

2010-012340

Klamath County, Oregon

AFTER RECORDING RETURN TO:

Nathan J. Ratliff
620 Main Street
Klamath Falls OR 97601



00091872201000123400090093

10/20/2010 08:10:57 AM

Fee: \$77.00

GRANTOR'S NAME AND ADDRESS:

William Wagner, Sr., William Wagner, Jr.
Carolyn Wagner, Leonard Rose,
Abby Rose, Ron York and Helen York
c/o Ron York
P. O. Box 541
Bonanza, OR 97623

GRANTEE'S NAME AND ADDRESS:

David Clowes
9310 Parakeet Drive
Bonanza, OR 97632

SEND TAX STATEMENTS TO:

No Change

TERMINATION OF LEASE

RECITALS

Whereby, William Wagner, Sr., William Wagner, Jr., Carolyn Wagner, Leonard Rose, Abby Rose, Ron York and Helen York, hereinafter referred to collectively as Withdrawing Lessees, entered into a Lease Modification, with David Clowes, hereinafter referred to as Lessor, said Lease having been duly recorded with the Klamath County Clerk at Volume M03 Page 34863, *et seq.*;

Whereby the Lease Modification referred to and incorporated a Lease between Robin C. Barrett, Marvel Barrett, Lee A Barrett and Michell Barrett and William H Wagner, Jr., Carolyn Wagner, Walter E Wagner and Eleanor Wagner, which was duly recorded with the Klamath County Clerk at Volume M95, Page 29858; and

Whereby, the Lease, the Lease Modification and this Lease Termination all pertain to real property located in Klamath County, Oregon, more particularly described as follows, to-wit:

The East half of Lot 16 Block 64 of Klamath Falls Forest Estates, Highway 66 Unit, Plat No. 3. This East half of Lot 16 block 64 has a road frontage of 150.55 feet on Parakeet Drive. The leased property will run from the Northeast survey marker on Parakeet Drive West 166.89 feet, then South approximately 150 feet to the existing South line of Lot 16, then East 160.75 feet to the Southeast survey marker on Parakeet Drive, then North to the Northeast survey marker. The area of the leased property is approximately 24,682 square feet.

This real property shall hereinafter be referred to as the Real Property.

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WITNESSETH:

Now, therefore, Lessor and Lessees agree as follows:

1. The Lease and Lease Modification are hereby terminated, extinguishing any and all obligations of Lessor and Lessees arising thereunder.
2. Lessor and Lessees mutually release one another from liability for any claims arising from their relationship as Lessor and Lessees under the Lease and the Lease Modification.
3. The mutual covenants made by Lessor and Lessees herein represent consideration for this Lease Termination.

The signatures of the Lessor and the Lessees, below indicated their acceptance of, and agreement with, the terms of this Lease Termination.

LESSEES:

William Wagner, Jr.
William Wagner, Jr., Personal
Representative of the
Estate of William Wagner, Sr.

Date: 9/22/2010

William Wagner, Jr.
William Wagner, Jr.

Carolyn Wagner
Carolyn Wagner

Abby Rose
Abby Rose

Leonard Rose
Leonard Rose

Helen York
Helen York

Ron York
Ron York

LESSOR:

David Clowes
David Clowes

Date: 10/12/2010

Date: 9/22/2010

Date: 9-22-2010

Date: 9-21-10

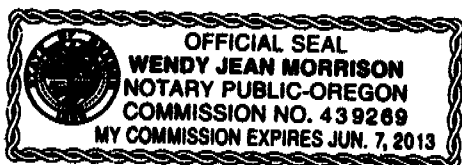
Date: 9-21-10

Date: 10-13-10

Date: 10-13-10

STATE OF OREGON; County of Klamath) ss.

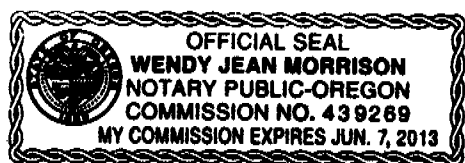
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 12th day of October, 2010, by David Clowes.



Wendy Jean Morrison
NOTARY PUBLIC FOR OREGON
My Commission expires: June 7, 2013

STATE OF OREGON; County of Klamath) ss.

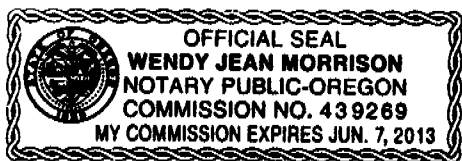
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 22nd day of September, 2010, by William Wagner, Jr., as personal representative of the Estate of William Wagner, Sr.



Wendy Jean Morrison
NOTARY PUBLIC FOR OREGON
My Commission expires: June 7, 2013

STATE OF OREGON; County of Klamath) ss.

