

2023-003287

Klamath County, Oregon

05/01/2023 01:47:01 PM

Fee: \$92.00

RECORDATION REQUESTED BY AND
WHEN RECORDED RETURN TO:

Ally Bank
5851 Legacy Circle, Suite 200
Plano, Texas 75024
Attn: Yuriy Stolyar

PREPARED BY:

Faegre Drinker Biddle & Reath LLP
Attn: Paul Moe, Esq.
2200 Wells Fargo Center
90 South 7th Street
Minneapolis, MN 55402

SPACE ABOVE THE LINE FOR RECORDER'S USE

PARTIAL RELEASE OF SUBORDINATION AGREEMENT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, ALLY BANK (Ally Capital in Hawaii, Mississippi, Montana and New Jersey), a Utah state-chartered bank ("Bank") hereby remises, releases, conveys, and quit claims any right, title, interest, claim or demand that Bank may have acquired in the parcels of land described in Exhibit A attached hereto (the "Released Parcel") created by the following (the "Security Instrument")

That certain Subordination and Attornment Agreement (the "Agreement") made by and between KLAMATH FALLS PROPERTY HOLDINGS LLC, an Oregon limited liability company ("Landlord"), TAG KFH, INC. DBA KLAMATH FALLS HONDA, an Oregon corporation ("Tenant") and Bank, dated June 30, 2021 and recorded on July 2, 2021 with the Klamath County, Oregon Recorder as Document No. 2021-010407.

This partial release is not a general release and does not constitute a release and satisfaction of the indebtedness secured by the Security Instrument. This partial release only releases the lien of the Security Instrument from the Released Parcels and does not release: i) the lien of the Security Instrument from any other property encumbered by the Security Instrument; or ii) Borrowers from any liability or obligation under any Commercial Real Estate Loan and Security Agreement and Promissory Note from Landlord to Bank secured by the Security Instrument (as amended, the "Loan Agreement"). Except as specifically set forth herein, the Security Instrument and the Loan Agreement remain unchanged and in full force and effect.

[Signatures continue on the following page]

IN WITNESS WHEREOF, this instrument was executed, signed and delivered by the undersigned on this the 28 day of April, 2023.

ALLY BANK (Ally Capital in Hawaii, Mississippi, Montana and New Jersey), a Utah state-chartered bank

By:

Name:

Title:

JAMES D PINSONNEAULT
AUTHORIZED REPRESENTATIVE

STATE OF CA)
) ss:
COUNTY OF Orange)

The foregoing instrument was acknowledged before me this 28 day of April, 2023, by James David Pinsonneault, the Authorized Representative of ALLY BANK (Ally Capital in Hawaii, Mississippi, Montana and New Jersey), a Utah state-chartered bank, on behalf of the Bank as its authorized representative.

[Signature]
Notary Public

My Commission Expires:

(Official Seal)

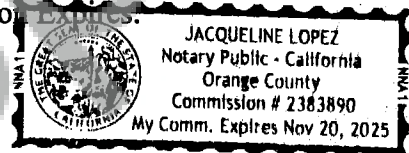


EXHIBIT A

LEGAL DESCRIPTION

Parcels 2 and 3 of Land Partition 42-03 replat of Land Partition 39-92 in SW1/4 Section 3,
Township 39 South, Range 9 East, Willamette Meridian, Klamath County, Oregon.

Unofficial
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