

WTC 1396-10669

2011-011279

Klamath County, Oregon



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10/10/2011 03:38:17 PM

Fee: \$62.00

After recording return to:

EDWARD K. ODEN, ESQ.

MOORE & VAN ALLEN, PLLC

100 N. TRYON ST. 47TH FL

CHARLOTTE, NC 28202-4003

## PARTIAL RECONVEYANCE

### Chicago Title Insurance Company

Recon No: **R11100019**

Ref. No. **JELD-WEN/BOFA**

Order No: **Courtesy**

The undersigned on behalf and by authority of the the Trustee under that certain Deed of Trust described as follows:

Dated **July 8, 2009**

Recorded: **July 9, 2009**

Auditor's File No. **2009009396**

Book:

Page:

County: **KLAMATH**

State: **Oregon**

Grantor: **Jeld-Wen, Inc., an Oregon corporation**

Beneficiary: **Bank of America, N.A., in its capacity as Collateral Agent**

having received from the beneficiary under said Deed of Trust a written request to reconvey, a portion of the real property covered by said Deed of Trust, does hereby reconvey, without warranty, to the person(s) entitled thereto all of the right, title and interest now held by said Trustee in and to the property described in the Deed of Trust and described herein:

**Per Exhibit 'A' attached thereto and made a part hereof.**

The remaining property described in Deed of Trust shall continue to be held by said Trustee under the terms of said deed. This partial reconveyance is made without affecting the personal liability of any person for payment of the debt secured by said Deed of Trust.

Dated: **October 7, 2011**

**Chicago Title Insurance Company**

(Trustee)

By: 

Malcolm Newkirk

Vice President

STATE OF **OREGON** )

) SS.

COUNTY OF **CLACKAMAS** )

On this day **October 7, 2011**, before me, the undersigned, a Notary Public in and for the State of OREGON, duly commission and sworn, personally appeared **Malcolm Newkirk** to me known to be the **Vice President**, of **Chicago Title Insurance Company**, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned. Witness my hand and official seal hereto affixed the day and year first above written.



  
Notary Public for OREGON

624met

Site 73:

Legal description of property in Township 37 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

Section 25:

The West 1/2 of the SW1/4

Section 36:

Government lots 1, 2, 3 and 4; the SW1/4 of the SE1/4; the NW1/4 of the NW1/4; the South 1/2 of the NW1/4; the SW1/4.

EXCEPTING THEREFROM that portion lying within the highway. ALSO EXCEPTING THEREFROM the following described tract of land:

A tract of Land situated in Sections 25 and 36, Township 37 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, Section 1, Township 38 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, and Section 6, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the West 1/4 corner of said Section 25; thence South 00° 44' 32" East, along the Section line, 118.05 feet; thence South 49° 22' 41" East 361.49 feet; thence South 47° 44' 12" East 975.72 feet; thence South 48° 52' 17" East 494.19 feet to a point 50.00 feet West of the East line of the West 1/2 SW1/4 of said Section 25; thence South 00° 37' 23" East, parallel to said East line, 1321.50 feet to the South line of said Section 25; thence South 01° 08' 39" West 409.18 feet; thence South 03° 45' 51" East 467.9 feet; thence South 05° 38' 45" East 437.66 feet; thence South 18° 21' 38" East 291.62 feet; thence South 30° 57' 13" East 2238.32 feet; thence South 60° 32' 37" East 1918.82 feet; thence South 08° 13' 26" East 398.57 feet; thence

South 17° 10' 32" East 2344.00 feet; thence South 30° 55' 21" East 476.40 feet; thence South 07° 14' 33" East 337.65 feet; thence South 03° 10' 08" East 150.16 feet; thence North 74° 27' 41" East 433.52 feet to a point on the Westerly right of way of State Highway #140 at Station 1617+26.64; thence Northerly along said right of way 8500 feet, more or less, to the South line of said Section 25, thence North 89° 38' 19" West 1350 feet, more or less, to the West 1/16 corner common to said Section 25 and 36; thence North 00° 37' 23" West 2621.14 feet; thence North 88° 33' 26" West 1406.56 feet to the point of beginning.

