

20880

ESTOPPEL DEED

Vol. 783 Page 3061

THIS INDENTURE between Dana S. Rogers and Gina M. Rogers

(If husband and wife, so indicate)

hereinafter called the first party, and Elaine Gordon Dunn, aka Joanne Elaine Gordon hereinafter called the second party; WITNESSETH:

Whereas, the title to the real property hereinafter described is vested in the first party, subject to the mortgage of Land Sales Contract M-79 at page 28767 thereof recorded in the mortgage records of the county hereinafter named, in book records hereby being made, and the notes and indebtedness secured by said mortgage are now owned by the second party, on which notes and indebtedness there is now owing and unpaid the sum of \$ 46,496.96, the same being now in default and said property 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 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, to-wit:

The West 35 feet of Lot 2, and the East 15 feet of Lot 3, Block 52, Nichols Addition to the City of Klamath Falls, Oregon.

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

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 and further except those liens listed on the original Land Sales Contract dated December 15, 1979 and such real property and personal property taxes accrued; 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.

(CONTINUED ON REVERSE SIDE)

Dana S. Rogers

P.O. Box 653

Ontario, Oregon 97914

GRANTOR'S NAME AND ADDRESS

Elaine Gordon Dunn

6246 Alva Ave.

Klamath Falls, Oregon 97601

GRANTEE'S NAME AND ADDRESS

After recording return to:

Elaine Gordon Dunn

6246 Alva Ave.

Klamath Falls, Oregon 97601

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

Elaine Gordon Dunn

6246 Alva Ave.

Klamath Falls, Oregon 97601

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.

SPACE RESERVED FOR RECORDER'S USE

By

Recording Officer Deputy

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 46,496.96 .

①However, 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 February 24, 1983.

Gina M. Rogers

(If executed by a corporation,
affix corporate seal)

STATE OF OREGON,

County of Multnomah } ss.
February 23, 1983.

Personally appeared the above named
DANA S. ROGERS AND

Gina M. Rogers and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:
(OFFICIAL SEAL) Jan Hay
Notary Public for Oregon
My commission expires:
MY COMMISSION EXPIRES 4-15-83

STATE OF OREGON, County of Multnomah } ss.

February 24, 1983.

Personally appeared DANA S. ROGERS and
Gina M. ROGERS 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 be-
half 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)

NOTE—The sentence between the symbols ①, if not applicable, should be deleted. See ORS 93.030.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record .

this 28th day of February A.D. 1983 at 4:13 o'clock P.M., and
duly recorded in Vol. M83, of Deeds on Page 3061.

EVELYN BIEHN, County Clerk
By Bernetha J. Litch

Fee \$8.00