

WITHDRAWN

MTC

10-31-91

Doc. #36823

Vol.M91 Page 22908
22909

MTC NO: 26543-LB

EXHIBIT A
LEGAL DESCRIPTION
continued

ALSO that portion of a vacated alley, as disclosed by Vacation Ordinance #5526, recorded April 25, 1966, in Book M-66, page 3643, Microfilm Records of Klamath County, Oregon, lying Northerly of the following described property:

Beginning at a point South 89 degrees 18' East a distance of 1205.4 feet from the Southeast corner of Block 57, Second Hot Springs Addition to the City of Klamath Falls, Oregon; thence North 0 degrees 42' East a distance of 129.45 feet; thence South 89 degrees 18' East a distance of 21.5 feet; thence in a Southerly direction 23.2 feet, more or less, parallel with the Southerly line of the U.S. Canal right of way to a line parallel with West line of property; thence South 0 degrees 42' West a distance of 118.3 feet; thence North 89 degrees 18' West a distance of 42.6 feet to the point of beginning, all lying in the S 1/2 SE 1/4 SW 1/4, Section 28, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

(end of legal description)

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 31st day
of Oct. A.D., 19 91 at 4:19 o'clock P M., and duly recorded in Vol. M91
of Mortgages on Page 22903.

FEE \$28.00

Evelyn Biehn . County Clerk

By Paula Mulder

MTC NO: 26543-LB

EXHIBIT A
LEGAL DESCRIPTION
continued

ALSO INCLUDING THE FOLLOWING:

Beginning at a point which is South 89 degrees 18' East a distance of 1141.5 feet along the Northerly line of Main Street from the Southeasterly corner of Block 57, Second Hot Springs addition to the City of Klamath Falls, Oregon; thence North 0 degrees 42' East a distance of 129.45 feet to the true point of beginning; thence South 89 degrees 18' East a distance of 99.06 feet; more or less, to a point which is 20 feet distant Southwesterly at right angles from the Southwesterly line of the U.S. Reclamation Service Main Canal right of way; thence in a Northwesterly direction and parallel with the Southwesterly line of said canal right of way and 20 feet distant at right angles therefrom along the arc of 224.62 feet radius curve to the left, whose long chord bears North 65 degrees 49' West a distance of 68.8 feet; thence continuing 20 feet distant at right angles from said canal right of way North 74 degrees 36' West a distance of 37.3 feet to the Northeast corner of that piece of land deeded to Emma Lightfoot by L.L. Low, as recorded in Volume 107, page 618; thence South 0 degrees 42' West a distance of 36.8 feet to the point of beginning, lying and being in the unplatted portion of Williams Addition to the City of Klamath Falls, Oregon and in the S 1/2 SE 1/4 SW 1/4, Section 28, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, TOGETHER WITH vacated alley way adjacent to said property on the North, said alley way lying between North line of above premises and the Southerly boundary of United States Bureau of Reclamation "A" Canal.

PARCEL 2: Beginning at a point which is South 89 degrees 18' East a distance of 1248 feet Easterly along the Northerly line of Main Street from the Southeast corner of Block 57, Second Hot Springs Addition to Klamath Falls, Oregon; thence in a Northerly direction and at right angles to Main Street parallel to Mortimer Avenue a distance of 118.3 feet to a point which is 20 feet distant Southwesterly at right angles from the Southwesterly line of the U.S.R.S. Canal right of way; thence Southeasterly and 20 feet from the U.S.R.S. Canal right of way to a point on the Northerly line of Main Street 105.2 feet Easterly from the point of beginning; thence Westerly along the Northerly line of Main Street 105.2 feet to the place of beginning, lying and being in the unplatted portion of Williams Addition to the City of Klamath Falls, Oregon, and in the S 1/2 SE 1/4 SW 1/4, Section 28, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon (and described in that certain deed by The Klamath Development Co. to T. D. Jordan recorded in the office of the Clerk of Klamath County on February 26, 1923, in Volume 59, page 574). TOGETHER WITH the vacated alley lying Northerly and Easterly of and adjoining the herein described property, as disclosed by Vacation Ordinance No. 5526, recorded April 25, 1966, in Book M-66, page 3643, Microfilm Records of Klamath County, Oregon.

