

**2015-003451****Klamath County, Oregon****04/14/2015 02:30:06 PM****Fee: \$67.00**

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**FSA-2455**

(12-31-07)

**U.S. DEPARTMENT OF AGRICULTURE**

Farm Service Agency

Position 1 (Chattel Security)

Position 5 (Real Estate Security)

**SUBORDINATION BY THE GOVERNMENT**

1. The United States of America acting through the United States Department of Agriculture (called the "Government") is the owner and holder of the following-described instruments executed by (a) Christopher John Kirby and Sara M. Kirby  
of (b) 13497 E Langell Valley Rd., Bonanza, OR 97623 Klamath County,  
State of (c) Oregon :

(d) Title of Instrument	(e) Date of Instrument	(f) Date Filed	(g) Office Filed	(h) Document File or Book No	(i) Page No.
Mortgage for Oregon	11/24/2008	12/01/2008	Klamath County Courthouse	2008-015925	
re-recorded		01/13/09	Klamath County Courthouse	2009-000383	
Mortgage for Oregon	11/08/2010	11/15/2010	Klamath County Courthouse	2010-013230	

AND, (j) UMPQUA BANK (called the "Lender")  
has agreed to loan (k) \$ 144,000.00 to (l) Christopher John Kirby and Sara M. Kirby  
(called the "Borrower") for the following purposes: (m)

Refinance of the RE contract currently in 1st DOT position.  
Grantor/Trustor: Chris Kirby and Sara Kirby  
Grantee/Trustee: Sarah Manning and Barbara A. Tremonger  
Recording Information: 2008-15924, records of Klamath County, OR  
Loan amount NTE \$144,000 to mature 15 yrs from date of closing.

F.  
57.00

2. THEREFORE, in consideration of the Lender's agreement to make such loan to Borrower and meet other conditions of this subordination, the Government (1) consents to the Borrower obtaining the loan from the Lender for such purposes, and (2) agrees to and does subordinate in favor of the Lender and its successors and assigns its liens of security interests created or evidenced by the above described instruments insofar as they cover the following described property and provided the Lender perfects a lien on this property:

PARCEL 2 OF LAND PARTITION 82-05, LOCATED IN SECTION 7, THE SOUTHEAST QUARTER OF SECTION 7, THE SOUTHWEST QUARTER OF SECTION 8 AND THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 40 SOUTH, RANGE 14, EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.

3. This subordination is limited to (1) the amount actually loaned by the Lender to the Borrower (principal and accrued interest) for the foregoing purposes, (2) future advances for taxes, insurance, and payments on liens prior to the Lender's lien, and (3) the amount actually advanced for foreclosure costs made by the Lender. Any amount in excess of such amount will not be covered by this subordination unless prior written consent was obtained from the Government for incurring the expenditure in question.

4. The Lender must:

- a. Incorporate into the Borrower's promissory note a statement that the loan will be in default should any proceeds of the loan funds obtained as a result of this subordination be used (1) for a purpose that will contribute to the excessive erosion of highly erodible land or to the conversion of wetlands to produce an agricultural commodity, as provided by 7 C.F.R. part 1940, subpart G or any successor regulation, or (2) for any purpose not provided for above.
- b. Obtain a perfected security interest on the above property.
- c. Give notice of foreclosure as required by the Government.

5. FSA offsets under the Debt Collection Act (31 U.S.C. 3711 et seq.) or 7 C.F.R. part 3 have priority over this subordination.

6. When the indebtedness has been satisfied, lender must mark this form "PAID IN FULL" and return it to the Department of Agriculture at the following address:

USDA - Farm Service Agency

Umatilla County FSA Office

1 SW Nye Ave., Suite 100

Pendleton, OR 97801

7. IN WITNESS WHEREOF, the Government has executed this subordination by signing on the (a) 8<sup>th</sup> day of (b) April, (c) 20 15.

UNITED STATES OF AMERICA  
U.S. DEPARTMENT OF AGRICULTURE

BY

(d)

TITLE

(e)

Farm loan Manager  
FARM SERVICE AGENCY

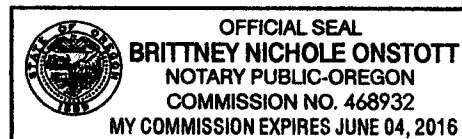
### 8. ACKNOWLEDGMENT

STATE OF OREGON )

COUNTY OF umatilla ) ss.

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of April, 20 15 by Kevin P. Jordan, Farm loan manager,  
(Name of FSA Representative) (Title of FSA Representative)  
of the Farm Service Agency, United States Department of Agriculture.

Brittney Nichole Onstott  
Notary Public in and for the  
State of Oregon  
My Commission Expires: June 4, 2016



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