Legal description of property in Township 38 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

**Section 1:**

All EXCEPT a 2.02 acre strip for highway in Government Lot 1 and ALSO EXCEPTING THEREFROM the following described tract of land:

A tract of Land situated in Sections 25 and 36, Township 37 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, Section 1, Township 38 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, and Section 6, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the West 1/4 corner of said Section 25; thence South 00° 44' 32" East, along the Section line, 118.05 feet; thence South 49° 22' 41" East 361.49 feet; thence South 47° 44' 12" East 975.72 feet; thence South 48° 52' 17" East 494.19 feet to a point 50.00 feet West of the East line of the West 1/2 SW1/4 of said Section 25; thence South 00° 37' 23" East, parallel to said East line, 1321.50 feet to the South line of said Section 25; thence South 01° 08' 39" West 409.18 feet; thence South 03° 45' 51" East 467.9 feet; thence South 05° 38' 45" East 437.66 feet; thence South 18° 21' 38" East 291.62 feet; thence South 30° 57' 13" East 2238.32 feet; thence South 60° 32' 37" East 1918.82 feet; thence South 08° 13' 26" East 398.57 feet; thence South 17° 10' 32" East 2344.00 feet; thence South 30° 55' 21" East 476.40 feet; thence South 07° 14' 33" East 337.65 feet; thence South 03° 10' 08" East 150.16 feet; thence North 74° 27' 41" East 433.52 feet to a point on the Westerly right of way of State Highway #140 at Station 1617+26.64; thence Northerly along said right of way 8500 feet, more or less, to the South line of said Section 25, thence North 89° 38' 19" West 1350 feet, more or less, to the West 1/16 corner common to said Section 25 and 36; thence North 00° 37' 23" West 2621.14 feet; thence North 88° 33' 26" West 1406.56 feet to the point of beginning.

**Section 12:**

All

**Section 13:**

All

Legal description of property in Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

Section 6:

That portion of Government Lot 2 lying West of the East bank of the Caledonia canal EXCEPTING THEREFROM that portion lying within the highway and ALSO EXCEPTING THEREFROM the following described tract of land:

A tract of Land situated in Sections 25 and 36, Township 37 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, Section 1, Township 38 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, and Section 6, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the West 1/4 corner of said Section 25; thence South 00° 44' 32" East, along the Section line, 118.05 feet; thence South 49° 22' 41" East 361.49 feet; thence South 47° 44' 12" East 975.72 feet; thence South 48° 52' 17" East 494.19 feet to a point 50.00 feet West of the East line of the West 1/2 SW1/4 of said Section 25; thence South 00° 37' 23" East, parallel to said East line, 1321.50 feet to the South line of said Section 25; thence South 01° 08' 39" West 409.18 feet; thence South 03° 45' 51" East 467.9 feet; thence South 05° 38' 45" East 437.66 feet; thence South 18° 21' 38" East 291.62 feet; thence South 30° 57' 13" East 2238.32 feet; thence South 60° 32' 37" East 1918.82 feet; thence South 08° 13' 26" East 398.57 feet; thence South 17° 10' 32" East 2344.00 feet; thence South 30° 55' 21" East 476.40 feet; thence South 07° 14' 33" East 337.65 feet; thence South 03° 10' 08" East 150.16 feet; thence North 74° 27' 41" East 433.52 feet to a point on the Westerly right of way of State Highway #140 at Station 1617+26.64; thence Northerly along said right of way 8500 feet, more or less, to the South line of said Section 25, thence North 89° 38' 19" West 1350 feet, more or less, to the West 1/16 corner common to said Section 25 and 36; thence North 00° 37' 23" West 2621.14 feet; thence North 88° 33' 26" West 1406.56 feet to the point of beginning.

