

0145

m/c 17825

CONDITIONAL RELEASE OF EASEMENTS AND RIGHTS OF WAY

BEAR CAT, INC., an Oregon Corporation and DONALD C. CARSON, Grantors, subject to the Condition set forth below, hereby release, remit and quitclaim unto FRANK V. SURROZ, Jr., Grantee, any and all rights of way and easements which are personal to Grantors or which run with the property owned by them on or over real property owned by Grantee shown as Parcel 1 in Exhibit C, attached hereto and incorporated herein by this reference, which property adjoins the parcel of real property described on Exhibit A, attached hereto and incorporated herein by this reference, or which adjoins Broadmore Street, Klamath County, Oregon.

This Release is subject to the completion by Grantee of the extension and paving of that portion of Boardmore Street, Klamath Falls, Oregon described on Exhibit B, attached hereto and incorporated herein by this reference. This Release shall be effective at such times as Klamath County, Oregon has approved said paving and accepted said street for maintenance.

Dated this 10th day of July, 1987.

Donald C. Carson
Donald C. Carson

BEAR CAT, INC.

Donald C. Carson
Donald C. Carson, Individually

By Donald C. Carson
Donald C. Carson President

Steven M. Carson
Steven M. Carson, Individually

By Steven M. Carson
Steven M. Carson Vice President

18113

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared before me this 10th day of July, 1987, Donald C. Carson and Steven M. Carson, who said that they are the President and Vice-President, respectively of Bear Cat, Inc., an Oregon Corporation, and that they executed the foregoing instrument individually and on behalf of said Corporation as their and its free and voluntary act.


Notary Public for Oregon

My Commission Expires: 7-6-90

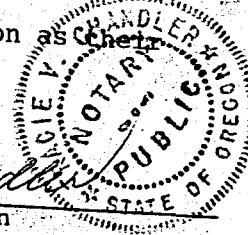


EXHIBIT "A"

18114

Two parcels of land situated in the NW1/4 NW1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and being more particularly described as follows:

PARCEL 1

Beginning at a point which lies 557.89 feet Southerly from the Southerly right of way line of Hilyard Avenue, said point being South 89 degrees 33' 35" East 932.35 feet and South 00 degrees 26' 25" West 587.89 feet from the Northwest corner of said Section 10; thence South 00 degrees 26' 25" West 350.00 feet; thence West 60.00 feet; thence North 00 degrees 26' 25" East 350.00 feet; thence South 89 degrees 33' 35" East 60.00 feet to the point of beginning;

PARCEL 2

Beginning at a point that is East a distance of 30 feet and North 00 degrees 34' West a distance of 398.0 feet from the Southwest corner of the NW1/4 NW1/4; thence East 622.3 feet to the point of beginning; thence North 00 degrees 34' West parallel to the East line of Washburn Way 350 feet; thence East 210.43 feet; thence South 350 feet; thence West 204.28 feet to the point of beginning.

*L.P.D.
W.S.*

Owner
Erwin R. Ritter, L.S.
Dennis A. Enser

Engineering Consultant
Joseph S. Westvold, C.E.

TRUSURVEYING LINE

TELEPHONE (503) 854-3891
2333 SUMMERS LANE • KLAMATH FALLS, OREGON 97603
JUNE 18, 1987

18115

LEGAL DESCRIPTION
OF
PROPOSED BROADMORE STREET
as

REVISED JUNE 18, 1987

A 60 foot strip of land for road purposes situated in the NW $\frac{1}{4}$ of Section 10, T39S, R9EWM, Klamath County, Oregon, more particularly described as follows:

Beginning at the point of intersection of the southerly right of way line of Hilyard Avenue and the easterly right of way line of the southerly extension of Broadmore Street, said intersection being S89°06'00"E 64.11 feet, S00°02'42"E 30.00 feet and S89°06'00"E 594.46 feet from the northwest corner of said Section 10; thence S00°09'48"W, along said southerly extension, 559.96 feet to a point on the North line of that tract of land described in Deed Volume M84 Page 10355; thence N89°33'43"W, along said North line and the North line of Deed Volume M86 Page 6690, 60.00 feet; thence N00°09'48"E 560.42 feet to a point on the southerly right of way line of said Hilyard Avenue; thence S89°06'00"E 60.00 feet to the point of beginning, containing 33,610 square feet and with bearings based on the recorded map of survey of MAJOR LAND PARTITION No. 79-37.

