

ESTOPPEL DEED

THIS INDENTURE between Oscar Hernandez and Barbara Hernandez, husband and wife, hereinafter called the first party, and Fay Replogle, hereinafter called the second party;

WITNESSETH

Whereas, the title to the real property hereinafter described is vested in fee simple subject to an outstanding mortgage heretofore given by the first parties to the second party dated May 10, 1975, recorded May 28, 1975, in volume M-75 of the Mortgage Records of Klamath County, Oregon on page 5876 which mortgage was given to secure a certain promissory note dated May 10, 1975, in the principal sum of \$1,500.00 due September 1, 1975, which note bears interest at the rate of 10 per cent per annum until paid, and whereas the first parties being unable to pay said promissory note or any part thereof have requested the second party to accept an absolute conveyance of said property in satisfaction of said indebtedness and the second party does now accede to said request;

NOW, THEREFORE, for and in consideration of the cancellation of the above described promissory note, the first parties do hereby grant, bargain, sell and convey unto the second party his heirs and assigns forever all of the following described real property situated within Klamath County, Oregon, to-wit:

The N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 35 South, Range 10, East of the Willamette Meridian.

TO HAVE AND TO HOLD the same unto the second party, his heirs and assigns forever.

The first parties do further covenant with the second party, his heirs and assigns forever that this deed

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is intended as a conveyance, absolute in legal effect as well as in form, of the title to said premises to the second party free of any and all redemption rights which the first parties may have had 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 parties are not acting under any misapprehension as to the effect thereof or under any duress, undue influence or misrepresentation by the second party or the second partys' representatives, agents or attorneys.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$1,500.00.

IN WITNESS WHEREOF the first parties above named have executed this instrument.

Dated this 19 day of ~~February~~ ^{November} 1976.
Oscar S. Hernandez (SEAL)
Barbara V. Hernandez (SEAL)

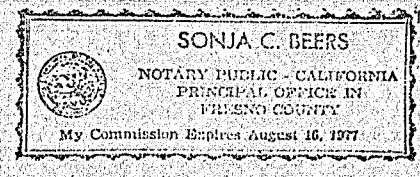
STATE OF California }
County of Fresno } :SS

On this 19 day of ~~February~~ ^{November} 1976, before me personally appeared the within named Oscar Hernandez and Barbara Hernandez, husband and wife, and they did then and there acknowledge that they executed the foregoing instrument.

Sonja C. Beers
Notary Public for Bank of Fresno

My Commission Expires
8/16/77

Ref: Donna L. Cooper
35 E. St. Co.
Lakewood Ch
97634



STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 17th day of DECEMBER A.D., 19 76 at 12:42 o'clock P M., and duly recorded in Vol M 76 of MORTGAGES on Page 20186.

FEE \$ 6.00

WM. D. MILNE, County Clerk
By W. D. Milne Deputy