The NW1/4 of the SW1/4 lying West of the East Bank of the Canal. EXCEPTING THEREFROM that portion lying within the highway

The SW1/4 of the SW1/4

Section 7:

The NW1/4 of the NW1/4; the SW1/4 of the NW1/4; Government Lots 6 and 7

EXCEPTING THEREFROM the following described tracts of land:

A part of the SW1/4 of NW1/4 of Section 7, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the SE corner of said SW1/4 of NW1/4 and which is South 89° 10' East 1356.3 feet from the West 1/4 corner of said Section 7; thence along the East line of said SW1/4 of NW1/4 North 0° 56' East 668.0 feet, more or less, to the Easterly boundary line of the Rock Creek Highway, as located on April 27, 1942; thence Southwesterly along said boundary line to the South line of said SW1/4 of NW1/4 to a point which is South 89° 10' East 952.0 feet from the

West 1/4 corner of said Section; thence along said South line South 89° 10' East 404.30 feet, more or less, to the point of beginning.

A part of Lot 6 of Section 7, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the intersection of the Easterly boundary line of the Rock Creek Highway, as located on April 27, 1942, with the North boundary line of said Lot 6, which point is South 89° 10' East 952.0 feet from the West 1/4 corner of said Section 7; thence along said North boundary line South 89° 10' East 1022.85 feet, more or less to the East line of said Lot 6; thence Southwesterly along the East boundary line of said Lot South 22° 42' West 663.82 feet; thence South 31° 15' West 598.25 feet; thence South 46° 18' West 371.4 feet, more or less, to the South boundary line of said Lot;

thence along said South boundary line North 89° 10' West 510.4 feet, more or less, to a point which is South 89° 10' East 660.0 feet from the Southwest corner of said Lot 6; thence North 0° 16' East 973.0 feet, more or less, to the Easterly boundary line of said Rock Creek Highway; thence Northeasterly along said Easterly boundary line to its intersection with the North boundary line of said Lot 6 to the point of beginning.

A part of Lot 7 of Section 7, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the North boundary line of said Lot 7, which is South 89° 10' East 660.0 feet from the Northwest corner of said Lot; thence along said North boundary line South 89° 10' East 510.4 feet, more or less, to the East line of said Lot 7; thence along the East line of said Lot South 46° 18' West 561.67 feet; thence North 14° 58' West 403.90 feet, more or less, to the point of beginning.

Section 18:

Government Lots 1, 2 and 3; the SW1/4 of the SE1/4; the East 1/2 of the SW1/4; the West 1/2 of the West 1/2.

Section 19:

Government Lots 1, 2, 3, 4 and 5; the NE1/4; the NE1/4 of the SE1/4

Section 20:

Government Lots 1, 2, 3, 4 and 5; the SW1/4 of the SW1/4.

Section 28:

Government Lot 1; the SW1/4 of the SE1/4; the SW1/4.

Section 29:

Government Lots 1, 2, 3 and 4; the South 1/2 of the NE1/4; the NW1/4 of the NE1/4; the East 1/2 of the NW1/4; the NW1/4 of the NW1/4; the North 1/2 of the SE1/4; the SE1/4 of the SE1/4.

Section 32:

Government Lot 1

Section 33:

The East 1/2; the East 1/2 of the NW1/4; the NW1/4 of the NW1/4.

Section 34:

The West 1/2 of the SW1/4.

Legal description of property in Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

Section 3:

The West 1/2 of the NW1/4.

Section 4:

The NE1/4 of the NE1/4.

Site 86:

Parcel 1 ("Ellingson 6"):

SE ¼ Section 14, Township 35 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, consisting of approximately 160 acres.

Parcel 2 ("Ellingson 8"):

Parcel 2 of Land Partition 27-08 situated SE ¼ Section 20, Township 34 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, and duly recorded in Volume 2009, page 005564 consisting of approximately 145.58 acres.