

After recording return to:  
PacifiCorp  
Attn: Real Estate Management  
825 NE Multnomah Street, Suite 1700  
Portland, Oregon 97232

First American Title 4131515 LT

PARTIAL RELEASE BY  
THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A. (AS TRUSTEE)  
TO  
PACIFICORP  
(Release Application No. 315 R-275)  
FROM LIEN OF MORTGAGE AND DEED OF TRUST

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the property or real estate described in Exhibit "A" attached hereto is subject to the Lien of the Mortgage and Deed of Trust from PacifiCorp (the "Company") to The Bank of New York Mellon Trust Company, N.A., (as successor to The Bank of New York Mellon), as Trustee, dated as of January 9, 1989, as amended and supplemented by supplemental indentures (the "Mortgage"), including the Thirty-Fifth Supplemental Indenture, dated January 1, 2024 and the Thirty-Fourth Supplemental Indenture, dated May 1, 2023, and recorded in the records of Klamath County, Oregon on August 4, 2023, as Entry No. 2023-006611, of Official Records;

WHEREAS it has been represented to The Bank of New York Mellon Trust Company, N.A. as Trustee under the Mortgage, that the Company is not in default in the performance of any of the terms or covenants of the Mortgage;

WHEREAS, pursuant to the provisions of Section 13.03 of the Mortgage, the Company has requested the Trustee to release the property described in Exhibit "A" from the Lien of the Mortgage; and

WHEREAS the Company has furnished The Bank of New York Mellon Trust Company, N.A. as Trustee, with (a) an Officers' Certificate, (b) an Engineer's Certificate, (c) a Further Engineer's Certificate and (d) an Opinion of Counsel, all as required by the provisions of Section 13.03 of the Mortgage.

NOW, THEREFORE, The Bank of New York Mellon Trust Company, N.A., as Trustee, in consideration of the premises and pursuant to the authority vested in it as Trustee under the Mortgage, does hereby release, remise and quitclaim unto the Company, its successors and assigns, without recourse, representation or warranty of any kind, all of its right, title and interest, as Trustee under the Mortgage, in and to the property in **Klamath County, Oregon**, more fully described in Exhibit "A" attached hereto.

TO HAVE AND TO HOLD the property hereby released and remised to the Company, its successors and assigns, to its and their own proper use, benefit, and behoof forever, free, clear and discharged of and from all liens and claims under and by virtue of the Mortgage:

PROVIDED, HOWEVER, that nothing herein contained shall be construed to affect the residue of the security held by The Bank of New York Mellon Trust Company, N.A. as Trustee under the Mortgage as aforesaid, by virtue of the Mortgage, or to release the payment of any part of the moneys, principal and interest, thereby secured that may now remain unpaid.

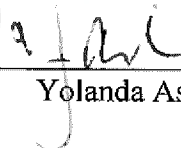
The recitals made herein are to be taken only as recitals made by the Company and not by the Trustee. The reservations and exceptions, if any, set forth in said Exhibit "A" are intended to be for the benefit of the Trustee as well as the Company and the Lien of the Mortgage on the rights and interests so reserved and excepted, if any, are not released.

This release is made by the Trustee without covenants, representations or warranties, either expressed or implied in law or in equity, and shall be without recourse against the Trustee in any event or in any contingency.

IN WITNESS WHEREOF, The Bank of New York Mellon Trust Company, N.A. as Trustee under the Mortgage, has caused this instrument to be signed by an authorized officer in the City of Chicago, Illinois, on this 30th day of January, 2024.

THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.  
Trustee under Mortgage and Deed of Trust  
of PacifiCorp, dated as of January 9, 1989

By: \_\_\_\_\_

  
Yolanda Ash, Vice President

State of Illinois        )  
                                  ): ss  
County of Cook        )

On the 30th day of January in the year 2024, before me, the undersigned, personally appeared, Yolanda Ash, a Vice President of The Bank of New York Mellon Trust Company, N.A., personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
Notary Public



My commission expires 3/05/26

UNOFFICIAL COPY

## Exhibit A

**Klamath County**

**Oregon**

The following real property including all fixtures presently attached thereto owned by the Company and used primarily in connection with such property in Klamath County, Oregon to be transferred by the Company to the United States of America, by and through the Bureau of Reclamation, an agency of the U.S. Department of the Interior (Transferee) pursuant to terms of the Transfer (Donation) Agreement, dated December 21, 2022, between Transferee and the Company.

### LEGAL DESCRIPTIONS

Those pieces and parcels of land located in Klamath County, Oregon more particularly described as follows:

#### LINK RIVER:

The land to BOR on the south side of the Link River will be: **Parcel 1, Partition Plat No. 51-23, Klamath County Plat Records.** Area of Parcel 1 is 6.66 acres.

The land to BOR on the north side of the Link River will be: **Parcel 1, Partition Plat No. 52-23, Klamath County Plat Records.** Area of Parcel 1 is 12.26 acres.

#### KENO:

##### **ORKL-0504**

Lots One, Two and Three of Section 36, Township 39 South, Range 7 East, Willamette Meridian.

*All of 39070360000200 and 39070360000500*

##### **ORKL-0505**

Government Lot 4 in Section 36, Township 39 South, Range 7 East, W.M.

*All of 3907036B000900*

##### **ORKL 0540:**

All that portion of Lot 5, Section 36, Township 39 South, Range 7 East of the Willamette Meridian, EXCEPT the North 319 feet thereof and being more particularly described as follows:

Beginning at a point on the West line of Lot 5, Section 36, Township 39 South, Range 7 East of the Willamette Meridian from which the Northwest corner of said Lot 5 bears North 9°09'22" East 319.00 feet distant; thence along the said West line of said Lot 5, South 0°09'22" West 425.81 feet to the North bank of Klamath River; thence along Klamath River North 71°09'15" East 222.86 feet; thence South 76°39'45" East 380.77 feet; thence North 77°56'55" East 94.85 feet; thence South 82°02'05" East 203.00 feet; thence North 73°23'15" East 221.68 feet; thence South 62°13'45" East 198.60 feet; thence South 82°00'45" East 62.74 feet, more or less to the East line

of said Lot 5, Section 36; thence, along the said East line of said Lot 5, North 0°03'07" East 481.31 feet to a point from which the North quarter corner of said Section 36 bears North 0°03'07" East 319.00 feet distant; thence North 89°43'16" West 1342.12 feet more or less to the point of beginning.

*All of 3907036B001000 and part of 3907036B001100*

**ORKL-0541**

Commencing at a point located on the line between Government Lots 5 and 6 in Section 36, T39S, R7E, W.M., Klamath County, Oregon; said point being located S. 0° 03' 07" W., 319.0 feet, from the north quarter corner of said Section 36; thence, S. 89° 43' 16" E., 620.0 feet to a point; thence in a southeasterly direction to the northwest corner of Government Lot 7 of said Section 36; thence, southerly along the west line of said Government Lot 7 to the mean high water line on the north bank of the Klamath River; thence, meandering in a northwesterly direction along said mean high water line to a point on the line between Government Lots 5 and 6 of said Section 36; then northerly along the west line of said Government Lot 6 to the point of beginning. The above-described parcel contains 21.85 acres more or less.

*All of 3907036A001400 and part of 3907036B001100*

**ORKL-0508:** Government Lot 7 in Section 36, Township 39 South, Range 7 East, W.M.

*All of 3907036A003800 and all of 3907036A003900*

**ORKL-0524**

Beginning at a point on the range line between Section 31, Township 39 South, Range 8 East, Willamette Meridian, and Section 36, Township 39 South, Range 7 East, Willamette Meridian 40.6 feet south of the quarter corner between Sections 31 and 36 on said Range line; thence south along said range line 71.6 feet to a point which is the most northerly point of the tract of land conveyed by the grantors to the grantee by deed dated May 29, 1930, and recorded in Volume 90, Page 340, of the deed records of Klamath County, Oregon; thence S. 44° 00' E along the northerly boundary of said tract 572.6 feet to a point; thence N 59° 59' E 51 feet to a point; thence N 44° 00' W 636.4 feet more or less to the point of beginning containing .693 acres and all being in Section 31, Township 39 South, Range 8 E Willamette Meridian.

