

32137

Vol. 9 / Page 14084

Highway Division  
File 6068010

ORIGINAL

ASPEN 35465

## PARTIAL RELEASE OF MORTGAGE

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, a New Jersey corporation, having received the sum of One and No/100 DOLLAR (\$1.00) as a partial payment on that certain mortgage executed by Harris Farms, Inc., a California corporation and David E. Wood, dated November 10, 1988, and recorded December 20, 1988, in Book M-88, Page 21523, Fee No. 95070, and extended/amended by instrument recorded March 8, 1990, in Book M-90, Page 4410, Fee No. 12172, Mortgage Records of Klamath County, Oregon, does release from the lien of said mortgage the following described property:

## PARCEL 1 - Fee

A parcel of land lying in the S4S4 of Section 5, and Lot 10 of Section 4, Township 33 South, Range 7 1/2 East, W.M., Klamath County, Oregon; the said parcel being that portion of said subdivisions included in a strip of land variable in width, lying on the Northeasterly and Northerly side of the center line of the Crater Lake Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 150+00. said station being 4193.74 feet South and 3818.81 feet East of the Northwest corner of Lot 3, Section 6, Township 33 South, Range 7 1/2 East, W.M.; thence South 51° 18' 52" East 1174.34 feet; thence on a spiral curve left (the long chord of which bears South 55° 16' 17" East 499.05 feet) 500 feet; thence on a 1206.23 foot radius curve left (the long chord of which bears South 70° 06' 46" East 290.79 feet) 291.50 feet; thence on a spiral curve left (the long chord of which bears South 84° 57' 14" East 499.05 feet) 500 feet; thence South 88° 54' 39" East 3940.76 feet; thence on a spiral curve right (the long chord of which bears South 84° 57' 14" East 499.05 feet) 500 feet; thence on a 1206.23 foot radius curve right (the long chord of which bears South 53° 01' 50" East 981.44 feet) 1010.75 feet; thence on a spiral curve right (the long chord of which bears South 21° 06' 26" East 499.05 feet) 500 feet; thence South 17° 09' 01" East 2579.71 feet to Engineer's center line Station 259+97.06.

The widths in feet of the strip of land above referred to are as follows:

Station	to	Station	Width on Northeasterly and Northerly Side of Center Line
150+00		199+00	40
199+00		201+50	40 in a straight line to 60

10-18-90

Return to: Harris Farms  
25366 Davis  
Coolidge, Ca.  
93210

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201+50	204+50	60
204+50	207+00	60 in a straight line to 40
207+00	214+06.60	40
214+06.60	218+20	40 in a straight line to 60
218+20	219+06.60	60 in a straight line to 50
219+06.60	229+17.35	50

ALSO that portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 5, Township 33 South, Range 7 $\frac{1}{2}$  East, W.M., Klamath County, Oregon lying Southerly of said center line and Northerly of the existing Crater Lake Highway.

Bearings are based upon the Oregon Co-ordinate System of 1983, South Zone.

The parcel of land to which this description applies contains 4.64 acres, more or less, outside of the existing right of way.

#### PARCEL 2 - Fee

A parcel of land lying in Lot 7, Section 9, Township 33 South, Range 7 $\frac{1}{2}$  East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Harris Farms, Inc., and David E. Wood, recorded in Book M-87, Page 14037 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northeasterly side of the center line of the Crater Lake Highway as said highway has been relocated, which center line is described in Parcel 1.

The widths in feet of the strip of land above referred to are as follows:

Station	to	Station	Width on Northeasterly Side of Center Line
			50
219+06.60		229+17.35	50 in a straight line to 55
229+17.35		231+00	55 in a straight line to 45
231+00		234+17.35	

The parcel of land to which this description applies contains 2,430 square feet, more or less, outside of the existing right of way.

#### PARCEL 3 - Fee

A parcel of land lying in Lot 12, Section 9, and Lot 5, Section 16, Township 33 South, Range 7 $\frac{1}{2}$  East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Harris Farms, Inc., and David E. Wood, recorded in Book M-87, Page 14037 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip

of land 40 feet in width, lying on the Easterly side of the center line of the Crater Lake Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 261+07.11, said station being 1753.94 feet North and 2268.72 feet West of the Southeast corner of Section 9, Township 33 South, Range 7½ East, W.M.; thence South 17° 25' 31" East 4814.77 feet to Engineer's center line Station 309+21.88.

Bearings are based upon the Oregon Co-ordinate System of 1983, South Zone.

