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## K-44730

IN THE CIRCUIT COURT FOR THE STATE OF OREGON

FOR THE COUNTY OF KLAMATH

In re

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FIRST INTERSTATE BANK OF OREGON, NA a national banking association,

Case No. 88-326-CV

Plaintiff,

v.

PARTIAL RELEASE OF LIEN

NORMA E. WAGGONER and DONALD R. WAGGONER, et al,

Defendants.

KNOW ALL MEN BY THESE PRESENTS, that First Interstate Bank of Oregon, NA a national banking association, Plaintiff in the aboveentitled case, hereby releases and discharges only the property situated in Klamath County, Oregon, described on Exhibit "A" attached hereto, from the judgment lien in the above-mentioned case in the amount of \$29,015.90, interest in the amount of \$9,316.95, attorney's fees in the amount of \$19,519.25, and costs in the amount of \$2,016.79 on the first claim; and \$143,361.06, interest in the amount of \$66,260.69, attorneys fees in the amount of \$19,519.25 and costs in the amount of \$2,016.74 on the second claim, against Norma E. Waggoner and Eric R.-T. Roost, as Trustee of the Bankruptcy Estate of Norma E. Waggoner, said judgment being 18 entered on April 10, 1989. This partial release of lien releases the aforementioned real property only from said judgment lien and 19 leaves all other liens resulting from said judgment in full force and effect. 20

Donald J. Churnside, OSB #79187

Attorney for Plaintiff

STATE OF OREGON

County of Lane

I, Donald J. Churnside, being first duly sworn, do depose and say that I am the attorney for Plaintiff, First Interstate Bank, in the above-mentioned case, and I have authority to execute this instrument and that I executed this instrument on behalf of Plaintiff, First Interstate Bank.

ss.

Donald J. Churnside, OSB #79187

Attorney for Plaintiff

1 - PARTIAL RELEASE OF LIEN



29884

## Exhibit A

That portion of the W<sup>1</sup>/<sub>2</sub> of the SE<sup>1</sup>/<sub>4</sub> of Section 20, T. 38 S. R. 9 E.W.M. formerly described as Lots 2, 3, 6, 7, 10, 11, 14, 15, 18, 19, 22, 23, 24, 25, 26, Block 7, Eldorado Heights, vacated by Ordinance No. 4865 City of Klamath Falls, Oregon, together with the Southeasterly 30 feet of vacated Clairmont Street adjoining said Lot 2 being approximately 88,769 square feet, together with the Northwesterly 30 feet of vacated Clairmont Street adjoining said Lot 19.

SAVING AND EXCEPTING, Beginning at a 5/8 inch iron rod on the Northerly right of way line of Eldorado Boulevard, said point being Southeasterly 104.69 feet, along the arc of a curve concave to the Southwest having a radius of 756.26 feet, form a 1 inch iron pipe marking the Southeasterly corner of Lot 19, Block 8 of said addition; thence N. 49°03'38" E. a distance of 119.99 feet to a point on the Northeasterly line of Lot 3 of said Block 7; thence S. 32°04'46" E. S. 58°02'22" W. a distance of 109.66 feet to the Northerly right of way line of Eldorado Boulevard; thence N. 31°57'38" W. a distance of 57.42 feet along said Northerly right of way to the beginning of a curve concave to the Southwest having a radius of 756.26 feet, ( a radial bearing from said point being S. 57°58'06" W.); thence Northwesterly along arc of said curve 117.58

FURTHER SAVING AND EXCEPTING, Beginning at a ½ inch iron pin at the Northeast corner of Parcel 2 which point is on the West line of Lexington Avenue from which the Southeast corner of the NW1SE1 of said Section 20 bears North inch iron pin; thence South 55°33'18" West 72.53 feet to a ½ inch iron pin on the Line of Eldorado Boulevard; thence North 34°26'42" West along said East to a ½ inch iron pin; thence South 31°47'00" East 31.67 feet to the point of

FURTHER SAVING AND EXCEPTING, Beginning at a 5/8" iron rod on the mid block line of said Block 7, said point being South 32°04'46" East a distance of 256.89 feet from a ½" iron pipe marking the Northwest corner of Lot 2 of said Block 7; thence South 32°04'46" East a distance of 55.00 feet; thence South 58°02'22" West a distance of 108.77 feet to a point on the Northerly right of way line of said Northelry right of way line to a 5/8" iron rod; thnce North 58°02'22" East a distance of 109.66 feet to the point of beginning.

FURTHER SAVING AND EXCEPTING, Beginning at a 1" iron pipe marking the Southeasterly corner of Lot 19 of said Block 8; thence Southeasterly along the Northerly right of way line of Eldorado Boulevard a distance of 104.69 feet, said right radius of 756.26 feet; thence North 49°03'38" East a distance of 119.99 feet to a point on the Northeasterly line of Lot 3 of said Block 7; thence North 32°04'46" West thence North 67°19'42" West a distance of 63.24 feet to the Northeast corner of said Lot 19 of said Block 8; thence Northwesterly along the Northeasterly line of to the Southwest having a radius of 866.26 feet; thence South 34°59'30" West a distance of 110.44 feet to a point on the Northerly right of way line of Eldorado Boulevard; the Southwest having a radius of 756.26 feet, a distance of 6.31 feet to the point of beginning.

29885

## Exhibit A - cont.

AND FURTHER SAVING AND EXCEPTING, Beginning at the intersection of the west right-of-way line of Lexington Avenue and the Northerly right-of-way line of Eldorado Boulevard located in the plat of Eldorado Heights, a recorded subdivision in Klamath County, which point is the most southerly corner of Lot 26, Block 7 of vacated Eldorado Heights; thence N. 34°28'42" W. a distance of 117.46 feet to a point; thence N. 55°33'18" E. a distance of 72.53 feet to a point on the West line of Lexington Ave.; thence South 02°44'57" East along the Westerly line of Lexington to the point of beginning.

CTATE OF OREG	ON: COUNTY OF KLAM	ATH: ss.			15th day
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