

CASE

ESTOPPEL DEED

K-36837 Vol. M85 Page 524

44861

CHARLOTTE IRENE HULME

THIS INDENTURE between
hereinafter called the first party, and LEONARD J. OBERSINNER
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. M77 at page 18401 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 \$, 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:

In Township 36 South, Range 9 East of the Willamette Meridian,
Klamath County, Oregon. Section 15: The SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$. Section
22: The E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$

Subject to any easements and rights of way of record.

Acceptance of this assignment and deed by second party shall not be considered assumption by second parties of any encumbrances or debt of first party on said property shall not effect a merger of the fee ownership and lien of any mortgage, judgment or other lien which may be against the real property herein conveyed.

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

(CONTINUED ON REVERSE SIDE)

CHARLOTTE IRENE HULME

5875 Winter Avenue
Klamath Falls, Oregon 97601

GRANTOR'S NAME AND ADDRESS

LEONARD J. OBERSINNER
11556 Monitor-McKee Rd
Woodburn, Oregon 97071

GRANTEE'S NAME AND ADDRESS

After recording returns to:

James O. Fournier
Attorney at Law
P. O. Box 680
Mt. Angel, OR 97132

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

Leonard J. Obersinner
11556 Monitor-McKee Rd.
Woodburn, Oregon 97071

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 attixed.

By _____ TITLE
NAME Deputy

1985 JAN 19 AM 11 05



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

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 \$

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

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 January 4, 1985

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 PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Charlotte Irene Hulme
now known as Charlotte Mills

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

(ORS 194.570)

STATE OF OREGON, County of Klamath ss.
The foregoing instrument was acknowledged before me this January 4, 1985, by

STATE OF OREGON, County of ss.
The foregoing instrument was acknowledged before me this , 19 , by , president, and by , secretary of

a corporation, on behalf of the corporation.

Notary Public for Oregon

My commission expires:

(SEAL)

Charlotte Irene Hulme now
known as Charlotte Mills
Notary Public for Oregon
My commission expires: 11-2-86

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

(If executed by a corporation, affix corporate seal)

STATE OF OREGON: COUNTY OF KLAMATH: ss
I hereby certify that the within instrument was received and filed for record on the 10th day of January A.D., 1985 at 11:05 o'clock A.M., and duly recorded in Vol M85, of Deeds on page 524.

Fee: \$ 9.00

EVELYN BIEHN, COUNTY CLERK
by: [Signature], Deputy