The parcel of land to which this description applies contains 0.70 acre, more or less, outside of the existing right of way.

AND SUBORDINATES the remainder of the property covered by the lien of said Mortgage to the access restrictions and those certain temporary easements for work areas contained in that Warranty Deed from Harris Farms, Inc., a California corporation and David E. Wood, aka David Wood, to the State of Oregon, by and through its Department of Transportation, Highway Division, which property is described as follows:

PARCEL 4 - Temporary Easement For Work Area (3 years or duration of project)

A parcel of land lying in the S½SW¼ of Section 5, Township 33 South, Range 7½ East, W.M., Klamath County, Oregon; the said parcel being that portion of said S½SW¼ lying between lines at right angles to the center line of the relocated Crater Lake Highway at Engineer's Stations 165+70 and 168+20 and included in a strip of land 60 feet in width, lying on the Northeasterly side of said center line, which center line is described in Parcel 1.

EXCEPT therefrom Parcel 1.

The parcel of land to which this description applies contains 4,810 square feet, more or less.

PARCEL 5 - Temporary Easement For Work Area (3 years or duration of project)

A parcel of land lying in the S½SE¼ of Section 5, Township 33 South, Range 7½ East, W.M., Klamath County, Oregon; the said parcel being that portion of said S½SE¼ lying between lines at right angles to the center line of the relocated Crater Lake Highway at Engineer's Stations 193+25 and 193+80 and included in a strip of land 50 feet in width, lying on the Northerly side of said center line, which center line is described in Parcel 1.



EXCEPT therefrom Parcel 1.

The parcel of land to which this description applies contains 550 square feet, more or less.

PARCEL 6 - Temporary Easement For Work Area (3 years or Duration of project)

A parcel of land lying in Lot 7, Section 9, Township 33 South, Range 7 $\frac{1}{2}$  East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Harris Farms, Inc., and David E. Wood, recorded in Book M-87, Page 14037 of Klamath County Record of Deeds; the said parcel being that portion of said property lying Southeasterly of a line at right angles to the center line of the relocated Crater Lake Highway at Engineer's Station 229+50 and included in a strip of land variable in width, lying on the Northeasterly side of said center line, which center line is described in Parcel 1.

The widths in feet of the strip of land above referred to are as follows:

Station	to	Station	Width on Northeasterly Side of Center Line
229+17.35		231+00	60 in a straight line to 65
231+00		234+17.35	65 in a straight line to 55

EXCEPT therefrom Parcel 2.

The parcel of land to which this description applies contains 1,720 square feet, more or less.

PARCEL 7 - Temporary Easement For Work Area (3 years or duration of project)

A parcel of land lying in Lot 12, Section 9, and Lot 5, Section 16, Township 33 South, Range 7 $\frac{1}{2}$  East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Harris Farms, Inc., and David E. Wood, recorded in Book M-87, Page 14037 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 50 feet in width, lying on the Easterly side of the center line of the Crater Lake Highway as said highway has been relocated, which center line is described in Parcel 3.

EXCEPT therefrom Parcel 3.

The parcel of land to which this description applies contains 15,030 square feet, more or less.

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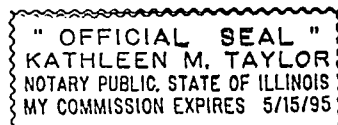
Provided, however, that the remainder of the property covered by and described in said mortgage shall remain subject to such mortgage as heretofore.

Dated this 22<sup>nd</sup> day of May, 1991.

By Laurel L. Olson  
President VICE-PRESIDENT  
By William M. Tarnow  
Secretary

ILLINOIS  
STATE OF ~~OREGON~~, County of DU PAGE

MAY 22, 1991. Personally appeared LAUREL L. OLSON  
and WILLIAM M. TARNOW, who, being sworn, stated that they are the President  
ASSISTANT  
and Secretary of The Prudential Insurance Company of America, a New Jersey corporation,  
and that this instrument was voluntarily signed in behalf of the corporation by authority  
of its Board of Directors. Before me:



Kathleen M. Taylor  
Notary Public for ~~Oregon~~ ILLINOIS  
My Commission expires 5/15/95

STATE OF OREGON.  
County of Klamath ss.

Filed for record at request of:

Aspen Title Co.  
on this 18th day of July A.D., 19 91  
at 3:24 o'clock P. M. and duly recorded  
in Vol. M91 of Mortgages Page 14084  
Evelyn Biehn County Clerk  
By Dawn Mulender  
Deputy.

Fee, \$28.00

10-18-90  
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nb/acl