This conveyance is subject to all of the provisions of the above deed and the agreement of the grantee executed concurrently therewith.

*Part of 3908031C003700*

**ORKL-0509**

Beginning at a point on the section line which bears south 111.4 feet from the quarter corner on the west boundary of section 31, Township 39 South, Range 8 East, Willamette Meridian; thence South 44° 01' East 1316.7 feet to a point on the northerly boundary line of Riverside Addition to the town of Keno, Oregon thence South 53° 30' West 78.5 feet more or less, along the northerly boundary of said Riverside Addition to the low water line on the north bank of the

Klamath River; thence northwesterly along the low water line on the north bank of the Klamath River downstream to a point on the west boundary line of said Section 31; thence 82.0 feet, more or less, north along said section line to the point of beginning and containing 1.5 acres of land, more or less, all the above described parcel of land being in Section 31, Township 39 South, Range 8 East, Willamette Meridian.

Together with a strip of land forty feet wide extending along the westerly line of Riverside Addition to Keno, Oregon, from the northerly line of Broyles Avenue to the northerly line of the above described premises. said strip to be used as a right of way for ingress and egress to and from the above described premises and the grantors covenant that said Broyles Avenue will be and remain an open street or highway for the same purpose.

Provided, however, that the grantors herein reserve unto themselves, their heirs, successors and assigns in and to the adjoining land, the perpetual right to water stock at all times at the Klamath River at some point, agreed upon by the parties hereto, along the river front of the above-described property.

*Part of 3908031C003700*

**ORKL-0522**

Beginning at a point on the range line between Section 31, Township 39 South, Range 8 East, Willamette Meridian and Section 36, Township 39 South, Range 7 East, Willamette Meridian which is 831.6 feet South of the quarter corner between said Sections 31 and 36; thence South on range line 78.2 feet; thence South 50° 05' East 321.1 feet; thence North 39° 55' East to the center line of the Klamath River; thence down stream along the center line of said stream to said range line; thence south along said range line to the point of beginning.

*All of 3908031C003800*

**ORKL-0542**

A tract of land in Lot 1, (SW¼) of Section 31, Township 39 South, Range 8 East, Willamette Meridian, described as follows: Beginning at the intersection of the centerline of River Street and the westerly boundary line of Brighton Avenue (Highway 66) in the town of Doten, (now Keno) Oregon, which point is marked with an iron pipe; thence North 57° 08' West along the centerline of said River Street, projected, a distance of 1,194.6 feet; thence North 32° 52' East 372.1 feet to the true point of beginning; thence continuing North 32° 52' East 259.8 feet, more or less to the mean water line of the Klamath River; thence North 40° 24' West 179.7 feet along said mean water line to the eastern boundary of the tract of land described in Book 94 at Page 36, Deed Records of Klamath County, Oregon; thence along the easterly and southerly boundaries of said parcel as follows: South 41° 47' West 58.9 feet and North 50° 05' West 321.1 feet to the easterly boundary of the tract of land described in Volume 130 of Page 412, Deed Records of Klamath County, Oregon; thence South 0° 06' East along said boundary a distance of 434.0 feet; thence South 72° 16' East 273.2 feet to the true point of beginning. The above described parcel contains 2.80 acres more or less.

*All of 3908031C003900*

**ORKL-0516**

Beginning at a point 1282.2 feet north of a point 308.7 feet West of the corner to Townships 39 and 40 South, Ranges 7 and 8 East, Willamette Meridian, Oregon; thence N 263 feet; thence N 47° 41' W 282.2 feet; thence S 452 feet; thence east 208.7 feet to the place of beginning, containing 1.71 acres, more or less.

