

17043

DEED IN LIEU OF FORECLOSURE

M82 page 14914

KNOW ALL MEN BY THESE PRESENTS, that whereas title to the real property described on Exhibit "A" is vested in fee simple in JAMES E. MOTLEY and MILDRED M. MOTLEY, husband and wife, hereinafter called "Grantors", subject to the interest of MARY L. IRWIN, hereinafter called "Grantee", pursuant to that certain trust deed dated November 27, 1980, and recorded as #93749, Volume M80, Page 24244, Microfilm Records of Klamath County, Oregon, wherein James E. Motley and Mildred M. Motley are grantors and Mary L. Irwin is the beneficiary. Grantors, desiring to avert a foreclosure, have requested Grantee to accept an absolute deed of conveyance of said property in satisfaction of the indebtedness secured by said trust deed and to forestall foreclosure thereof, and Grantee does accede to said request.

NOW, THEREFORE, IN CONSIDERATION of the cancellation of all the debt and all the evidences of indebtedness secured by said trust deed, and other valuable consideration, Grantors do hereby grant, bargain, sell, and convey unto Grantee, her successors and assigns, all their interest in that real property described on Exhibit "A" attached hereto and by this reference incorporated herein, together with all of the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and subject to those exceptions set forth on Exhibit "A", if any.

TO HAVE AND TO HOLD the above described and granted premises with the appurtenances unto Grantee, her successors and assigns forever.

And the Grantors do for themselves covenant that the property is free and clear of all encumbrances except as set forth on Exhibit "A" and that Grantors will warrant and forever defend the said granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever, other than the encumbrances on Exhibit "A" expressly excepted.

This deed is intended as a conveyance, absolute in legal effect, as well as in form, of the title of said premises and any and all rights thereto, present or future of Grantors, to the said Grantee, her successors and assigns, and not as a mortgage, trust conveyance or security of any kind, and that possession of the said premises hereby is surrendered to the said Grantee; and that in executing this deed the Grantors are not acting under any misapprehension as to the effect thereof, nor under any duress, undue influence or misrepresentation by the said Grantee, her agents or attorney.

1-DEED IN LIEU OF FORECLOSURE  
Motley-Irwin

*Return to  
Palmer Jones  
137 E. Main  
Medford*

15  
11  
11  
15

*ok  
70*

14915

Dated this 26 day of October, 1982.

James E. Motley  
James E. Motley

Mildred M. Motley  
Mildred M. Motley

STATE OF OREGON  
County of Klamath  
October 26, 1982

) ss.  
)  
)

Personally appeared JAMES E. MOTLEY and MILDRED M. MOTLEY, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed. Before me:

Shane Bozgor  
Notary Public for Oregon  
My commission expires: 1-22-84

2-DEED IN LIEU OF FORECLOSURE

14916

## DESCRIPTION

## ✓ PARCEL 1:

A tract of land situated in the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 34, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the intersection of the Westerly line of LaLakes Avenue and the Southerly line of Palmer Street, if extended; thence South 30° 30' West 350 feet to the true point of beginning; thence South 30° 30' West 50 feet; thence North 59° 30' West 125 feet; thence North 30° 30' East 50 feet; thence South 59° 30' East 125 feet to the true point of beginning, also known as Lot 72 of SPINKS ADDITION TO CHILOQUIN, an unplatted subdivision, with bearings based on Survey No. 2448 filed in the Engineer's Office for Klamath County.

## ✓ PARCEL 2:

A tract of land situated in the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 34, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the intersection of the Westerly line of LaLakes Avenue and the Southerly line of Palmer Street, if extended; thence South 30° 30' West 460 feet to the true point of beginning; thence North 30° 30' East 60 feet to a  $\frac{1}{2}$  inch iron pin; thence North 59° 30' West 125 feet to a  $\frac{1}{2}$  inch iron pin; thence South 30° 30' West 60 feet to a  $\frac{1}{2}$  inch iron pin; thence South 59° 30' East 125 feet to a  $\frac{1}{2}$  inch iron pin marking the true point of beginning, also known as Lot 73, SPINKS ADDITION TO CHILOQUIN, an unplatted subdivision with bearings based on Survey No. 2448 filed in the Engineer's Office for Klamath County.

## PARCEL 3:

A tract of land situated in the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 34, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the intersection of the Westerly line of LaLakes Avenue and the Southerly line of Palmer Street extended; thence South 30° 30' West 460 feet along the Westerly line of LaLakes Avenue to the true point of beginning; thence North 59° 30' West 125 feet to a  $\frac{1}{2}$  inch iron pin; thence South 30° 30' West 50 feet to a  $\frac{1}{2}$  inch iron pin; thence South 59° 30' West 125 feet to a  $\frac{1}{2}$  inch iron pin on the Westerly line of LaLakes Avenue; thence North 30° 30' East along said Westerly line of LaLakes Avenue 50 feet to the true point of beginning, also known as Lot 74 of SPINKS ADDITION TO CHILOQUIN, an unplatted subdivision with bearings based on Survey No. 2448 filed in the Engineer's Office for Klamath County, Oregon.

## PARCEL 4:

A tract of land situated in the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 34, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

14917

# PARCEL 4: (continued)

Beginning at the intersection of the Westerly line of LaLakes Avenue and the Southerly line of Palmer Street, extended; thence South 30° 30' West 510 feet along the Westerly line of LaLakes Avenue to the true point of beginning; thence North 59° 30' West 125 feet to a ½ inch iron pin; thence South 30° 30' West 50 feet to a ½ inch iron pin; thence South 59° 30' East 90.59 feet to a ½ inch iron pin on the Northerly line of that property owned by C. C. Heidrick and Alex Shive, as shown in Deed Volume 71 at page 621; Records of Klamath County Oregon; thence Northeasterly along said North line of said property 52.54 feet to a ½ inch iron pin on the Westerly line of LaLakes Avenue; thence North 30° 30' East along said Westerly line of LaLakes Avenue 10.30 feet to a ½ inch iron pin marking the true point of beginning, also known as a portion of Lot 75 of SPINKS ADDITION TO CHILOQUIN, an unplatted subdivision with bearings based on Survey No. 2448 filed in the Engineer's Office for Klamath County.

