

M05-72023

Klamath County, Oregon

12/29/2005 11:35:56 AM

Pages 3 Fee: \$31.00

Loan No. F-98136600

1st 661667
OREGON DEED OF PARTIAL RELEASE

WHEREAS, CHARLES G. KERR executed a certain Mortgage or Deed of Trust unto U.S. BANK NATIONAL ASSOCIATION, INC. hereinafter referred to as "Lender") dated the FOURTH day of MARCH, NINETEEN HUNDRED NINETY NINE, to secure the payment of a Note or Bond of even date therewith, in the sum of SEVEN HUNDRED EIGHTY THOUSAND Dollars (\$780,000.00) recorded in Klamath County, Oregon on March 15, 1999 in Volume M99, Page 9410; as Document 76204; and re-recorded on March 17, 1999 in Volume M99 on page 9002 as document 76396; which mortgage was assigned to U.S. Bank Trust National Association as Custodian/Trustee by assignment dated March 10, 1999 and recorded March 15, 1999 in Volume M99, Page 9009 as document number 76205 and re-recorded March 17, 1999 in Volume M99, page 9418 as document 76397.

WHEREAS, on January 11, 2002, "U.S. Bank Trust National Association" merged with and into "U.S. Bank National Association" and the resulting company is known as "U.S. Bank National Association"; and

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the said Lender, for valuable consideration unto it paid at the execution and delivery hereof, the receipt whereof is hereby acknowledged, has remised, released and quitclaimed, and by these presents does remise, release and quitclaim unto the owner or owners thereof, the following described real property in Klamath County, Oregon, to wit:

SEE EXHIBIT L.

TO HAVE AND TO HOLD THE SAME WITH THE APPURTENANCES unto the said owner or owners, forever freed, exonerated and discharged of and from the aforesaid lien.

PROVIDED always, nevertheless, that nothing herein contained shall in anywise affect, alter or diminish the aforesaid lien or encumbrance on the remaining part of the real property described therein, or the remedies at law for recovering from the parties liable to pay the same the balance of said principal sum, with interest, secured thereby.

IN WITNESS WHEREOF, the Lender has caused its corporate seal to be hereunto affixed and these presents to be signed by its duly authorized officer this 24th day of October, 2005.

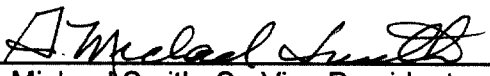
APPROVED

3/F

PRESENT BENEFICIARY:

U.S. BANK NATIONAL ASSOCIATION
SUCCESSOR BY MERGER TO
U.S. BANK TRUST NATIONAL ASSOCIATION
AS CUSTODIAN/TRUSTEE

BY: Rabo Agrifinance, Inc.
Not personally, but as Attorney-In-Fact


BY: G. Michael Smith, Sr. Vice President

STATE OF MISSOURI)
) SS:
COUNTY OF ST. LOUIS)

BE IT REMEMBERED, that on this 24th day of October, 2005, before me, a Notary Public in and for the County and State aforesaid, personally appeared G. MICHAEL SMITH, Sr. Vice President, of Rabo Agrifinance, Inc., as Attorney-in-Fact for U.S. Bank National Association, successor by merger to U.S. Bank Trust National Association who is personally known to me to be the said officer of said corporation, and the same person who executed the foregoing instrument, and he duly acknowledged the execution of the same for and on behalf of and as the act and deed of said corporation as Attorney-in-Fact for U.S. Bank National Association, successor by merger to U.S. Bank Trust National Association.

IN WITNESS WHEREOF, I have hereunto subscribed my name affixed my official seal, on the day and year last above written.

 Notary Public

My commission expires:

Sandra Siebert
Notary Public - Notary Seal
STATE OF MISSOURI
St. Louis County
Commission Expires: June 20, 2007

EXHIBIT L

LEGAL DESCRIPTION

Real property in the County of Klamath, State of Oregon, described as follows:

S 1/2 of Section 8, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, SAVING AND EXCEPTING the following:

A tract of land situated in the SE 1/4 SE 1/4 of Section 8, Township 41 South, Range 10 East of the Willamette Meridian, more particularly described as follows:

Beginning at the Southeast corner of said Section 8, as marked by a 5/8" iron pin; thence N. 89°45'04" W., along the South line of said Section 8, 774.90 feet; thence N. 00°14'56" E. 30.00 feet to a point on the Northerly right of way line of Lower Klamath Lake Road; thence N. 32°28'38" E. 27.40 feet to a point 1 foot Northwesterly of an existing fence line; thence along a line 1 foot Northwesterly of said fence line, N. 41°09'50" E. 28.19 feet, N. 51°32'46" E. 63.12 feet, N. 53°04'23" E. 191.71 feet, N. 50°07'36" E. 268.88 feet, N. 45°27'10" E. 167.78 feet, N. 41°49'20" E. 89.91 feet, along the arc of a curve to the left (Radius = 500.00 feet and central angle = 29°02'58") 253.50 feet, N. 12°46'22" E. 36.94 feet, and N. 08°40'58" E. 70.25 feet; thence along an existing fence S. 88°36'12" E. 17 feet, more or less, to a point on the East line of said Section 8; thence Southerly along said East line, 917.14 feet to the point of beginning.

SAVING AND EXCEPTING any portion within the right of way of Lower Klamath Lake Road.

Tax Parcel Number: 819074

Including Certificate of Water Right #67947, obtained under permit # G-9623 and

Certificate of Water Right #67946, obtained under permit #G-6771 and

Certificate of Water Right #48601, obtained under permit #G-7139

CAK