

OABE

53264

MIT-15199
ESTOPPEL DEEDVol. M85 Page 14869

THIS INDENTURE between Roger D. Smith and Ruth J. Smith
hereinafter called the first party, and the State of Oregon by and through the Director of
hereinafter called the second party; WITNESSETH: Veterans' Affairs

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. M81 at page 5064 thereof or as fee/file/instrument/microfilm/reception No. re-recorded
(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 \$ 55,195.82, 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
Oregon, to-wit:

SEE ATTACHED EXHIBIT "A"

LYNN MARIE DELANEY, 10 ALEXIA VIMBORO 1982
CHECK WITH THE VETERANS' AFFAIRS OFFICE ON CHIEF
DEPARTMENT OF THE INTERIOR, ALIY HANK ANNOTED
DEPARTMENT OF THE INTERIOR, ALIY HANK ANNOTED
THIS INSTRUMENT DOES NOT CONVEY ANY REAL ESTATE

2-31-85
INVESTING DEPARTMENT OF THE INTERIOR, ALIY HANK ANNOTED
DEPARTMENT OF THE INTERIOR, ALIY HANK ANNOTED
DEPARTMENT OF THE INTERIOR, ALIY HANK ANNOTED

A FULL DESCRIPTION OF THE REAL ESTATE, INCLUDING THE
COUNTY, TOWNSHIP, RANGE, SECTION, AND THE
DEPARTMENT OF THE INTERIOR, ALIY HANK ANNOTED

TOGETHER WITH ALL OF THE TENEMENTS, HEREDITAMENTS AND APPURTENANCES THEREUNTO BELONGING OR IN ANYWISE APPERTAIN-
ING;

(CONTINUED ON REVERSE SIDE)

Roger D. and Ruth J. Smith
Box 237

Crescent, OR 97733

GRANTOR'S NAME AND ADDRESS

Department of Veterans' Affairs
700 Summer St. NE (Attn: Cecil)
Salem, OR 97310-1201

GRANTEE'S NAME AND ADDRESS

After recording return to:

Department of Veterans' Affairs
700 Summer St. NE
Salem, OR 97310-1201

NAME, ADDRESS, ZIP

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

Department of Veterans' Affairs
700 Summer St. NE
Salem, OR 97310-1201

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.

NAME

TITLE

By _____ Deputy

CLB/KR

SEP 6 1985

SEP 5 1985

14870

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 first deed and further except NONE

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) the whole.

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 thereto by order of its Board of Directors.

Dated 8-31-85, 19 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.

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

STATE OF OREGON, County of Clatsop, ss. The foregoing instrument was acknowledged before me this 31st day of August, 1985, by Roger D. Smith, Notary Public for Oregon.

My commission expires: Oct. 20, 1988

(ORS 194.570)

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

Notary Public for Oregon My commission expires:

(If executed by a corporation, affix corporate seal)

(SEAL)

NOTARY PUBLIC STATE OF OREGON

23585

RECEIVED

APR 1985

14871

A parcel of land situate in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 24 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:
Beginning at a point along the original Southwest line of the land of Jim Erikson, being also a corner common to Crescent Heights Subdivision and E. B. Stumbaugh reserved land, a 5/8" steel rod, from which the NE/16 corner of said Section 30 bears North 72°52'07" East 481.31 feet; thence along two lines with Crescent Heights Subdivision South 38°58'09" West 100.00 feet to a point, a 5/8" steel rod; thence North 77°00'07" West 168.11 feet to a point, a 5/8" steel rod along the East right of way line of U.S. Highway 97 and 50 feet from the centerline thereof; thence along said right of way line, North 15°00'13" East 180.00 feet to a point in a paved driveway, a center-punched railroad spike; thence along two lines as agreed between E. B. Stumbaugh and Jim Erikson: South 55°46'32" East 220.94 feet to a point, a 5/8" steel rod; South 15°00'13" West, parallel to U.S. Highway 97, 10.00 feet to the point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
of September A.D. 19 85 at 12:09 o'clock P M., and duly recorded in Vol. M85
of Deeds on Page 14869
FEE \$3.00
By Evelyn Biehn, County Clerk
[Signature]