# PARCEL 5:

A tract of land situated in the SE¼SW¼ of Section 34, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the intersection of the Westerly line of LaLakes Avenue and the Southerly line of Palmer Street, extended; thence South 30° 30' West 510 feet along the Westerly line of LaLakes Avenue to a ½ inch iron pin; thence North 59° 30' West 125 feet to a ½ inch iron pin marking the true point of beginning; thence continuing North 59° 30' West 151.30 feet to a ½ inch iron pin on the East side of Applegate Avenue; thence South 00° 57' 14" West 57.47 feet along the East line of Applegate Avenue to a ½ inch iron pin; thence leaving said East line of Applegate Avenue South 59° 30' East 122.97 feet to a ½ inch iron pin; thence North 30° 30' East a distance of 50 feet to the true point of beginning, also known as Lot 78, SPINKS ADDITION TO CHILOQUIN, an unplatted subdivision, with bearings based on Survey No. 2448, filed in the Engineer's Office of Klamath County, Oregon.

# PARCEL 6:

A tract of land situated in the SE¼ of the SW¼ of Section 34, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the intersection of the Westerly line of LaLakes Avenue and the Southerly line of Palmer Street, extended; thence South 30° 30' West 460 feet along the Westerly line of LaLakes Avenue to a ½ inch iron pin; thence North 59° 30' West 125 feet to a ½ inch iron pin and the true point of beginning; thence continuing North 59° 30' West 179.65 feet to a ½ inch iron pin on the East line of Applegate Avenue; thence South 00° 57' 14" West 57.47 feet along the East line of Applegate Avenue to a ½ inch iron pin; thence leaving said East line of Applegate Avenue, South 59° 30' East 151.30 feet to a ½ inch iron pin; thence North 30° 30' East 50 feet to the true point of beginning; also known as Lot 79 of SPINKS ADDITION TO CHILOQUIN, an unplatted subdivision in Klamath County, Oregon, with bearings based on Survey No. 2448 filed in the Engineer's Office for Klamath County, Oregon.

**PARCEL 7:**

A tract of land situated in the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 34, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the intersection of the Westerly line of LaLakes Avenue and the Southerly line of Palmer Street, if extended; thence South 30° 30' West 460 feet; thence North 59° 30' West 125 feet to a  $\frac{1}{2}$  inch iron pin marking the true point of beginning; thence North 30° 30' East 60 feet to a  $\frac{1}{2}$  inch iron pin; thence North 59° 30' West 213.66 feet to a  $\frac{1}{2}$  inch iron pin on the East line of Applegate Avenue; thence Southerly along Applegate Street 68.97 feet to a point that bears North 59° 30' West from the point of beginning; thence South 59° 30' East 179.65 feet to the true point of beginning, also known as Lot 80 of SPINKS ADDITION TO CHILOQUIN, an unplatted subdivision with bearings based on Survey No. 2448, filed in the Engineer's Office of Klamath County, Oregon.

**PARCEL 8:**

A tract of land situated in the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 34; Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the intersection of the Westerly line of LaLakes Avenue and the Southerly line of Palmer Street, if extended; thence South 30° 30' West 350 feet to a  $\frac{1}{2}$  inch iron pin; thence North 59° 30' West 125 feet to a  $\frac{1}{2}$  inch iron pin and the true point of beginning; thence South 30° 30' West 50 feet to a  $\frac{1}{2}$  inch iron pin; thence North 59° 30' West 213.66 feet to a  $\frac{1}{2}$  inch iron pin; thence North 00° 57' 14" East 7.68 feet to a  $\frac{1}{2}$  inch iron pin; thence North 47° 27' 05" East along the Southeasterly line of Charlie Avenue a distance of 45.27 feet to a  $\frac{1}{2}$  inch iron pin; thence South 59° 30' East 204.24 feet to the true point of beginning, also known as Lot 81 of SPINKS ADDITION TO CHILOQUIN, an unplatted subdivision, with bearings based on Survey No. 2448 filed in the Engineer's Office for Klamath County, Oregon.

**PARCEL 9:**

A tract of land situated in the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 34, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the intersection of the Westerly line of LaLakes Avenue and the Southerly line of Palmer Street, if extended; thence South 30° 30' West 350 feet; thence North 59° 30' West 125 feet to a  $\frac{1}{2}$  inch iron pin and the true point of beginning; thence North 30° 30' East 50 feet to a  $\frac{1}{2}$  inch iron pin; thence North 59° 30' West 189 feet to the Southeasterly line of Charley Avenue; thence South 47° 27' 05" East along said Easterly line 52.27 feet to a  $\frac{1}{2}$  inch iron pin; thence South 59° 30' East 204.24 feet to the true point of beginning, also known as Lot 82 of SPINKS ADDITION TO CHILOQUIN, an unplatted subdivision, with bearings based on Survey No. 2448 filed in the Engineer's Office for Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH :ss

I hereby certify that the within instrument was received and filed for record on the 9 day of Nov A.D., 1982 at 11:15 o'clock A M, and duly recorded in Vol. MB2, of Deeds on page. 14914

EVELYN BIEHN COUNTY CLERK

by Joyce McChase Deputy

Fee \$ 20.00