47533 RETURN TO
OREGON STATE HIGHWAY DIVISION
RIGHT OF WAY SECTION
STATE HIGHWAY BLDG. ROOM 1148
SALEM, OREGON 97310

K-34748

Highway Division
File 52163

ORIGINAL

PARTIAL RELEASE OF MORTGAGE

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WESTERN BANK, an Oregon corporation, having received the sum of One and No/100 DOLLAR ($1.00) as a partial payment on those certain mortgages and security agreement executed by Francis D. Brown & Son, Inc., an Oregon corporation, to Western Bank, as follows:

1. Mortgage dated December 18, 1972, recorded March 2, 1973, in Volume M73, Page 2204;

2. Mortgage dated September 26, 1979, recorded October 1, 1979, in Volume M79, Page 23090, and modifications thereto;

3. Mortgage dated March 29, 1982, recorded March 31, 1982, in Volume M82, Page 4030;

4. Mortgage dated March 29, 1982, recorded March 31, 1982, in Volume M82, Page 4033, and modifications thereto;

5. Mortgage dated July 23, 1982, recorded August 4, 1982, in Volume M82, Page 9990, and modifications thereto;

6. Mortgage dated August 25, 1983, recorded August 26, 1983, in Volume M83, Page 14452;

7. Security Agreement dated June 1, 1972, recorded June 2, 1972, in Volume M72, Page 5899.

Mortgage Records of Klamath County, Oregon,

does hereby release from the lien of said mortgage the following described property, to wit:

PARCEL 1

A parcel of land lying in the SW¼NW¼ of Section 8, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in those deeds to Francis D. Brown and Son, Inc., recorded in Book M-72, Page 12354 and in Book M-75, Page 14711 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 180 feet in width, 100 feet on the Northerly side and 80 feet on the Southerly side of the center line of the South Side Bypass (County Road) which center line is described as follows:

Beginning at Engineer's center line Station 89+32.20, said station being 2926.75 feet North and 433.81 feet West of the Southwest corner of Section 8, Township 39 South, Range 9 East, W.M.; thence on a spiral curve right (the long chord of which bears North 72° 06' East 499.62 feet) 500 feet; thence on a 1909.86 foot radius curve right (the long chord of which bears North 81° 02' 30" East 262.57 feet) 262.78 feet; thence on a spiral curve right (the long chord of which bears North 89° 59' East 499.62 feet) 500 feet; thence South 87° 31' East 705.02 feet to Engineer's center line Station 109+00.

Bearings are based upon the Oregon Co-ordinate System, South Zone.

The parcel of land to which this description applies contains 2.25 acres, more or less.

PARCEL 2

A parcel of land lying in the SW¼NW¼ of Section 8, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Francis D. Brown and Son, Inc., recorded in Book M-75, Page 14711 of Klamath County Record of Deeds; the said parcel being that portion of said property lying Southwesterly of a

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line at right angles to the center line of a connection between the South Side Bypass (County Road) and Green Springs Drive and included in a strip of land 50 feet in width, lying on the Southeasterly side of said center line which center line is described as follows:

Beginning at Engineer's center line Station "GSC" 470+98.67, said station being 3100.10 feet North and 139.64 feet East of the Southwest corner of Section 8, Township 39 South, Range 9 East, W.M.; thence North 13° 32' 30" West 111.91 feet; thence on a 358.10 foot radius curve right (the long chord of which bears North 9° 41' 15" East 282.48 feet) 290.36 feet; thence on a spiral curve right (the long chord of which bears North 41° 27' 07" East 159.65 feet) 160 feet; thence North 45° 43' East 339.06 feet to Engineer's center line Station "GSC" 480+00.

ALSO that portion of said property lying Westerly of said center line.

Bearings are based upon the Oregon Co-ordinate System, South Zone.

The parcel of land to which this description applies contains 0.13 acre, more or less.

AND DOES HEREBY SUBORDINATE the remainder of the property covered by the lien of said mortgage and security assignment to the following terms, conditions, and restrictions contained in that certain deed from Circle De Lumber Co. to Klamath County, Oregon, as follows, to wit:

"TOGETHER WITH all abutter's rights of access between the right of way of the public way identified as the South Side By-Pass (County Road) and all of Grantor's remaining real property, EXCEPT, however,

"Reserving for the service of Grantor's remaining property, access rights to and from said remaining property to the abutting highway right of way at the following place and in the following width:

"Hwy. Engr's Sta.	Side of Hwy.	Width	Purpose
100+00	Southerly	35 feet	Unrestricted"

Provided, however, that the remainder of the property covered by and described in said mortgages and assignment shall remain subject to such mortgages and assignment as heretofore.

Dated this 7th day of March, 1985.

LOIS M. GRANT NOTARY PUBLIC STATE OF OREGON

WESTERN BANK

By Joseph W. Lance
Senior Vice President and Regional Credit Administr.

By _____
Secretary

STATE OF OREGON, County of Jackson

March 7, 1985. Personally appeared Joseph W. Lance and _____, who, being sworn, stated that ~~they are~~ he is the ~~President~~ Senior Vice President and ~~Secretary~~ of Western Bank and that this instrument was voluntarily signed in behalf of the corporation by authority of its Board of Directors. Before me:

Lois M. Grant
Notary Public for Oregon
My Commission expires 6/3/86

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np/ui

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STATE OF OREGON,)
County of Klamath)
Filed for record at request of

on this 5th day of April A.D. 19 85
at 2:31 o'clock P M, and duly
recorded in Vol. M85 of Mortgages
Page 5011.

EVELYN BIEHN, County Clerk
By [signature] Deputy
Fee 13.00