(legal description continued)

EXHIBIT A
LEGAL DESCRIPTION

A parcel of land situated in the S 1/2 of the SE 1/4 of the SW 1/4 of Section 28, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Parcel 1: Beginning at a point which is South 89 degrees 18' East a distance of 1114.5 feet along the Northerly line of Main Street from the Southeasterly corner of Block 57, Second Hot Springs Addition to the City of Klamath Falls, Oregon; thence North 0 degrees 42' East a distance of 174 feet, more or less, to a point which is 20 feet distant Southwesterly at right angles from the Southwesterly line of the U. S. Reclamation Service Main Canal right of way; thence in a Northwesterly direction and parallel with the Southwesterly line of said canal right of way and 20 feet distant at right angles therefrom a distance of 83 feet, more or less, to a point; thence South 0 degrees 42' West a distance of 191.25 feet, more or less, to a point on the Northerly line of Main Street; thence South 89 degrees 18' East a distance of 79.3 feet to the point of beginning, lying and being in the unplatted portion of Williams Addition to the City of Klamath Falls, Oregon. LESS that portion deeded to A. A. Soule and Eva Soule by Klamath County, as recorded in Volume 173, page 459, more particularly described as follows:

Beginning at a point which is South 89 degrees 18' East a distance of 1067.2 feet along the Northerly line of Main Street from the Southeasterly corner of Block 57, Second Hot Springs Addition to the City of Klamath Falls, Oregon; thence North 0 degrees 42' East a distance of 185.75 feet, more or less, to a point which is 20 feet distant Southwesterly at right angles from the Southwesterly line of the U. S. Reclamation Service Main Canal right of way; thence in a Northwesterly direction and parallel with the Southwesterly line of said Canal right of way and 20 feet distant at right angles therefrom a distance of 5.18 feet to the Northeast corner of that piece of land deeded to Eva Soule by Herbert Lang and Jennie Lang, as recorded in Volume 105, page 47; thence South 0 degrees 42' West a distance of 187.15 feet, more or less, to a point on the Northerly line of Main Street; thence South 89 degrees 18' East along the Northerly line of Main Street a distance of 5.0 feet to the point of beginning, lying and being in the unplatted portion of Williams Addition to the City of Klamath Falls, Oregon, and in the S 1/2 SE 1/4 SW 1/4, Section 28, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

(legal description continued)

The grantor covenants and agrees to and with the beneficiary and those claiming under him, that he is lawfully seized in fee simple of said described real property and has a valid, unencumbered title thereto

except none.

and that he will warrant and forever defend the same against all persons whomsoever.

The grantor warrants that the proceeds of the loan represented by the above described note and this trust deed are:
(a)* primarily for grantor's personal, family or household purposes (see Important Notice below),
(b) ~~for the purchase of real property for the grantor or for the purchase of real property for the grantor's family or household purposes~~

This deed applies to, inures to the benefit of and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, personal representatives, successors and assigns. The term beneficiary shall mean the holder and owner, including pledgee, of the contract secured hereby, whether or not named as a beneficiary herein. In construing this deed and whenever the context so requires, the masculine gender includes the feminine and the neuter, and the singular number includes the plural.

IN WITNESS WHEREOF, said grantor has hereunto set his hand the day and year first above written.

* IMPORTANT NOTICE: Delete, by lining out, whichever warranty (a) or (b) is not applicable; if warranty (a) is applicable and the beneficiary is a creditor as such word is defined in the Truth-in-Lending Act and Regulation Z, the beneficiary MUST comply with the Act and Regulation by making required disclosures; for this purpose use Stevens-Ness Form No. 1319, or equivalent. If compliance with the Act is not required, disregard this notice.

D & S PROPERTIES by
GERRIT A. DEGROOT

[Signature]

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on _____, 19____,
by D & S PROPERTIES

This instrument was acknowledged before me on October 31, 1991,

by Gerrit A. DeGroot

as Partner on behalf

of D & S Properties



OFFICIAL SEAL
LINDA L. HALL
NOTARY PUBLIC - OREGON
COMMISSION NO. 006457
MY COMMISSION EXPIRES MAY 01, 1995

[Signature] Notary Public for Oregon
My commission expires 5-1-95

REQUEST FOR FULL RECONVEYANCE

To be used only when obligations have been paid.

TO: _____, Trustee

The undersigned is the legal owner and holder of all indebtedness secured by the foregoing trust deed. All sums secured by said trust deed have been fully paid and satisfied. You hereby are directed, on payment to you of any sums owing to you under the terms of said trust deed or pursuant to statute, to cancel all evidences of indebtedness secured by said trust deed (which are delivered to you herewith together with said trust deed) and to reconvey, without warranty, to the parties designated by the terms of said trust deed the estate now held by you under the same. Mail reconveyance and documents to _____

DATED: _____, 19____

Beneficiary

Do not lose or destroy this Trust Deed OR THE NOTE which it secures. Both must be delivered to the trustee for cancellation before reconveyance will be made.

TRUST DEED

(FORM No. 881)

STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

D & S PROPERTIES
1041 WILD PLUM DRIVE
KLAMATH FALLS, OR 97601

Grantor

EDWARD J. WHITE
7904 KELLER ROAD
KLAMATH FALLS, OR 97603

Beneficiary

AFTER RECORDING RETURN TO
MOUNTAIN TITLE COMPANY
OF KLAMATH COUNTY

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON, } ss.
County of _____

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as fee/tile/instrument/microfilm/reception No. _____, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____ Deputy