A.P.C.
For

Erwin R. Ritter
ERWIN R. RITTER

EXHIBIT "B" PAGE 1 of 1

LEGAL DESCRIPTION

18116

A tract of land situated in the NW1/4 NW1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, said tract being Parcel 1 and the Southerly extension of Broadmore Street as shown on the recorded Major Land Partition No. 79-37, said tract being more particularly described as follows:

Beginning at a 5/8 inch iron pin with cap at the intersection of the Southerly right of way line of Hilyard Avenue and the Easterly right of way line of Washburn Way, said iron pin being South 89 degrees 06' 00" East 64.11 feet and South 00 degrees 02' 42" East 30.00 feet from the Northwest corner of said Section 10; thence South 89 degrees 06' 00" East, along the said Southerly right of way line of Hilyard Avenue, 594.46 feet to a 5/8 inch iron pin with cap on the Easterly line of said Southerly extension of Broadmore Street; thence Southerly along said Easterly line, South 00 degrees 09' 48" West 366.25 feet, along the arc of a curve to the left (central angle = 16 degrees 49' 31" and radius = 270.00 feet) 79.29 feet, along the arc of a curve to the right (central angle = 16 degrees 49' 31" and radius = 330.00 feet) 96.91 feet, and South 00 degrees 09' 48" West 20.14 feet to the Southerly line of said Broadmore Street extension; thence North 89 degrees 33' 43" West 618.05 feet to a 5/8 inch iron pin with cap on the Easterly right of way line of Washburn Way; thence North 00 degrees 02' 42" West, along said Easterly right of way line, 564.75 feet to the point of beginning, with bearings being based on the recorded map of survey of said Major Land Partition.

EXCEPTING THEREFROM:

A 60 foot strip of land for road purposes known as the Proposed Broadmore Street as revised June 18, 1987, situated in the NW1/4 NW1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the point of intersection of the Southerly right of way line of Hilyard Avenue and the Easterly right of way line of the Southerly extension of Broadmore Street, said intersection being South 89 degrees 06' 00" East 64.11 feet, South 00 degrees 02' 42" East 30.00 feet and South 89 degrees 06' 00" East 594.46 feet from the Northwest corner of said Section 10; thence South 00 degrees 09' 48" West, along said Southerly extension, 559.96 feet to a point on the North line of that tract of land described in Deed Volume M84, page 10355; thence North 89 degrees 33' 43" West, along said North line and the North line of Deed Volume M86, page 6690, 60.00 feet; thence North 00 degrees 09' 48" East 560.42 feet to a point on the Southerly right of way line of said Hilyard Avenue; thence South 89 degrees 06' 00" East 60.00 feet to the point of beginning, containing 33,610 square feet and with bearings based on the recorded map of survey of MAJOR LAND PARTITION NO. 79-37.

A.R.C.
FES

ALSO EXCEPTING THEREFROM:

18117

A tract of land situated in the NW1/4 NW1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the East line of the Southerly extension of Broadmore Street said point being South 89 degrees 06' 00" East 64.11 feet, South 00 degrees 02' 42" East 30.00 feet, South 89 degrees 06' 00" East 594.46 feet and South 00 degrees 09' 48" West 366.27 feet from the Northwest corner of said Section 10; thence continuing South 00 degrees 09' 48" West 193.69 feet to a point on the North line of that tract of land described as Parcel 2 in Deed Volume M84, page 10355 of the Klamath County Deed Records; thence South 89 degrees 33' 43" East, along said North line, 25.68 feet; thence North 00 degrees 09' 48" East 20.14 feet; thence along the arc of a curve to the left (Radius = 330.00 feet and Central Angle = 16 degrees 49' 31") 96.91 feet; thence along the arc of a curve to the right (Radius Point bears North 73 degrees 20' 17" East 270.00 feet and Central Angle = 16 degrees 49' 31") 79.29 feet to the point of beginning, containing 2821 square feet and with bearings based on the recorded map of survey of MAJOR LAND PARTITION NO. 79-37.

*d.p.c.
ful*

*Return: Mountain Title
attn: Jess*

EXHIBIT "C" PAGE 2 of 2

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Company
of October A.D. 19 87 at 10:21 o'clock A M., and duly recorded in Vol. M87 day
of Deeds on Page 18112
By Evelyn Biehn County Clerk
Ram Smith

FEE \$30.00