

ESTOPPEL DEED

D8-5108

THIS INDENTURE between MICHAEL BRANT, Personal Representative of the Estate of JAMES HARAMPOLIS, Deceased, hereinafter called the first party, and FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION of Klamath Falls, Oregon, a corporation organized and existing under the laws of the United States, hereinafter called the second party;

WITNESSETH:

Whereas, the title to the real property hereinafter described is vested in the first party as to an undivided one-half interest, subject to the lien of a trust deed recorded in the mortgage records of the county hereinafter named, in Microfilm Records M70 at page 6962 thereof, reference to said records hereby being made, and the note and indebtedness secured by said trust deed are now owned by the second party, on which note and indebtedness there is now owing and unpaid the sum of \$6,762.44, the same being now in default and said trust deed being now subject to immediate foreclosure, and whereas the first party, being unable to pay the same, has requested the second party to accept an absolute deed of conveyance of said property in satisfaction of the indebtedness secured by said trust deed and the second party does now accede to said request;

NOW, THEREFORE, for the consideration hereinafter stated (which includes the cancellation of the note and indebtedness secured by said trust deed as to first party), the first party does hereby grant, bargain, sell and convey unto the second party, its heirs, successors and assigns, all of the right, title and interest of first party in and to the following described real property situate in Klamath County, State of Oregon, to-wit:

Beginning at a point on the Westerly line of Prospect Street 95.3 feet South from the intersection of the South line of Rose Street and the West line of Prospect Street in the City of Klamath Falls, running thence South along said Westerly line of Prospect Street, 61.7 feet; thence North 58°10' West, 98.6 feet, more or less, to the Southeasterly line of closed Roosevelt Street; thence Northeasterly along the said line of closed Roosevelt Street, 30 feet; thence South 78°16' East 66 feet, more or less, to the place of beginning, being a portion of Lots 1 and 2 of Block 18, FIRST ADDITION to the City of Klamath Falls, Oregon,

together with all of the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining;

TO HAVE AND TO HOLD the same unto said second party, its heirs, successors and assigns forever.

And the first party, does covenant to and with the second party, its heirs, successors and assigns, that the first party is lawfully seized in fee simple as to an undivided one-half of said property, free and clear of incumbrances except said trust deed and further except for 1972-73 real property taxes; that the first party will warrant and forever defend the above granted premises, and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, other than the liens above expressly excepted; that this deed is intended as a conveyance, absolute in legal effect as well as in form, of the title to said premises to the second party and all redemption rights which the first party may have therein, and not as a mortgage, trust deed or security of any kind; that possession of said premises hereby is surrendered and delivered to said second party; that in executing this deed the first party is not acting under any misapprehension as to the effect thereof or under any

return to:
Ken Puckett
538 Main
City

6952

duress, undue influence, or misrepresentation by the second party, or secondparty's representatives, agents or attorneys; that this deed is not given as a preference over other creditors of the first party and that at this time there is no person, co-partnership or corporation, other than the second party, interested in said premises directly or indirectly, in any manner whatsoever, except as aforesaid.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$10.00.

IN WITNESS WHEREOF, the first party above named has executed this instrument the 5th day of June, 1973.

Michael L. Brant
Michael Brant, Personal Representative
of the Estate of JAMES HARAMPOLIS,
Deceased

STATE OF OREGON)
) ss.
County of Klamath)

June 5, 1973

Personally appeared the above named MICHAEL BRANT, Personal Representative of the Estate of JAMES HARAMPOLIS, Deceased, and acknowledged the foregoing instrument to be his voluntary act and deed.

BEFORE ME:

John K. Koster
Notary Public for Oregon
My Commission expires: 10-20-75

STATE OF OREGON,
County of Klamath
Filed for record at request of

Transamerica Title Ins. Co.

on this 6th day of June A.D. 1973at 9:01 o'clock A M. and dulyrecorded in Vol. M73 of DeedsPage 6951

Wm D. MILNE, County Clerk

By Deputy Deputy

Fee \$4.00