

WTC 96970

After Recording, Return to:
Metropolitan Life Insurance Company
Agricultural Investments
10801 Mastin Blvd, Suite 930
Overland Park, KS 66210

2013-005953

Klamath County, Oregon

05/28/2013 02:04:24 PM

Fee: \$47.00

PARTIAL RELEASE

Whereas W. C. RANCH, INC., an Oregon corporation; Michael B. Wray; and John W. Dey and Nancy L. Dey, husband and wife, ("Original Mortgagor") executed a certain Mortgage, Assignment of Rents, Security Agreement and Fixture Filing ("Mortgage") to METROPOLITAN LIFE INSURANCE COMPANY, of New York, New York, dated November 2, 2006 to secure the payment of One Million Dollars (\$1,000,000.00), said Mortgage being of record in the office of the County Clerk of Klamath County, Oregon, recorded under Microfilm No. 2006022241; also an Assignment of Bonuses, Rentals and Royalties being of record in the office of the County Clerk of Klamath County, Oregon, recorded under Microfilm No. 2006022242 ("Assignment"), and

Whereas said Mortgagor has requested METROPOLITAN LIFE INSURANCE COMPANY to release a tract of 240 acres more or less of the premises described in said Mortgage and Assignment from the lien thereof;

Now, Therefore, Know All Men by These Presents, that in consideration of the sum of ONE dollar, lawful money of the United States of America, unto it paid at the execution and delivery hereof, the receipt of which is hereby acknowledged, METROPOLITAN LIFE INSURANCE COMPANY has remised, released and quit-claimed, and by these presents does remise, release and quit-claim unto the said Mortgagor, his heirs and assigns, the following described real estate, situate in the County of Klamath and State of Oregon, to-wit:

That portion of the following described property lying Southwesterly of the Burlington Northern Railroad right of way.

Parcel 1:

The following described property in Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon:

Section 21: Government Lot 4

Section 27: Government Lots 5, 6, 7, 8 and 9; N1/2NW1/4; SE1/4NW1/4;

SAVING AND EXCEPTING THEREFROM a parcel of land situated in the SE1/4SE1/4, in Lot 5, and in Lot 6 all being in Section 27, Township 40 South, Range 10 East of the Willamette Meridian, and being more particularly described as follows:

Beginning at a point where the South line of said Section 27 intersects the Westerly right of way line of the Burlington Northern Railroad, from which the Southeast corner of said Section 27 bears South 89°38'24" East, 1097.43 feet; thence North 28°45'24" West, along said right of way line, 1029.75 feet; thence South 61°14'36" West 50.00 feet; thence North 28°45'24" West, 655.60 feet; thence along the arc of a 5629.65 foot radius curve to the left (delta equals 01°10'05"), 114.77 feet to the South line of a drainage easement; thence South 57°42' West along the South line of said drainage easement, 275.64 feet, more or less, to a point on the mean high water line of the left bank of Lost River; thence Southeast along said mean high water line to a point on the South line of said Section 27; thence South 89°38'24" East, along said South line 751.73 feet, more or less, to the point of beginning.

Section 28: Government Lot 4

EXCEPTING THEREFROM the above-described lands, Right of Way for Great Northern Railroad as set out in Transcript of Decree dated June 6, 1931, recorded November 2, 1931 in Volume 96, Page 246 Deed Records of Klamath County, Oregon.

ALSO EXCEPTING THEREFROM that portion lying within public roads and highways.

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Parcel 2:

Lot 5, Section 21 in Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPT the USBR "G" Canal.

Parcel 3:

An easement for ingress and egress recorded December 8, 2008 in 2008-016180, Records of Klamath County, Oregon and re-recorded December 10, 2008 in 2008-016363, records of Klamath County, Oregon. Being more particularly described as follows:

A strip of land 60.00 feet in width situated in the SE¼ of Section 21, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, being 30.00 feet on each side of the following described centerline:

Beginning at a point on the northeasterly right of way line of the Burlington Northern Santa Fe Railroad, from which the northeast corner of said Section 21 bears North 24°06'06" East 3809.86 feet; thence 99.21 feet along the arc of a curve to the left having a radius of 413.45 feet, the long chord of which bears North 27°31'28" East 98.97 feet; thence North 20°39'00" East 415.98 feet; thence North 22°23'25" East 115.15 feet, more or less, to the southwesterly line of Hill road; the sidelines of said strip to be extended or shortened to be continuous and to terminate on the beginning and ending lines.

