Willamette Meridian; thence North  $89^{\circ}49'$  West, along 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, Township 40 South, Range 8 East of the Willamette Meridian, 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 center line 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, Township 40 South, Range 8 East of the Willamette Meridian; thence North  $0^{\circ}02'$  West, along said line marking the Easterly boundary of the said Lot 2 of Section 1, Township 40 South, Range 8 East of the Willamette Meridian, 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, in Township 40 South, Range 8 East of the Willamette Meridian.

The S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 1, Township 40 South, Range 8 East of the Willamette Meridian.

Lots 3, 4, and 9 of Section 1, SAVING AND EXCEPTING that portion of the A.H. Patterson, Sr. property described in deed recorded in Book 199 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 page 156, records of Klamath County, Oregon.

All that portion of Lot 6, Section 1, 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 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 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, recorded June 25, 1947, in Book 208 page 87, Deed Records of Klamath County, Oregon.

Those portions of Lot 7, the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 1, 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, recorded June 25, 1947, in Book 208 page 87, Deed records of Klamath County, Oregon.

All of Lots 5 and 8, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$  and SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 1.

IN SECTION 11:

That portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$  lying Easterly of the Central Pacific Railroad right of way.

IN SECTION 12:

All that portion of Section 12 lying Easterly of the Central Pacific Railroad right of way.

IN SECTION 13: ALL

IN SECTION 14:

That portion of the E $\frac{1}{2}$  lying Easterly of the Central Pacific Railroad right of way.

HENZEL BROS., a Partnership

2802

PARCEL II - HOOPER 720 FARM

IN TOWNSHIP 41 South, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN

IN SECTION 6: The  $S\frac{1}{2}$   $SW\frac{1}{4}$

IN SECTION 7: ALL EXCEPT THE  $NE\frac{1}{4}$   $NE\frac{1}{4}$

PARCEL IIA - HOOPER 720 FARM

The  $NE\frac{1}{4}$   $NE\frac{1}{4}$  of Section 7, Township 41 South, Range 9 East of the Willamette Meridian.

PARCEL III - GRAIN ELEVATOR

IN SECTION 34 TOWNSHIP 40 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN

That part of the SW $\frac{1}{4}$  of Section 34 described as follows: Beginning at a point that is distant South 89°29' East 351.66 feet from the Section corner common to Sections 3 and 4, Township 41 South, Range 8 East of the Willamette Meridian, and Sections 33 and 34, Township 40 South, Range 8 East of the Willamette Meridian, said point being distant 50 feet Southeasterly measured at right angles from the center line of the Central Pacific Company's originally located main track at Engineer Station 2640+59.67; thence North 32°17'30" East, parallel to said center line of main track, 1740.33 feet to a point distant 50 feet Southeasterly at right angles from said center line of the Central Pacific Railway Company's originally located main track at Engineer's Station 2658+00; thence South 57°42'30" East 100.0 feet to the Northwestern right of way line of the Klamath Falls-Dorris Highway; thence South 32°17'30" West along said right of way line 1678.39 feet to the South line of said Section 34; thence North 89°29' West along said South line of Section 34 a distance of 117.63 feet to the point of beginning.

ALSO that portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  lying Southeasterly of the Klamath Falls-Dorris Highway, AND the West 400 feet of Lot 5 in said Section 34.

IN TOWNSHIP 40 SOUTH RANGE 9 EAST OF THE WILLAMETTE MERIDIAN

IN SECTION 6:

That portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  lying Southwesterly of the New North Canal of the Klamath Drainage District.

IN 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 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 center line of the said New North Canal.

IN SECTION 18: ALL

All those portions of Sections 23 and 24, Twp. 40 S. R. 8 E.W.M., and of Section 19, Twp. 40 S. R. 9 E.W.M., lying Northerly and Easterly of a line beginning on the Easterly boundary of Highway 97 and terminating on the South line of said Section 19, said line being more particularly described as follows: Beginning at the point of intersection of the centerline of the Klamath Straits with the Easterly right of way line of Highway 97, which point bears S. 69° 53' E. 2942.6 feet and N. 18° 17' E. 646.3 feet from the Northwest corner of said Section 23, Twp. 40 S. R. 8 E.W.M., thence along the centerline of Klamath Straits, the following courses and distances: N. 84° 49' E. 329.1 feet; S. 67° 39' E. 172.9 feet; S. 46° 48' E. 154.5 feet; S. 31° 19' E. 129.2 feet; and S. 14° 50' E. 247.5 feet to the most Westerly corner of Parcel 2 described in Grant Deed from Tulana Farms to the United States, recorded April 5, 1976 in Vol. M76, page 4718, Deed Records of Klamath County, Oregon; thence leaving Klamath Straits centerline, and along the Northerly line of Parcel 2 referred to above, S. 52° 46' E. 397.4 feet; S. 83° 53' E. 731.0 feet, S. 79° 30' E. 618.0 feet to the Northeasterly corner of said Parcel 2; thence along the Northerly boundary of Parcel 1 described in said deed Volume M76, page 4718 the following courses and distances: N. 80° 38' E., 599.6 feet; S. 89° 08' E. 538.6 feet; S. 56° 13' E. 534.8 feet; S. 11° 41' E. 581.2 feet; S. 58° 27' E. 269.0 feet; N. 77° 32' E. 478.9 feet; S. 81° 14' E. 239.8 feet; S. 45° 17' E. 1080.6 feet; S. 28° 31' E. 583.5 feet; S. 81° 45' E. 165.1 feet; N. 43° 26' E. 898.7 feet; S. 77° 48' E. 286.8 feet; S. 53° 52' E. 197.3 feet; S. 26° 55' E. 513.1 feet; S. 56° 47' E. 152.2 feet; S. 87° 35' E. 1334.3 feet; S. 65° 09' E. 210.0 feet; S. 54° 21' E. 375.6 feet; N. 65° 02' E. 721.2 feet; S. 65° 09' E. 558.2 feet; N. 82° 54' E. 167.6 feet; S. 37° 38' E. 160.0 feet; S. 64° 41' E. 117.2 feet; N. 88° 11' E. 229.2 feet; thence along the arc of a 593.8 feet radius curve to the right a distance of 1066.2 feet; thence S. 78° 57' E. 50.0 feet; thence S. 11° 03' W. 566.1 feet to a point on the South line of Section 19 and terminus of this description.

Lots 1 thru 6 in Block 2, Second Addition to Midland, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

page 5 of 5 pages

STATE OF OREGON: COUNTY OF KLAMATH:ss  
I hereby certify that the within instrument was received and filed for record on the 23rd day of February A.D., 1984 at 2:11 o'clock A.M., and duly recorded in Vol. M84, of Mortgages on page 2797.

EVELYN BLEHN, COUNTY CLERK

by Ann Smith Deputy

Fee \$ 32.00