

36233

35607

ESTOPPEL DEED

Vol. 1784 Page 6278

THIS INDENTURE between Marlene Jo. Garrett
hereinafter called the first party, and Lawrence L. Weinberg and Ruby M. Weinberg
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. M83 at page 9350 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 \$ 12,000.00, 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:

A tract of land 75 feet in width on the North line of Lot 8,
Block 92 of Buena Vista Addition to the City of Klamath Falls, Oregon,
described as follows: Beginning at the most southerly corner of Lot 8 in
said block and addition; thence Easterly along the Southerly line of said
lot, 40 feet; thence Northerly in a straight line to a point on the
Northerly line of said lot, 75 feet Westerly along the Northerly line of
said lot from the most Westerly corner thereof; thence Southwesterly along
the Northerly line of said lot a distance of 75 feet to the most North-
westerly corner thereof; thence Southeasterly along the Westerly line of
said lot to the place of beginning.

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY
DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLAN-
NING DEPARTMENT TO VERIFY APPROVED USES.
together with all of the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertain-
ing;
(CONTINUED ON REVERSE SIDE)

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:
Lawrence L. & Ruby M. Weinberg
708 North Ninth Street
Klamath Falls, OR 97601
NAME, ADDRESS, ZIP
Until a change is requested all tax statements shall be sent to the following address.
Same as above
NAME, ADDRESS, ZIP

STATE OF OREGON,
County of _____ ss.
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

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 1983-84 taxes.

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 \$ none.
 However, 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 April 12, 19 84

Marlene Jo Garrett
 Marlene Jo Garrett

(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,

(ORS 194.570)

County of Klamath ss.

STATE OF OREGON, County of _____ ss.

The foregoing instrument was acknowledged before me this 12th Day April, 19 84, by

The foregoing instrument was acknowledged before me this _____, 19 _____, by _____, president, and by _____, secretary of _____

Marlene Jo Garrett

a _____ corporation, on behalf of the corporation.

Notary Public for Oregon

Notary Public for Oregon

My commission expires: 9/23/85

My commission expires:

(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 16th day of April A.D., 19 84 at 3:12 o'clock P M, and duly recorded in Vol M84 of Deeds on page 6278.

Fee: \$ 8.00

EVELYN BIEHN, COUNTY CLERK

by: *Sam Smith*, Deputy