

91779

11-30-94A09: 4 RCVD

CMT

KNOW ALL MEN BY THESE PRESENTS, That Bank of America National Trust & Savings Association ("Bank"), as set forth in that certain Amended and Restated Credit Agreement entered into as of July 8, 1988 between Bank and the parties described in Exhibit "A" attached hereto, and with regard to that certain mortgage executed by Vincent O. Cheyne, Diane L. Cheyne, James C. Cheyne and Loretta M. Cheyne, mortgagors dated February 12, 1981, in favor of Bank of America NT & SA

mortgagee and recorded in book M-81
Record of Mortgages for the County of Klamath, State of Oregon, on page 2484, or as file/reel number (indicate which), on February 13, 1981, does hereby release from the lien of said mortgage, the following described premises therein described, viz:

See attached Exhibit "B"

and that the remainder of said lands in said mortgage specified shall remain subject thereto as heretofore.

In construing this partial release of mortgage, where the context so requires, singular includes plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 17th day of NOVEMBER, 1994; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

By: *Don Hunt*

Don Hunt, Vice President

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,

County of _____ } ss.

, 19 _____

Personally appeared the above named _____

and acknowledged the foregoing instrument to be _____ voluntary act and deed.

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: _____

STATE OF OREGON, County of _____ } ss.

, 19 _____

Personally appeared _____ and _____

who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of _____

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

Notary Public for Oregon

My commission expires: _____

(OFFICIAL SEAL)

Partial Release of MORTGAGE

TO _____

AFTER RECORDING RETURN TO:

Bank of America NT & SA
CLSC #1411
P. O. Box 6179
Fresno, CA 93703

(DON'T USE THIS SPACE: RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON,

County of _____ } ss.

I certify that the within instrument was received for record on the _____ day of _____, 19 _____

at _____ o'clock _____ M., and recorded in book _____ on page _____ or as file/reel number _____

Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Title _____

By _____

Deputy _____

DOCKET NO.

Exhibit "A"

- (i) James C. Cheyne
- (ii) Loretta M. Cheyne
- (iii) Cheyne Brothers



Bank of America

Exhibit//Attachment to Partial Release of Mortgage

CHEYNE BROTHERS, A GENERAL PARTNERSHIP**EXHIBIT "B"**
Page 1 of 1

Real Property Description
Klamath County, State of Oregon

PARCEL 2:

That portion of the S½ of the SW¼ of Section 16, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

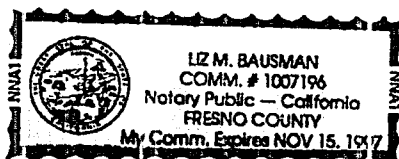
Beginning at the intersection of the Northeasterly line of the Great Northern Railroad right of way, 300 feet wide, as described in deed recorded in Volume 96, page 109, Deed Records of Klamath County, Oregon, with the Northwesterly line of the Depot Road, 80 feet wide, as described in Deed recorded in Volume 96, page 173, of Deed Records of said County; thence North 71 degrees 45' East along said Depot Road a distance of 263.29 feet to the true point of beginning of this description; thence North 165.23 feet; thence West 549.60 feet to the Northeasterly line of said Railroad right of way; thence following the boundary line of said Railroad right of way to its intersection with the North line of the South half of the Southwest quarter of Section 16; thence East along said North line to the Northeast corner of the Southeast quarter of the Southwest quarter; thence South along the East line of said Southeast quarter of the Southwest quarter 277.90 feet, more or less, to its intersection with the Northwesterly line of the Depot Road; thence Southwesterly along the Northwesterly line of the Depot Road to the point of beginning.

EXCEPTING THEREFROM an additional portion conveyed to the Great Northern Railway by deed recorded in Volume 195, page 209, Deed Records of Klamath County, Oregon.

RESERVING unto the Grantor, his successors, heirs and assigns, an easement for ingress and egress across the most Easterly 30 feet of the above described real property to the Grantor's property lying Northerly of the above described premises.

State of CALIFORNIACounty of FRESNOOn November 17, 1994 before me, Liz M. Bauman, Notary Public
(DATE) (NAME/TITLE OF OFFICER - i.e., "JANE DOE, NOTARY PUBLIC")personally appeared DON HUNT
(NAME(S) OF SIGNER(S))☒ personally known to me -OR- ☐

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Witness my hand and official seal.

(SEAL)

Liz M. Bauman
(SIGNATURE OF NOTARY)

ATTENTION NOTARY

The information requested below and in the column to the right is **OPTIONAL**. Recording of this document is not required by law and is also optional. It could, however, prevent fraudulent attachment of this certificate to any unauthorized document.

THIS CERTIFICATE
MUST BE ATTACHED
TO THE DOCUMENT
DESCRIBED AT RIGHT:

Title or Type of Document Partial Release of Mortgage(Cheyne)Number of Pages three Date of Document November 17, 1994Signer(s) Other Than Named Above No other signers

Embosser and seal used.

WOLCOTT'S FORM 63240 Rev. 3-94 (price class 8-2A) 1994 WOLCOTT'S FORMS, INC.
ALL PURPOSE ACKNOWLEDGMENT WITH SIGNER CAPACITY/PRESENTATION/TWO FINGERPRINTS

RIGHT THUMBPRINT (Optional)

TOP OF THUMB HERE

CAPACITY CLAIMED BY SIGNER(S)

☐ INDIVIDUAL(S)☒ CORPORATE Vice President

OFFICER(S) _____

(TITLE)

☐ PARTNER(S) ☐ LIMITED☐ GENERAL☐ ATTORNEY IN FACT☐ TRUSTEE(S)☐ GUARDIAN/CONSERVATOR☐ OTHER: _____

SIGNER IS REPRESENTING:

(Name of Person(s) or Entity(ies))

Bank of America NT & SA

RIGHT THUMBPRINT (Optional)

TOP OF THUMB HERE

CAPACITY CLAIMED BY SIGNER(S)

☐ INDIVIDUAL(S)☐ CORPORATE _____

OFFICER(S) _____

(TITLE)

☐ PARTNER(S) ☐ LIMITED☐ GENERAL☐ ATTORNEY IN FACT☐ TRUSTEE(S)☐ GUARDIAN/CONSERVATOR☐ OTHER: _____

SIGNER IS REPRESENTING:

(Name of Person(s) or Entity(ies))

STATE OF OREGON: COUNTY OF KLAATH: ss.

Filed for record at request of Bank of America the 30th day
of Nov A.D., 19 94 at 9:14 o'clock A M., and duly recorded in Vol. M94
of for pages on Page 36434

FEE \$25.00

Evelyn Biehn County Clerk

By Evelyn Biehn