

48425

ESTOPPEL DEED

Vol. 185 Page 6603

THIS INDENTURE between SAMUEL S. IKEUCHI hereinafter called the first party, and J.F.S. INC. 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. 83 at page 15972 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: Lots 42 to 53 inclusive, Block 13, INDUSTRIAL ADDITION to the City of Klamath Falls, in the County of Klamath, State of Oregon.

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. THIS DEED DOES NOT MERGE THE EQUITABLE AND LEGAL INTEREST OF THE GRANTEE. ACCEPTANCE OF THIS DEED BY SECOND PARTY SHALL NOT BE CONSIDERED ASSUMPTION BY SECOND PARTY OF ANY ENCUMBRANCE OR DEBT OF FIRST PARTY. together with all of the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Samuel S. Ikeuchi
2795 Anderson
Klamath Falls, OR 97603
GRANTOR'S NAME AND ADDRESS
J.F.S. INC.
PO Box 12204
Salem, Ore 97309
GRANTEE'S NAME AND ADDRESS

STATE OF OREGON,
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. _____ page _____ or as fee/file/instrument/microfilm/reception No. _____ Record of Deeds of said county.
Witness my hand and seal of _____ County affixed.

Until a change is requested all tax statements shall be sent to the following address:
H.A. Malone
TO HAVE YUD TO HOLD THE SAME INTO THE

By _____
NAME
TITLE
Deputy

85 MAY 5 AM 9 54

CK 9.00

6604

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 MOBILE, ALABAMA, 1985 3rd day of May 1985 Samuel S. Ikeuchi Matthew B. Biddox

(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 Falls } ss.

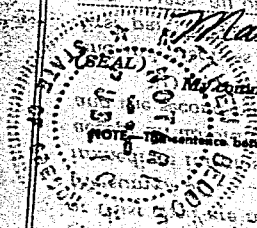
STATE OF OREGON, County of _____) ss.

The foregoing instrument was acknowledged before me this 3rd day of May, 1985, by SAMUEL S. IKEUCHI

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

Matthew B. Biddox
 Notary Public for Oregon

 corporation, on behalf of the corporation.
 Notary Public for Oregon
 My commission expires: _____



STATE OF OREGON: COUNTY OF KLAMATH:ss
 I hereby certify that the within instrument was received and filed for record on the 6th day of May, A.D., 1985 at 9:54 o'clock A M, and duly recorded in Vol M85, of Deeds on page 6603.

Fee: \$ 9.00

EVELYN BIEHN, COUNTY CLERK
 by: Pam Smith, Deputy