

04 OCT 29 AM 11:04

MTZ-67861UV

Vol M04 Page 74267

When recorded return to:

Klamath Tribes  
Attention: Allen Foreman, Chairman  
501 Chiloquin Boulevard  
PO Box 436  
Chiloquin, OR 97624

State of Oregon, County of Klamath  
Recorded 10/29/04 11:04a m  
Vol M04 Pg 74267-73  
Linda Smith, County Clerk  
Fee \$ 5.00 # of Pgs 7

Grantor: Taylor Hyde and Becky Hatfield-Hyde  
Grantee: The Klamath Tribes, a Federally-Recognized Indian Tribe

Legal Description: Described in Exhibit A.

Assessor's Tax Parcel Numbers:	3612-00000-03700-000	Key No.:	352237
	3612-00300-00400-000	Key No.:	351835
	3612-00300-00500-000	Key No.:	351844
	3612-00000-03700-000	Key No.:	352237
	3612-00000-03800-000	Key No.:	352219
	3612-02900-00100-000	Key No.:	696116
	3612-02900-00200-000	Key No.:	358393
	3612-02800-00300-000	Key No.:	353584
	3612-02800-00400-000	Key No.:	685734
	3612-02800-01000-000	Key No.:	353593

Reference number(s) of related/assigned/released documents: \_\_\_\_\_  
Reference(s) to document(s) appears on page(s) \_\_\_\_\_

### SUBORDINATION AGREEMENT

NOTICE: THIS SUBORDINATION AGREEMENT RESULTS IN YOUR SECURITY INTEREST IN THE PROPERTY BECOMING SUBJECT TO AND OF LOWER PRIORITY THAN THE LIEN OF SOME OTHER OR LATER INSTRUMENT.

The undersigned subordinator and easement holder agrees as follows:

1. Northwest Farm Credit Services, FLCA ("Subordinator") is the beneficiary of a deed of trust, dated SEPTEMBER, 29, 2004, which was recorded under Auditor's File No. M04-74201, records of Klamath County (the "Mortgage") encumbering the real property legally described in Exhibit A attached hereto and incorporated herein by this reference (the "Property");

5/00 am

2. The Klamath Tribes ("Easement Holder") is the holder of a conservation easement dated OCTOBER 22, 2004, over the Property executed by Owner (as hereinafter defined) which will be recorded concurrently with this Subordination Agreement (the "Conservation Easement");
3. Taylor Hyde and Becky Hatfield-Hyde, husband and wife, ("Owner"), are the owners of all the Property described in the Mortgage and the Conservation Easement.
4. In consideration of benefits to Subordinator from Owner and Easement Holder, receipt and sufficiency of which is hereby acknowledged, the Subordinator does hereby subordinate the lien of the Mortgage to the Conservation Easement to the extent necessary to permit Easement Holder, and any third party beneficiary under the Conservation Easement, to enforce the terms of the Conservation Easement in perpetuity and to prevent any modification or extinguishment of the Conservation Easement by the exercise of any rights of the trustee or beneficiary under the Mortgage. Subordinator and Easement Holder hereby agree that any and all liens (consensual or non-consensual, judicial or non-judicial) arising from non-performance of the obligations of Owner, and its successors and assigns, under the Conservation Easement and charged to Owner, or its successors and assigns, by Easement Holder or by a third party beneficiary under the Conservation Easement, shall remain subordinate, junior and subject to the lien of the Mortgage.
5. This Agreement shall be the whole and only agreement between the parties hereto with regard to the subordination of the lien or charge of the mortgage first above mentioned to the Conservation Easement in favor of Easement Holder above referred to and shall supersede and cancel any prior agreements as to such, or any subordination including, but not limited to, those provisions, if any, contained in the Mortgage first above mentioned, which provided for the subordination of the lien or charge thereof to a mortgage to be thereafter executed.
6. The heirs, administrators, assigns and successors in interest of the Subordinator shall be bound by this agreement. Where the word mortgage appears herein it shall also be considered as deed of trust, and gender and number of pronouns considered to conform to undersigned.

Executed this 27 day of October, 2004

74269

NORTHWEST FARM CREDIT SERVICES, FLCA, Subordinator

By [Signature]  
Its Sr. Credit Officer

STATE OF OREGON )  
County of Klamath ) ss.