Also beginning at a point 1282.2 feet north of a point 100 feet west of the corner to Townships 39 and 40 South, Ranges 7 and 8 East, Willamette Meridian, Oregon; thence N 116 feet, thence N 54° 56' W 255.5 feet thence S 263 feet; thence E 208.7 feet to the place of beginning, all of said property being situate in Section 36, Township 39 South, Range 7 East, Willamette Meridian.

*Part of 3907036D000600*

*All of 3907036D000700*

**ORKL-0521-C**

All of lot Eight (8) of Section Thirty-six (36), Township Thirty-nine (39) South, Range Seven(7) East Willamette Meridian, EXCEPT the portions thereof already conveyed by Thomas McCormick and wife, as follows:

- 1;- To the United States of America, by deed dated November 14, 1906, and recorded in Volume 21 of Deeds, page 466, records of Klamath County, Oregon.
- 2;- To the United States of America, by deed dated August 5, 1909, and recorded in Volume 27 of Deeds, page 294, records of said County.
- 3;- To Fred L. Rutledge, by deed dated \_\_\_ day of August, 1927, and recorded in Volume 81 of Deeds, Page 62, records of said County.
- 4;- To George Crossen, by deed dated August 10, 1928, and recorded in Volume 89 of Deeds, page 348, Records of said County.
- 5;- To Everett Hotchkiss, by deed dated December 6, 1928, and recorded in Volume 86 of Deeds, page 346, records of said County.
- 6;- To Sam Harris and Ray Harris, by deed dated July 16, 1928, and recorded in Volume 86 of Deeds, page 505, records of said County.
- 7;- To A. W. Reents, by deed dated May 15, 1926 and recorded in Volume 78 of Deeds, page 93, records of said County.

*Part of 3907036D000600*

**ORKL-0518**

Beginning at point 1490.9 feet north of a point 766.1 feet west of the corner to Townships 39 and 40 South, Ranges 7 and 8 East, Willamette Meridian, Oregon; thence North 208.7 feet; thence West 208.7 feet; thence South 208.7 feet; thence East 208.7 feet to the place of beginning containing one acre, more or less, all of said property being situate in Section 36 Township 39

South, Range 7 East. Willamette Meridian. *Less that portion conveyed to Leo J. Brennan described below ORKL-0519*

*Part of 3907036D000600*

**ORKL-0519**

Beginning at a point 1699.6 feet north of a point 766.1 feet west of the corner of Townships 39 and 40 South, Ranges 7 and 8 East Willamette Meridian, Oregon; thence N 273.5 feet; thence N 74° 28' W 216.6 feet; thence South 331.6 feet; thence East 208.7 feet to the place of beginning containing 1.45 acres more or less and being situate in Section 36, Township 9 South, Range 7 East, Willamette Meridian. *Less that portion conveyed to Leo J. Brennan, which also applies to ORKL-0518, described as:*

*A parcel of land situated in the southeast quarter of Section 36, Township 39 South, Range 7 East, Willamette Meridian, and more particularly described as follows:*

*Beginning at the southwest corner of Lot 8; thence south 39° 35' 55" east along the south line of Lot 8 a distance of 360.29 feet, more or less, to the east line of the hereinafter described roadway; thence south 0° 00' 39" west along said east line a distance of 30.00 feet; thence south 89° 35' 55" east a distance of 228.16 feet; thence north 18° 15' 57" west a distance of 480.42 feet; thence north 48° 48' 15" west a distance of 587.39 feet, more or less, to a point on the west line of Lot 8, said point being south 0° 17' 52" east, 550.00 feet from the northwest corner of Lot 8; thence south 0° 17' 52" east along the west line of Lot 8 a distance of 808.90 feet, more or less, to the point of beginning, said roadway being described in that instrument recorded in Volume 101, Page 596, Deed Records of said County.*

*Part of 3907036D000600*