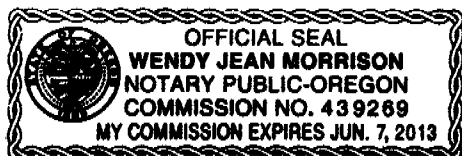
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 22nd day of September, 2010, by William Wagner, Jr..



Wendy Jean Morrison
NOTARY PUBLIC FOR OREGON
My Commission expires: June 7, 2013

STATE OF OREGON; County of Klamath) ss.

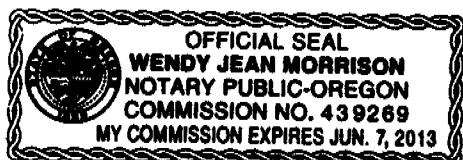
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 22nd day of September, 2010, by Carolyn Wagner.



Wendy Jean Morrison
NOTARY PUBLIC FOR OREGON
My Commission expires: June 7, 2013

STATE OF OREGON; County of Klamath) ss.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 21st day of September, 2010, by Abby Rose.

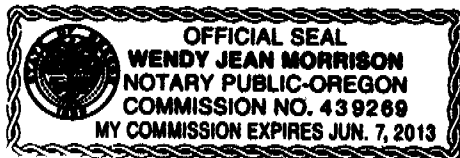


Wendy Jean Morrison
NOTARY PUBLIC FOR OREGON
My Commission expires: June 7, 2013

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STATE OF OREGON; County of Klamath) ss.

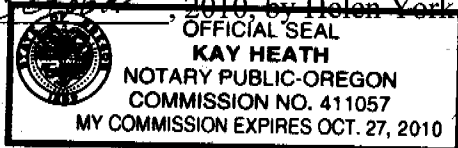
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 21st day of September, 2010, by Leonard Rose.



Wendy Jean Morrison
NOTARY PUBLIC FOR OREGON
My Commission expires: June 7, 2013

STATE OF OREGON; County of Klamath) ss.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 13 day of October, 2010, by Helen York.



Kay Heath
NOTARY PUBLIC FOR OREGON
My Commission expires: 10-27-10

STATE OF OREGON; County of Klamath) ss.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 13 day of OCTober, 2010, by Ron York.



Kay Heath
NOTARY PUBLIC FOR OREGON
My Commission expires: 10-27-10

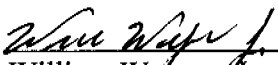
MUTUAL RELEASE

THIS MUTUAL RELEASE, executed by and between **RON YOK, HELEN YORK, ARLEN HOWLAND, CINDY HOWLAND, BILL SCANLON, DIANA SCANLON, HEIDI ELI, and CATHLEEN J. MILEM** (hereinafter referred to as the "Parties") is intended to effect the extinguishment of obligations as hereinafter designated.

The parties are current and former users of water from a well located on property owned by David Clowes, which is the subject to that certain lease recorded at Volume M95, Page 29858, of the Official Records of Klamath County, Oregon.

Disputes and differences have arisen between the parties with respect to their rights and obligations under said lease, which have now been resolved. Therefore, the parties have agreed to execute this mutual release in settlement of all their disputes and differences.

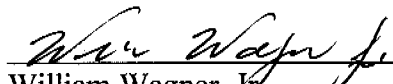
In consideration of the mutual relinquishment of their respective rights with reference to the above-mentioned disputes and differences, and in consideration of the execution of this mutual release of all claims each party may have against another party, the undersigned mutually release one another from any and all liability for claims relating to their relationship with respect to the right to draw water from the well located on real property currently owned by David Clowes, any payment of monies for that right, and for costs associated with the maintenance and operation of said well, and from any and all claims of any nature whatsoever which one may have against the other arising out of said disputes, or from any and all claims of any nature whatsoever, whether known or unknown, and whether or not ascertainable at the time of execution of this instrument.



William Wagner, Jr.,
Personal Representative of the
Estate of William Wagner, Sr.

9/22/2010

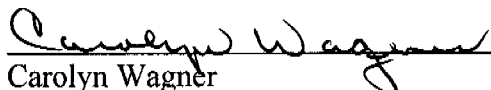
Date



William Wagner, Jr.

9/22/2010

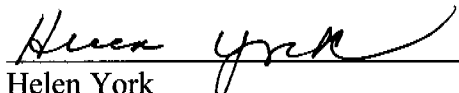
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Carolyn Wagner

9-22-2010

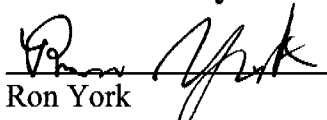
Date



Helen York

10-13-10

Date



Ron York

10-13-10

Date

Arlen Howland
Arlen Howland

9-24-10
Date

Cindy Howland
Cindy Howland

9-24-10
Date

Diana Scanlon
Diana Scanlon

9-27-2010
Date

Bill Scanlon
Bill Scanlon

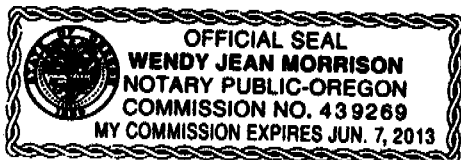
9-27-10
Date

Heidi Eli
Heidi Eli

9.29.10
Date

STATE OF OREGON; County of Klamath) ss.

