

1-174

16181

ESTOPPEL DEED

THIS INDENTURE between Jimmy D. Elliott

hereinafter called the first party, and State of Oregon, by and through the Director of Veterans' Affairs hereinafter called the second party; WITNESSETH

Whereas, the title to the real property hereinafter described is vested in fee simple in the first party, subject to the lien of a mortgage or trust deed recorded in the mortgage records of the county hereinafter named, in book M-79 at page 3234 thereof or as file/reel number (state which), reference to said records hereby being made, and the notes and indebtedness secured by said mortgage or trust deed are now owned by the second party, on which notes and indebtedness there is now owing and unpaid the sum of \$ 37,342.29, the same being now in default and said mortgage or 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 mortgage and the second party does now accede to said request;

NOW, THEREFORE, for the consideration hereinafter stated (which includes the cancellation of the notes and indebtedness secured by said mortgage or trust deed and the surrender thereof marked "Paid in Full" to the first party), the first party does hereby grant, bargain, sell and convey unto the second party, his heirs, successors and assigns, all of the following described real property situate in Klamath County, State of Oregon

The N 1/2 S 1/2 NE 1/4 of Section 15, Township 36 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, lying northwesterly of the Oregon, California and Eastern Railroad Company right of way, EXCEPT THEREFROM that portion lying within the right of way of the O C & E Railroad spur tract.

TOGETHER WITH THE FOLLOWING DESCRIBED MOBILE HOME WHICH IS FIRMLY AFFIXED TO THE PROPERTY:

1978 Homette Mobile Home Serial Number 0383-0312-M-24' x 60'

IN WITNESS WHEREOF, the first party appears personally and the second party appears by its duly authorized representative, the undersigned, who is duly authorized to execute and deliver this deed on behalf of the second party, and the first party, together with all of the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

(CONTINUED ON REVERSE SIDE)

Jimmy D. Elliott  
C-8 Birch Park  
Fairbanks, AK 99711  
 GRANTOR'S NAME AND ADDRESS  
State of Oregon, Veterans' Affairs  
1225 Ferry Street, SE  
Salem, OR 97310  
 GRANTEE'S NAME AND ADDRESS  
Department of Veterans Affairs  
1225 Ferry Street, SE  
Salem, Oregon 97310  
 NAME, ADDRESS, ZIP

STATE OF OREGON,

County of

I certify that the within instrument was received for record on the day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book \_\_\_\_\_ on page \_\_\_\_\_ or as file/reel number \_\_\_\_\_  
 Record of Deeds of said county.  
 Witness my hand and seal of County affixed.

By \_\_\_\_\_ Recording Officer  
 \_\_\_\_\_ Deputy

NAME, ADDRESS, ZIP



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

And the first party, for himself and his heirs and legal representatives, does covenant to and with the second party, his heirs, successors and assigns, that the first party is lawfully seized in fee simple of said property, free and clear of incumbrances except said mortgage or trust deed and further except

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 duress, undue influence, or misrepresentation by the second party, or second party'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 \$ None

However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which) ①

In construing this instrument, it is understood and agreed that the first party as well as the second party may be more than one person; that if the context so requires, the singular shall be taken to mean and include the plural; that the singular pronoun means and includes the plural, the masculine, the feminine and the neuter and that, generally, all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the first party above named has executed this instrument; if first party is a corporation, it has caused its corporate name to be signed hereto and its corporate seal affixed by its officers duly authorized thereunto by order of its Board of Directors.

Dated September 29, 1982  
JIMMY D. ELLIOTT

TO THE PROBATE:

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, County of ALASKA  
JUDICIAL DISTRICT  
SEPTEMBER 29, 1982  
Personally appeared the above named  
JIMMY D. ELLIOTT  
and acknowledged the foregoing instrument to be his voluntary act and deed.

STATE OF OREGON, County of \_\_\_\_\_ ss.  
Persons appeared \_\_\_\_\_ and  
who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of \_\_\_\_\_, a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.  
Before me:

Notary Public for Oregon  
My commission expires:

(OFFICIAL SEAL)

STATE OF OREGON, COUNTY OF KLAMATH, ss.

6 day of Oct. A.D. 1982 at 3:34 o'clock P.M.  
duly recorded in Vol. M 82 of Deeds on page 13404

THIS INSTRUMENT PAID Fee \$8.00

By EVELYN BIEHN County Clerk