Parcel 4:

An easement for ingress and egress recorded December 8, 2008 in 2008-016182, Records of Klamath County, Oregon and re-recorded December 10, 2008 in 2008-016364, records of Klamath County, Oregon. Being more particularly described as follows:

A strip of land 60.00 feet in width situated in the SE¼ of Section 21, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, being 30.00 feet on each side of the following described centerline:

Beginning at a point on the southwesterly right of way line of the Burlington Northern Santa Fe Railroad, from which the northeast corner of said Section 21 bears North 46°59'01" East 100.00 feet and North 24°09'06" East 3809.86 feet; thence South 46°59'01" West 30.00 feet; thence parallel to and 30.00 feet from said southwesterly right of way line South 43°00'59" East 500 feet, more or less, to the northeasterly extension of the centerline of an existing bridge across the USBR "G" Canal; thence in a southwesterly direction along said bridge centerline and the northeasterly and southwesterly extensions thereof 98 feet, more or less, to the north line of Government Lot 4 and Government Lot 5; the sidelines of said strip to be extended or shortened to be continuous and to terminate on the beginning and ending lines.

Parcel 5:

An easement for limited Alternative Access recorded May 5, 2013 in 2013-005056, records of Klamath County, Oregon. Being more particularly described as follows:

A non-exclusive Easement on and over Grantor's existing road from a point on the southwesterly right of way line of Hill Road located approximately 2335 feet east and 60 feet north of the southwest corner of Section 22, Township 40 South, Range 10 East of the Willamette Meridian, thence southwesterly across the bridge on the G-Canal right of way at G-Canal Station 368+45, thence northwesterly approximately 800 feet to the point where the road make a 90° turn to the southwest, thence southwesterly approximately 1070 feet to the northeasterly right of way line of the Burlington Northern-Santa Fe Railroad, thence southwesterly along the Railroad right of way approximately 1040 feet to the existing permitted Railroad crossing.

Parcel 6:

An easement for water supply recorded May 5, 2013 in 2013-005057, records of Klamath County, Oregon. Being more particularly described as follows:

A portion of land situated in Government Lot 4, Section 21, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

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Beginning at a point from which the northeast corner of said Section 21 bears North 13°14'54" East 4222.5 feet, said point being the intersection of the northeasterly right of way line of the Burlington Northern-Santa Fe Railroad (B.N.S.F. Railroad) and the south right of line of the U.S.B.R. "G" Canal, in said Government Lot 4; thence South 43°00'59" East 532 feet, more or less along said northeasterly right of way line of B.N.S.F Railroad to the centerline of an existing railroad undercrossing; thence continuing along said northeasterly right of way line South 43°00'59" East 20.0 feet; thence North 46°59'01" East 20.0 feet; thence North 46°59'01" East 20.0 feet; thence North 43°00'59" West 396 feet, more or less; thence North 14°08'21" East perpendicular to the south right of way line of the "G" canal and 30.0 feet distant from an existing pump sump, 68 feet, more or less to a point on the south right of way line of the U.S.B.R. "G" canal; thence northwesterly along said south right of way line to the point of beginning.

To Have and To Hold the Same With the Appurtenances, unto the said Mortgagor, his heirs and assigns, forever freed, exonerated and discharged of and from the lien of said Mortgage and Assignment, and of every part thereof, provided always, nevertheless, that nothing herein contained shall in any wise affect, alter or diminish the lien or encumbrance of the aforesaid Mortgage and Assignment, on the remaining part of said real estate described in said Mortgage and Assignment, or the remedies at law for recovering from the said Mortgagor, his heirs, executors, administrators and assigns, the balance of said indebtedness with interest.

In Witness Whereof, METROPOLITAN LIFE INSURANCE COMPANY has caused these presents to be executed by Kevin J. Harshberger, this 20th day of May, 2013

METROPOLITAN LIFE INSURANCE COMPANY

By

Kevin J. Harshberger
Kevin J. Harshberger, Director

STATE OF KANSAS)

COUNTY OF JOHNSON)

Be it remembered, that on this 20th day of May, 2013, before me the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Kevin J. Harshberger, Director, of Metropolitan Life Insurance Company, a New York Corporation, who is personally known to me to be the Director 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.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year last above written.

Robert L. Black
Notary Public



RE Loan # 190711
W.C. Ranch, Inc.