

13128

WAIVER OF LANDLORD OR MORTGAGEE

This agreement made and entered into on the 22nd day of March, 19 90, by and between WESTERN BANK, (hereinafter called the "Secured Party") and

Ivan Olliffe and Norma M. Olliffe
(hereinafter called "Landlord" or "Mortgagee").

1. The Landlord or Mortgagee hereby agrees that the Secured Party may remove now or hereafter the following described personal property:

All crops; whether owned now or acquired later; whether now existing or hereafter born or grown; all accessions, additions, replacements, payments for participation in any state or federal farm programs, and substitution (including rights under Commodity Credit Corp. programs, ASCS, payment in kind, or any other general intangibles or programs); all records of any kind relating to any of the foregoing; all proceeds (including insurance and accounts proceeds) of Bart A. Fleming and Pamela K. Fleming.

from the following described premises:

SEE ATTACHED EXHIBIT "B" & EXHIBIT "C".

located in the City of Klamath Falls, State of Oregon

2. The Landlord or Mortgagee agrees that the personal property described will remain personal property even though it may be affixed to or placed in, under or upon the premises.
3. The Landlord or Mortgagee hereby waives any right, title, claim, or interest in the above described personal property by reason of said personal property being attached to, resting upon or under the premises, and hereby grants the Secured Party permission to remove the personal property from the premises at any reasonable time. The Secured Party will not be liable for the condition of the premises after removal of the personal property so long as reasonable care is used in effecting such removal.
4. All of the terms and conditions of this waiver agreement shall be binding on and inure to the benefit of the parties, their heirs, administrators, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this waiver agreement on the day and year first written above.

Send to: Western Bank P.O. Box 669 Klamath Falls, OR 97601

LANDLORD OR MORTGAGEE

WESTERN BANK

By Ivan Olliffe
Authorized Signature

By Donna R. Henry
Authorized Signature

By Norma M. Olliffe
STATE OF OREGON, Klamath County ss:

On the 26th day of March, 19 90, personally appeared the above named IVAN OLLIFFE AND NORMA M. OLLIFFE * * * * * and acknowledged the foregoing instrument to be their voluntary act and deed.

My commission expires:

7-9-93

Before me:

Shanna Berg
Notary Public for Oregon

'90 APR 4 PM 2 30

EXHIBIT "B"

Beginning at the Southwest corner of Section 31, Township 39 South, Range 10 E.W.M., thence North 1466.33 feet to the true point of beginning; thence North 264.00 feet to a point; thence East to the West meander line of Lost River; thence Southerly along the West meander line of Lost River to a point that is North $87^{\circ}30'45''$ East from the point of beginning; thence South $87^{\circ}30'45''$ West to the point of beginning.

This deed is given to correct the description in that certain deed from above grantors to above grantees recorded May 13, 1978, Volume 478, page 9951, Deed Records of Klamath County, Oregon.

EXHIBIT "C"

Beginning at the Southwest corner of Section 31 Township 39 South, Range 10 E.W.M., thence North 1969.65 feet to the true point of beginning, which point is the Southwest corner of a parcel of land described in Volume M74, page 13775, Deed Records of Klamath County, Oregon; thence East along the Southerly boundary of said parcel a distance of 1823.2 feet, more or less, to the West meander line of Lost River; thence Southerly along the West meander line of Lost River to the Northeast corner of parcel of land described in Deed Volume M80, page ~~7490~~ ~~2490~~; thence West along the North line of said parcel to the Northwest corner thereof; thence North along the West line of said Section 31, a distance of 239.32 feet, more or less, to the point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Western Bank the 4th day
of April A.D. 19 90 at 2:30 o'clock P.M., and duly recorded in Vol. M90,
of Mortgages on Page 6166.

FEE \$18.00

Evelyn Biehn County Clerk

By Pauline Mulendore

Return: Western Bank
P.O. Box 669
Klamath Falls, Or. 97601