

02 APR 5 PM 2:56

Vol M02 Page 20172

Recording Requested By  
And When Recorded Mail To:

U.S. Bank, N.A.  
555 SW Oak Street  
PD-OR-P6TD  
Portland, OR 97204

State of Oregon, County of Klamath  
Recorded 04/05/2002 2:56p m.  
Vol M02. Pg 20172-77  
Linda Smith, County Clerk  
Fec \$ 46.00 # of Pgs 6

Until a Change is Requested,  
All Tax Statements Should Be  
Sent to the Following Address:

Merle West Medical Center, Inc.  
2865 Daggett  
Klamath Falls, OR 97601

*K58343*

SPACE ABOVE LINE FOR  
RECORDER'S USE

### FULL RELEASE OF LIEN AND TERMINATION OF TRUST INDENTURE

BNY Western Trust Company, successor in interest to Wells Fargo, N.A., *fka* First Interstate Bank of Oregon, N.A., as trustee (the "Trustee") under that certain Trust Indenture between the Trustee and the Klamath Falls Intercommunity Hospital Authority, as amended and restated by the Second Amended and Restated Trust Indenture dated as of September 1, 1994 recorded in the mortgage records of Klamath County, Oregon on October 4, 1994, in Volume M94, Page 30948 (the "Indenture"), does hereby certify and declare that the defeasance provisions for payment on the Bonds issued under the Indenture (as defined in the Indenture) have been fully satisfied and all rights granted thereunder have ceased and have been terminated.

In consideration of the above, Trustee hereby terminates the Indenture and releases the lien of the Indenture on the real and personal property described in the Indenture, including but not limited to the Gross Revenues described therein, and in the real property described in **Exhibit A** attached hereto.

DATED as of the 5<sup>th</sup> day of April, 2002.

BNY WESTERN TRUST COMPANY  
successor in interest to WELLS FARGO,  
N.A., *fka* FIRST INTERSTATE BANK OF  
OREGON, N.A., as Trustee

By: 

Authorized Officer

*K46-*

STATE OF WASHINGTON           )  
County of King                 ) ss.  
  )

Sophia G. Soste  
Notary Public for Washington  
My Commission Expires: 4-14-04



## EXHIBIT "A"

## DESCRIPTION OF PROPERTY

The following described real property situate in Klamath County, Oregon:

## PARCEL 1: HOSPITAL

A:

A parcel of land situate in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 20, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at an iron pin marking the Northeast corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 20, Township 38 South, Range 9 East of the Willamette Meridian; thence S. 0°46' W. along the East line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$  a distance of 100.00 feet to a point; thence N. 89°21' W. a distance of 420.87 feet to a point; thence S. 20°39'40" W. a distance of 504.11 feet to a point on the Northerly line of Foothill Boulevard in the plat of McLoughlin Heights Subdivision; thence Westerly along said Northerly line to its intersection with the Northeasterly line of Daggett Avenue as shown on the plat of Re-subdivision of a portion of McLoughlin Heights; thence Northwesterly along the Northeasterly line of Daggett Avenue to an iron pin on the West line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; thence N. 0°51' E. along said West line a distance of 381.24 feet, more or less, to the Northwest corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; thence S. 89°21' E. along the North line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$  a distance of 1318.1 feet, more or less, to the point of beginning.

B:

Lots 1 thru 7 and Lots 16 thru 22 in Block 6 of McLoughlin Heights, according to the official plat thereof on file in the records of Klamath County, Oregon.

C:

A parcel of land situate in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 20, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a Brass cap monument marking the Northeast corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 20, which monument also marks the Northwest corner of McLoughlin Heights Subdivision, thence N. 89°10' W. along the North line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$  a distance of 182.58 feet to a point on the Easterly line of Campus Drive; thence S. 2°38' W. along the Easterly line of Campus Drive to its intersection with the Northerly line of Daggett Avenue; thence East along the Northerly line of Daggett Avenue a distance of 191.34 feet, more or less, to the East line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; thence N. 0°51' E., along said East line a distance of 381.24 feet, more or less, to the point of beginning.