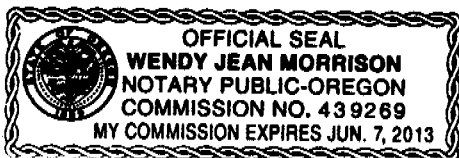
THE FOREGOING MUTUAL RELEASE WAS SUBSCRIBED AND SWORN TO BEFORE ME this 22nd day of September, 2010, by William Wagner, Jr., as personal representative of the Estate of William Wagner, Sr.



Wendy Jean Morrison
NOTARY PUBLIC FOR OREGON
My Commission expires: June 7, 2013

STATE OF OREGON; County of Klamath) ss.

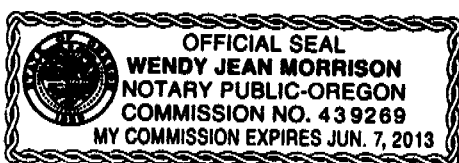
THE FOREGOING MUTUAL RELEASE WAS SUBSCRIBED AND SWORN TO BEFORE ME this 22nd day of September, 2010, by William Wagner, Jr.



Wendy Jean Morrison
NOTARY PUBLIC FOR OREGON
My Commission expires: June 7, 2013

STATE OF OREGON; County of Klamath) ss.

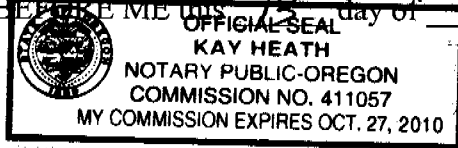
THE FOREGOING MUTUAL RELEASE WAS SUBSCRIBED AND SWORN TO BEFORE ME this 22nd day of September, 2010, by Carolyn Wagner.



Wendy Jean Morrison
NOTARY PUBLIC FOR OREGON
My Commission expires: June 7, 2013

STATE OF OREGON; County of Klamath) ss.

THE FOREGOING MUTUAL RELEASE WAS SUBSCRIBED AND SWORN
TO BEFORE ME this 13 day of OCTober, 2010, by Helen York.



Kay Heath
NOTARY PUBLIC FOR OREGON
My Commission expires: 10-27-10

STATE OF OREGON; County of Klamath) ss.

THE FOREGOING MUTUAL RELEASE WAS SUBSCRIBED AND SWORN
TO BEFORE ME this 13 day of October, 2010, by Ron York.



Kay Heath
NOTARY PUBLIC FOR OREGON
My Commission expires: 10-27-10

STATE OF OREGON; County of Klamath) ss.

THE FOREGOING MUTUAL RELEASE WAS SUBSCRIBED AND SWORN
TO BEFORE ME this 24th day of September, 2010, by Arlen Howland.



Wendy Jean Morrison
NOTARY PUBLIC FOR OREGON
My Commission expires: June 7, 2013

STATE OF OREGON; County of Klamath) ss.

THE FOREGOING MUTUAL RELEASE WAS SUBSCRIBED AND SWORN
TO BEFORE ME this 24th day of September, 2010, by Cindy Howland.



Wendy Jean Morrison
NOTARY PUBLIC FOR OREGON
My Commission expires: June 7, 2013

STATE OF OREGON; County of Klamath) ss.

THE FOREGOING MUTUAL RELEASE WAS SUBSCRIBED AND SWORN
TO BEFORE ME this 27th day of September, 2010, by Diana Scanlon.



Wendy Jean Morrison
NOTARY PUBLIC FOR OREGON
My Commission expires: June 7, 2013

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STATE OF OREGON; County of Klamath) ss.

THE FOREGOING MUTUAL RELEASE WAS SUBSCRIBED AND SWORN
TO BEFORE ME this 27th day of September, 2010, by Bill Scanlon.



Wendy Jean Morrison
NOTARY PUBLIC FOR OREGON
My Commission expires: June 7, 2013

STATE OF OREGON; County of Klamath) ss.

THE FOREGOING MUTUAL RELEASE WAS SUBSCRIBED AND SWORN
TO BEFORE ME this 29th day of September, 2010, by Heidi Eli.



Wendy Jean Morrison
NOTARY PUBLIC FOR OREGON
My Commission expires: June 7, 2013

Kathleen Miley

Kathleen Miley

9-29-2010

Date

STATE OF OREGON; County of Klamath) ss.

THE FOREGOING MUTUAL RELEASE WAS SUBSCRIBED AND SWORN
TO BEFORE ME this 29th day of September, 2010, by Kathleen Miley.



Wendy Jean Morrison

NOTARY PUBLIC FOR OREGON

My Commission expires: June 7, 2013