

## PARTIAL RELEASE OF ASSIGNMENT OF RENTALS AND MORTGAGE

K-47813

KNOW ALL MEN BY THESE PRESENTS, that Western Bank, nka Washington Mutual Bank, ("Lender"), does hereby release its lien on the real property described on Exhibit A attached hereto arising under those six certain Assignment of Rentals executed by Trustees of Daniel G. Brown and Elouise Brown Trusts ("Borrower"), for the benefit of Lender and recorded on April 3, 1995 in the Microfilm Records of Klamath County, Oregon as follows: M95, Page 8016; M95, Page 8023; M95, Page 8029; M95, Page 8035; M95, Page 8041; and M95, Page 8048; and that certain Mortgage executed by Trustees of Daniel G. Brown and Elouise Brown Trusts ("Borrower"), dated March 27, 1995, for the benefit of Lender and recorded as M95, Page 7837, in the Microfilm Records of Klamath County, Oregon on March 31, 1995, together with that certain Assignment of Rentals executed by Trustees of Daniel G. Brown and Elouise Brown Trusts ("Borrower") for the benefit of Lender and recorded on September 5, 1999 in the Microfilm Records of Klamath County, Oregon as M96, Page 27750. Nothing herein shall be construed as evidencing a satisfaction of the underlying debt secured by the instruments described above nor a release of any liens on any other parcels of real property described in said instruments.

In construing this partial release, 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 Lender has executed this instrument this 2nd day of May, 2003; if a corporation it has caused its name to be signed by its officers, duly authorized by its board of directors.

WESTERN BANK, nka WASHINGTON  
MUTUAL BANK

By: TERRY VILBAUER  
Its: VP/MGR.

STATE OF OREGON )  
 ) ss.  
County of Oregon )

State of Oregon, County of Klamath  
Recorded 06/16/2003 3:24 P m.  
Vol M03 Pg 41117-18  
Linda Smith, County Clerk  
Fee \$ 61<sup>00</sup> # of Pgs 2

On this 8th day of May, 2003, before me personally appeared Terry V. Vilbauer, who, being duly sworn, did say that he/she is the VP/Manager of Washington Mutual Bank, and that said instrument was signed on behalf of said corporation by authority of its board of directors; and he/she acknowledged the foregoing instrument to be its voluntary act and deed.



Michelle L. Smith  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 3/18/2006

# **EXHIBIT 'A'** **LEGAL DESCRIPTION**

## **PARCEL 1**

A tract of land situated in the SW1/4 of the NW1/4 of Section 8, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the Southeasterly right of way line of the Weed-Klamath Falls Highway, which point is North 44 degrees 50 1/2' East a distance of 138 feet from the intersection of the Southeasterly line of said Highway with the Westerly line of Section 8, and the true the point of beginning; thence continuing North 44 degrees 50 1/2' East along said Southeasterly line a distance of 300 feet; thence North 45 degrees 09 1/2' West a distance of 20 feet; thence North 44 degrees 50 1/2' East along aforementioned Highway right of way line a distance of 50 feet; thence South 45 degrees 09 1/2' East at right angles a distance of 320 feet; thence South 44 degrees 09 1/2' West parallel to said Highway line a distance of 350 feet; thence North 45 degrees 09 1/2' West 300 feet to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to Klamath County, by Deed dated February 20, 1985, recorded April 1, 1985 in Volume M85, page 4700; and Deed dated March 19, 1985, recorded April 1, 1985 in Volume M85, page 4702, all Microfilm Records of Klamath County, Oregon.

## **PARCEL 2**

A tract of land situated in the SW1/4 NW1/4 of Section 8, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Southwest corner of the Northwest quarter of said Section 8; thence North along the West line a distance of 250 feet; thence East a distance of 305.3 feet to the true the point of beginning; thence North a distance of 265.18 feet to a 3/4 inch pipe at the most Southerly corner of that parcel of property described in Deed Volume 181, page 175, Deed Records of Klamath County, Oregon; thence North 44 degrees 50 1/2' East a distance of 350 feet to the Southwesterly line of that property described in Deed Volume M72, page 1198, Microfilm Records of Klamath County, Oregon; thence South 45 degrees 09 1/2' East a distance of 300 feet, more or less, to the most Southerly corner of the above mentioned property described in Volume M72, page 1198, Microfilm Records of Klamath County, Oregon; thence continue along the same line extended Southeasterly to its point of intersection with a line being parallel to and 250 feet North of the South line of said NW1/4 of Section 8; thence West along said line to the true the point of beginning.

EXCEPTING THEREFROM that portion conveyed to Klamath County, by Deed dated February 20, 1985, recorded April 1, 1985 in Volume M85, page 4700; and Deed dated March 19, 1985, recorded April 1, 1985 in Volume M85, page 4702, all Microfilm Records of Klamath County, Oregon.