

22694

ESTOPPEL DEED

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Vol. 483 Page 6121

THIS INDENTURE between Allen B. Lewis and Miriam B. Lewis, joint tenancy with rights of survivorship hereinafter called the first party, and Arthur and Ellen Breitenstein, husband and wife hereinafter called the second party; WITNESSETH:

As the first party, the real property hereinafter described is vested in the second party, subject to the lien of a mortgage or trust deed recorded in the records of the county hereinafter named, in book M79 at page 1263, 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 \$ 2,505.00, 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, to-wit:

SW 16' of lot 3 and lot 4 Block 16

commonly known as 808 and 808 1/2 Mt. Whitney

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

(CONTINUED ON REVERSE SIDE)

Allen B. and Miriam B. Lewis
P. O. Box 923
Reno, Nevada 89504

GRANTOR'S NAME AND ADDRESS

Arthur and Ellen Breitenstein
P. O. Box 744
Klamath Falls, Oregon 97601

GRANTEE'S NAME AND ADDRESS

After recording return to:

Steven A. Zamsky, P.C.
110 N. 6th Street-Suite 207
Klamath Falls, Oregon 97601

NAME, ADDRESS, ZIP

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

Arthur and Ellen Breitenstein
P. O. Box 744
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.

By

Recording Officer

Deputy

SPACE RESERVED
FOR
RECORDER'S USE

800-444-21

25 11 10 21 44 50

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 of the equitable vendee's interest in said contract of sale and further except real property taxes, and said property is free and clear of encumbrances created by first party

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 \$ 500.00

① However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which) ②

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 March 25, 1983

William P. Lewis

(If executed by a corporation, affix corporate seal)

NEVADA
STATE OF OREGON,)
County of WASHOE) ss.
March 25, 1983

Personally appeared the above named
Allen B. Lewis and Miriam
B. Lewis and acknowledged the foregoing instrument to be their voluntary act and deed.

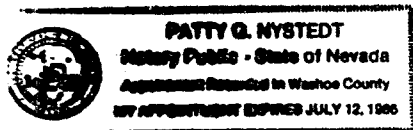
Before me:
(OFFICIAL SEAL) *Patty G. Nystedt*
Notary Public for Oregon NEVADA
My commission expires: July 12, 1986

STATE OF OREGON, County of) ss.
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Personally 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)

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



STATE OF OREGON: COUNTY OF KLAMATH :ss
I hereby certify that the within instrument was received and filed for
record on the 21 day of April A.D., 1983 at 10:25 o'clock A M,
and duly recorded in Vol M83, of 0 Deeds on page. 6121

EVELYN BIEHN COUNTY CLERK
by *Lucy Lewis* Deputy

Fee \$ 8.00