

ESTOPPEL DEED

 THIS INDENTURE between DON MILLER SAWYER, hereinafter called Grantor, and WILLIAM G. SCOTT, hereinafter called Grantee;

WITNESSETH:

WHEREAS, the title to Lots 35 and 36 of the real property hereinafter described is vested in Grantee, subject to that certain Land Sale Contract dated May 6, 1981, memorandum of which was recorded June 3, 1981, in the deed records of Klamath County in Microfilm Reel # M81 at Page 9974, hereinafter referred to as "Contract"; and,

WHEREAS, Grantor is the Vendee in said contract executed by Grantee as Vendor therein; and,

WHEREAS, the title to Lot 37 of the real property hereinafter described is vested in Grantor; and,

WHEREAS, Grantor desires to reconvey the real property covered under said Contract pursuant to the terms of a Reconveyance Agreement between Grantor and Grantee dated June 8, 1984, hereinafter referred to as "Agreement"; and,

WHEREAS, Grantee has acceded to Grantor's request to accept an absolute deed of conveyance of all the real property hereinafter described in satisfaction of all covenants and obligations set forth in said Contract;

NOW, THEREFORE, for the consideration hereinafter stated, Grantor does hereby grant, bargain, sell and convey unto Grantee, his heirs, successors and assigns, all of the following described real property, situate in County, Oregon, to-wit:

Lots 35, 36 and 37, Block 6, Industrial Addition of the City of Klamath Falls, Oregon, according to the official plat thereof.

And Grantor does hereby covenant that:

Grantor is lawfully seized of the equitable Vendee's interest in said property, free and clear of any encumbrances except (as to said Lots 35 and 36 ONLY):

1. A mortgage executed by WILLIAM F. SCOTT and GAYLE J. SCOTT, husband and wife, to Western Bank, dated April 14, 1978, in Volume M78, page 7392, mortgage records of Klamath county, Oregon, to secure the payment of \$65,000.00.
2. Mortgage executed by WILLIAM G. SCOTT to WILLIAM F. SCOTT and GAYLE J. SCOTT, husband and wife, dated February 23, 1979, recorded February 23, 1979, in Volume M79, page 4072, mortgage records of Klamath County, Oregon, to secure the payment of \$65,000.00.

This deed is absolute in effect and releases and conveys any and all interest of the Grantor in the premises above described to the Grantee and does not operate as a mortgage, trust conveyance or security of any kind.

The acceptance of this deed by Grantee effects a satisfaction of the contract to Grantee described above, and payment in full thereof.

Grantor does hereby waive surrender, convey and relinquish any rights of redemption concerning the real property and

contract described above, and agrees that it is intended that Grantee retain all payments made under the contract.

Grantor is not acting under any misapprehension as to the legal effect of this deed, nor under any duress, undue influence or misrepresentation of Grantee his agent or attorney or any other person.

Possession of said premises is hereby surrendered and delivered to Grantee as of 12:01 A.M., July 31, 1984.

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 whole consideration.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 14th day of June, 1984.

Don Miller Sawyer
DON MILLER SAWYER

STATE OF OREGON)
) ss
County of Klamath)

On June 14, 1984, personally appeared DON MILLER SAWYER and acknowledged the foregoing instrument to be his voluntary act.

Shirley L. Hunter
NOTARY PUBLIC FOR OREGON
My commission expires: 6-3-88

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

STATE OF OREGON)
 : ss
County of Klamath)

WILLIAM F. SCOTT and GAYLE J. SCOTT

1920 Auburn

Klamath Falls, Oregon 97601

AFTER RECORDING RETURN TO:

William F. Scott

1920 Auburn

Klamath Falls, Oregon 97601

I CERTIFY that the within instrument was received for recording on the 26 day of June, 1984, at 4:07 o'clock p.M. and recorded in book M84 on page 10708 or as file reel 38145, Record of Deeds of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk
Recording Officer

BY Don Miller Sawyer

Fee: \$8.00