

34145

FORM No. 240-DEED-ESTOPPEL (In lieu of foreclosure) (Individual or Corporate)

FEB 22 1984

STEVEN HESS LAW PUB. CO., PORTLAND, OR. 97204

OA

33439

MITC-13389  
ESTOPPEL DEED

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3416

THIS INDENTURE between ELIZABETH JEAN WAGAMAN and MICHAEL JOHN WAGAMAN  
hereinafter called the first party, and The State of Oregon, by and through the Dept. 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/reel/volume No. 80 at page 17729 thereof or as fee/file/instrument/microfilm/reception No. (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 \$42,697.95, 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 Oregon County, State of Oregon, to-wit:

Lot 8, Block 27, Hot Springs Addition to the City of Klamath Falls,  
according to the official plat thereof on file in the office of the  
County Clerk of Klamath County.

together with all of the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;  
(CONTINUED ON REVERSE SIDE)

Elizabeth Jean Wagaman and  
Michael John Wagaman  
1845 Melrose, Klamath Falls, OR 97601  
GRANTOR'S NAME AND ADDRESS

State of Oregon Veterans' Affairs  
1225 Ferry Street, S.E.  
Salem, OR 97310  
GRANTEE'S NAME AND ADDRESS

After recording return to:

Department of Veterans' Affairs  
124 North 4th Street  
Klamath Falls, OR 97601  
NAME, ADDRESS, ZIP

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

NAME, ADDRESS, ZIP

STATE OF OREGON, } ss.  
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/reel/volume No. \_\_\_\_\_ on  
page \_\_\_\_\_ or as fee/file/instru-  
ment/microfilm/reception No. \_\_\_\_\_,  
Record of Deeds of said county.

Witness my hand and seal of  
County affixed.

By \_\_\_\_\_ TITLE  
Deputy

This document is being re-recorded to correct the notary signature.

84 MAR 5 PM 4 29

84 FEB 17 PM 1 46

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 NONE

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 \$ -0-  
 However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which) the whole

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 6, 1984.

(If executed by a corporation,  
affix corporate seal)

(If the signer of the above is a corporation,  
use the form of acknowledgment opposite.)

STATE OF OREGON,

County of Curry } ss.

The foregoing instrument was acknowledged before  
me this 1st day of February, 1984, by

Michael John Wagaman, only, in  
person -

Betty L. Doan  
Notary Public for Oregon

(SEAL)

My commission expires: 7-26-86

(ORS 194.570)

Elizabeth Jean Wagaman  
ELIZABETH JEAN WAGAMAN  
Michael John Wagaman  
MICHAEL JOHN WAGAMAN

STATE OF OREGON,

County of Klamath } ss.

The foregoing instrument was acknowledged before  
me this FEBRUARY 6, 1984, by

ELIZABETH JEAN WAGAMAN

Notary Public for Oregon

(SEAL)

My commission expires: 8-30-87

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

Betty L. Doan  
BETTY L. DOAN  
NOTARY PUBLIC — OREGON  
MY COMMISSION EXPIRES 7/26/86

STATE OF OREGON,  
County of Klamath )

Filed for record at request of

on this 13th day of Feb. A.D. 1984  
at 1:46 o'clock P. M. and duly  
recorded in Vol. M84 of Deeds  
Page 2218

EVELYN BIEHN, County Clerk

By Pam Smith Deputy

Fee 8.00

STATE OF OREGON: COUNTY OF KLAMATH: ss  
 I hereby certify that the within instrument was received and filed for  
 record on the 5th day of March A.D., 1984 at 4:20 o'clock P. M.  
 and duly recorded in Vol M84, of Deeds on page 3446

Fee \$ 8.00

EVELYN BIEHN, COUNTY CLERK

by Pam Smith Deputy