

34896

ESTOPPEL DEED

THIS INDENTURE between THOMAS EARL SMITH and TAMERA GAYLE SMITH, husband and wife, herein called "first parties", and ANN S. PERRY, Guardian of the Person and Estate of Margaret O. Ferguson, an incompetent person, herein called "second party";

W I T N E S S E T H:

WHEREAS, first parties have an equitable title in and to the real property hereinafter described by virtue of an agreement of sale dated January 28, 1980, a memorandum of said agreement being recorded in Volume M-80, Page 1787, Deed Records of Klamath County, Oregon, on January 29, 1980, and

WHEREAS, there is now unpaid on said contract of sale the sum of \$44,806.17, with interest thereon at the rate of 10% per annum from October 14, 1982, and

WHEREAS, the undersigned are in default in the payment of the installments required under said contract of sale and are unable to cure the default or to pay the balance owing on said contract.

NOW, THEREFORE, in consideration of second party forgiving her right to declare the full amount of the unpaid balance of said contract immediately due and payable or exercising any other remedy against first parties for their default under said agreement of sale, first parties do hereby waive all claims for money heretofore paid to second party and for all improvements made upon said premises and hereby grant, bargain, sell and convey unto second party, her successors and assigns, all of the following-described real property, situated in Klamath County, Oregon, to-wit:

Lot 12, LLOYD'S TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon,

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

~~the following described personal property situated therein, to-wit:~~

4931

~~1 range~~
~~1 refrigerator~~
~~1 freezer~~
~~1 dishwasher~~
~~carpet~~
~~drapes and curtains~~

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$44,806.17. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

IN WITNESS WHEREOF, first parties above named have executed this instrument this 16th day of March, 1984.

Thomas Earl Smith

Tamera M. Smith

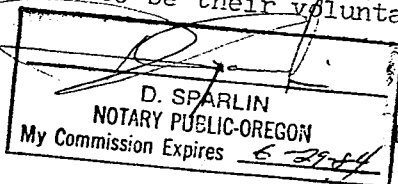
STATE OF OREGON

County of KLAMATH

ss. March 16, 1984

Personally appeared the above-named THOMAS EARL SMITH and TAMERA GAYLE SMITH, husband and wife, known to me to be the identical persons described in and who executed the foregoing Estoppel Deed, and acknowledged said instrument to be their voluntary act and deed.

Before me:



NOTARY PUBLIC FOR OREGON
My commission expires _____

After recording, return to:

H. F. Smith
Attorney at Law
540 Main Street
Klamath Falls, Oregon 97601

Until a change is requested, send all tax statements to the following address:

Ann S. Perry, Guardian
4540 Laverne
Klamath Falls, Oregon 97603

STATE OF OREGON: COUNTY OF KLAMATH: ss

I hereby certify that the within instrument was received and filed for record on the 28th day of March A.D., 19 84 at 11:53 o'clock A. M. and duly recorded in Vol M84, of Deeds on page 4930.

Fee: \$ 8.00

(Estoppel Deed - 2)

EVELYN BIEHN, COUNTY CLERK

by: Pam Smith Deputy