This instrument was acknowledged before me this 27 day of  
October, 2004, by Mitchell K. Stokes as  
Sr. Credit Officer of Northwest Farm Credit Services, FLCA

[Signature]  
Notary Public for Oregon  
My Commission Expires: 11/20/07



74270

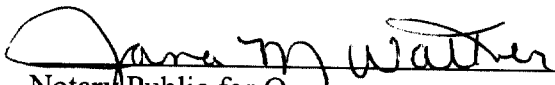
KLAMATH TRIBES, Easement Holder

By   
Allen Foreman, Chairman

Date: 10 22-04

STATE OF OREGON           )  
County of Klamath    ) ss.  
Oregon

This instrument was acknowledged before me this 22 day of  
October, 2004, by Allen Foreman, as Chairman of the Klamath Tribes, on  
behalf of the Klamath Tribes.

  
Notary Public for Oregon  
My Commission Expires: 1/26/2006



74271

TAYLOR HYDE, Owner

Date: 10.22.04

[Signature]

BECKY HATFIELD-HYDE, Owner

Date: 10-22-04

Becky Hatfield-Hyde

STATE OF OREGON )

County of Klamath ) ss.

This instrument was acknowledged before me this 22 day of October, 2004, by Taylor Hyde.

[Signature]  
Notary Public for Oregon  
My Commission Expires: 11/20/07

STATE OF OREGON )

County of Klamath ) ss.

This instrument was acknowledged before me this 22 day of October, 2004, by Becky Hatfield-Hyde.

[Signature]  
Notary Public for Oregon  
My Commission Expires: 11/20/07



**LEGAL DESCRIPTION****PARCEL 1:**

The following described property located in Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon;

SECTION 3: The SE1/4, Excepting therefrom a tract of land situated in the N1/2 NE1/4 SE1/4 of Section 3, Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at an iron pin on the East-West center section line of Section 3, which is South 89° 29' West a distance of 320.00 feet from an iron pin marking the East quarter corner of Section 3; thence South 89° 29' West following the East-West center section line of Section 3 a distance of 527.25 feet to an iron pin on the East bank of the Sycan River; thence South 4° 16' East along the East bank of the Sycan River a distance of 252.50 feet to an iron pin; thence leaving the East bank of the Sycan River, North 89° 29' East parallel to the East-West center section line of Section 3 a distance of 510.22 feet to an iron pin; thence North 0° 24' West parallel to the East line of Section 3 a distance of 251.97 feet, more or less, to the point of beginning.

Government Lots 1 and 2 and the S1/2 NE1/4 of Section 3 (NE1/4).

SECTION 10: Government Lots 1, 2, 7, 8, 9, 10, 15, and 16

EXCEPTING FROM said property any portion thereof lying within the boundaries of Drews Ranch Road and Godowa Springs Road.

**PARCEL 2:**

A tract of land situated in the N1/2 NE1/4 SE1/4 of Section 3, Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at an iron pin on the East-West center section line of Section 3, which is South 89° 29' West a distance of 320.00 feet from an iron pin marking the East quarter corner of Section 3; thence South 89° 29' West following the East-West center section line of Section 3 a distance of 527.25 feet to an iron pin on the East bank of the Sycan River; thence South 4° 16' East along the East bank Sycan River a distance of 252.50 feet to an iron pin; thence leaving the East bank of the Sycan River, North 89° 29' East parallel to the East-West center section line of section 3, a distance of 510.22 feet to an iron pin; thence North 0° 24' West parallel to the East line of Section 3 a distance of 251.97 feet, more or less, to the point of beginning.

(Legal description continued)

**PARCEL 3:**

The NW1/4 SW1/4 and the S1/2 NE1/4 SW1/4, Section 28, Township 36 South, Range 12 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

A portion of the E1/2 NE1/4 Section 29, Township 36 South, Range 12 East of the Willamette Meridian, lying South of Highway 140, in the County of Klamath, State of Oregon.

**PARCEL 4:**

The West 1/2 of the Northwest 1/4 of Section 28, Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

**PARCEL 5:**

E1/2 NW1/4 and N1/2 NE1/4 SW1/4 of Section 28, Township 36 South, Range 12 East, Willamette Meridian, Klamath County, Oregon; EXCEPTING THEREFROM that portion thereof lying within the boundaries of State Highway 140.

Tax Account No.:	3612-00000-03700-000	Key No.:	352237
Tax Account No.:	3612-00300-00400-000	Key No.:	351835
Tax Account No.:	3612-00300-00500-000	Key No.:	351844
Tax Account No.:	3612-00000-03700-000	Key No.:	352237
Tax Account No.:	3612-00000-03800-000	Key No.:	352219
Tax Account No.:	3612-02900-00100-000	Key No.:	696116
Tax Account No.:	3612-02900-00200-000	Key No.:	358393
Tax Account No.:	3612-02800-00300-000	Key No.:	353584
Tax Account No.:	3612-02800-00400-000	Key No.:	685734
Tax Account No.:	3612-02800-01000-000	Key No.:	353593