## PARCEL 2: BUSINESS OFFICE

A parcel of land situated in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 20, Township 38 South, Range 9 E.W.M., Klamath County, Oregon, more particularly described as follows: Beginning at a 5/8 inch iron pin on the Easterly line of that parcel described in Volume M69 page 5894, Deed Records of Klamath County, Oregon, which point bears N. 0°51' E. a distance of 549.15 feet from the center one-quarter corner of said Section 20; thence N. 87°49' W. a distance of 85.0 feet; thence S. 0°51' W. a distance of 107.95 feet; thence S. 87°49' E. a distance of 85.0 feet, to the East line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; thence N. 0°51' E. along said East line a distance of 107.95 feet to the point of beginning.

## PARCEL 3: CANCER CENTER

A portion of vacated and repartitioned Block 5 of Resubdivision of a portion of McLoughlin Heights, more particularly described as follows:

Beginning at a point on the Easterly boundary of relocated Uhrmann Road and the Westerly boundary of vacated and repartitioned Block 5 of Resubdivision of a portion of McLoughlin Heights from which the monument marking the center quarter section corner of Section 20, Township 38 South, Range 9 East of the Willamette Meridian, bears N. 82°01' W. 60.47 feet and S. 0°51' W. 674.8 feet distant and the Northwest corner of said Block 5 bears N. 0°51' E. 170.5 feet distant; thence S. 82°01' E. 174.7 feet to a point on the easterly boundary of said Block 5; thence S. 12°26'20" E. along said Easterly boundary 159.0 feet to a point; thence N. 82°01' W. 211.6 feet to a point on the Westerly boundary of said Block 5; thence N. 0°51' E. 150.25 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM the Northerly 23.0 feet thereof as described in Volume M72 page 5888, Deed Records of Klamath County, Oregon.

## PARCEL 4: ELDORADO

A:

A parcel of land situated in the Vacated Replat of Blocks 1, 2, 3, 5, 6 and 7, ELDORADO and in the Vacated portion of Block 9, Eldorado, more particularly described as follows: Beginning at the point of intersection of the Northerly line of Dahlia Street and the Northeasterly extension of the Southeasterly line of Lot 7, Block 9, Eldorado; thence N. 51°43'30" W., along the Northerly line of Dahlia Street, a distance of 211.87 feet to an iron pin marking the beginning of a curve; thence along the arc of a 20 foot radius curve to the right a distance of 49.56 feet to its point of tangency on the South line of Eldorado Blvd., said curve having a long chord which bears N. 19°21' E. a distance of 37.84 feet; thence S. 89°34'30" E. along the South line

of Eldorado Blvd. a distance of 574.23 feet to the beginning of a curve; thence along the arc of a curve to the right, said curve having an angle of  $26^{\circ}58'19''$  and a radius of 677.34 feet, a distance of 318.86 feet to a point; thence on a line which bears  $S. 38^{\circ}16'30'' W.$ , parallel with and 200 feet Northwesterly at right angles to the Westerly line of Sloan Street, a distance of 668.38 feet to a point on the Southwesterly line of Block 9 of Eldorado; thence  $N. 51^{\circ}43'30'' W.$ , along said line, a distance of 517.0 feet to the most Southerly corner of Lot 7, said Block 9; thence  $N. 38^{\circ}16'30'' E.$  along the Southeasterly line of said Lot 7 and the extension thereof, 150.0 feet to the point of beginning.

Together with a portion of Vacated Dahlia Street which inurred thereto.

EXCEPT that portion of the above described property lying in the  $NE\frac{1}{4}SW\frac{1}{4}$  of Section 20, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

B:

Lots 1 thru 6 in Block 9 of Eldorado, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. ALSO that portion of Vacated Dahlia Street which inurred thereto.

C:

Lot 7 in Block 9 of Eldorado, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. ALSO that portion of Vacated Dahlia Street which inurred thereto.

D:

A parcel of land situated in the Vacated Replat of Blocks 1, 2, 3, 5, 6 and 7, ELDORADO and in the Vacated portion of Block 9, ELDORADO, more particularly described as follows: Beginning at the point of intersection of the Northerly line of Dahlia Street and the Northeasterly extension of the Southeasterly line of Lot 7, Block 9, Eldorado; thence  $N. 51^{\circ}43'30'' W.$ , along the Northerly line of Dahlia Street, a distance of 211.87 feet to an iron pin marking the beginning of a curve; thence along the arc of a 20 foot radius curve to the right a distance of 49.56 feet to its point of tangency on the South line of Eldorado Blvd., said curve having a long chord which bears  $N. 19^{\circ}21' E.$  a distance of 37.84 feet; thence  $S. 89^{\circ}34'30'' E.$  along the south line of Eldorado Blvd. a distance of 574.23 feet to the beginning of a curve; thence along the arc of a curve to the right, said curve having an angle of  $26^{\circ}58'19''$  and a radius of 677.34 feet, a distance of 318.86 feet to a point; thence on a line which bears  $S. 38^{\circ}16'30'' W.$ , parallel with and 200 feet Northwesterly at right angles to the Westerly line of Sloan Street, a distance of 668.38 feet to a point on the Southwesterly line of Block 9 of Eldorado; thence  $N. 51^{\circ}43'30'' W.$ , along said line, a distance of 517.0 feet to the most Southerly corner of Lot 7, said Block 9; thence  $N. 38^{\circ}16'30'' E.$  along the Southeasterly line of said Lot 7 and the extension thereof, 150.0 feet to the point of beginning.

TOGETHER with portion of Vacated Dahlia Street which inurred thereto.

EXCEPT that portion of the above described property lying in the  $NW\frac{1}{4}SE\frac{1}{4}$  of Section 20, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

E:

TOGETHER WITH easement for parking, and easement for the use of one-half of the waters in well located on the following described parcel: A parcel of land situated in portions of Vacated Blocks 2, 3, 6, 7, 9 and 10, Eldorado Addition to the City of Klamath Falls, Oregon, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at a point being the intersection of the Southerly right of way line of Eldorado Boulevard and the Northwest right of way line of Sloan Street; thence South  $38^{\circ}16'30''$  West along said right of way line of Sloan Street, a distance of 576.60 feet to the South right of way line of Dahlia Street; thence North  $51^{\circ}43'30''$  West along said right of way line, a distance of 25.00 feet; thence South  $38^{\circ}16'30''$  West a distance of 100.0 feet, thence North  $51^{\circ}43'30''$  West a distance of 175.0 feet; thence North  $38^{\circ}16'30''$  East a distance of 668.38 feet, to a point on the Southerly right of way line of Eldorado Boulevard; thence Southeasterly along the arc of a  $8^{\circ}18'30''$  curve to the right, a distance of 200.77 feet to the point of beginning, as disclosed by Judgment filed in Case No. 84-827CV filed November 9, 1987, in the Circuit Court of the State of Oregon for Klamath County.

PARCEL 5: CRYSTAL TERRACE

The SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 20, Township 38 South, Range 9 East of the Willamette Meridian, SAVING AND EXCEPTING therefrom the portion conveyed to State of Oregon, acting by and through the Oregon State Board of Higher Education, by deed records July 28, 1961, in Volume 331 of Deeds page 299, records of Klamath County, Oregon AND ALSO SAVING AND EXCEPTING therefrom that portion conveyed to Presbyterian Inter-community Hospital, Inc., an Oregon non-profit corporation, by Deed Volume 355 on page 643. Records of Klamath County, Oregon.