

57407

K-38353

ESTOPPEL DEED

Vol. 1486 Page 7 - 937

THIS INDENTURE BETWEEN LONE TREE RANCH, an Oregon Business Trust, hereinafter called Grantor, and FRED G. HESS and EDITH M. HESS, husband and wife, hereinafter called Grantees:

R E C I T A L S:

A. On August 15, 1982, Grantees sold to Grantor, under a Contract of Sale, the following described real property. A Memorandum of Contract of Sale was recorded on September 8, 1982 in Volume M-82 of Deeds at Page 11836, records of Klamath County, Oregon, which Contract is in default an subject to immediate foreclosure.

B. That foreclosure has been commenced in the Circuit Court of the State of Oregon for the County of Klamath entitled "Complaint - Strict Foreclosure of Land Contracts", Case No. 85-803CV.

C. Grantor has requested Grantees to accept an absolute deed of conveyance of said property in satisfaction of the indebtedness and Grantees have acceded to said request.

W I T N E S S E T H:

NOW, THEREFORE, in consideration of the cancellation of the indebtedness evidenced by said Contract of Sale and relinquishment of any claims whatsoever, Grantor does hereby grant, bargain, sell and convey to Grantees the following described property, to-wit:

A parcel of land situated in Sections 20, 21, 28 and 29 in Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, being more particularly described as follows: Beginning at the point of intersection of the Northeastly right-of-way line of State Highway No. 39 (Merrill Hwy) and the section line common to said Sections 28 and 29; thence Northwestly along said Northeastly right-of-way line to the West line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 20; thence Northerly along said West line to the centerline of the U.S.B.R. No. 5 Drain; thence Easterly along said drain to the section line common to said Sections 20 and 21; thence along said section line, S. 0°15'47" E. 53.8 feet, more or less, to the point of intersection of a 30 foot wide and a 20 foot wide road easement, said point of intersection being the Southwest corner of Parcel No. 2 of Minor Land Partition No. 34-82; thence along the centerline of said 20 foot wide road easement, N. 82°24'23" E. 161.50 feet; thence continuing along said centerline N. 55°04'31" E. 20.01 feet to a point on the centerline of the U.S.B.R. No. 5-H Drain; thence Southerly along said centerline of said 5-H Drain the following courses and distances: S. 57°27'52" E. 1202.90 feet to an angle point in said 5-H Drain; S. 8°13'49" W. 720 feet, more or less; S. 8°27'19" W. 864.97 feet; S. 38°35'09" W. 293.19 feet, more or less, to said Northeastly right-of-way line of State Highway No. 39; thence Northwestly along said right-of-way line to the point of beginning.

BRANDSNES & HUFFMAN, P.C.
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
411 PINE STREET
KLAMATH FALLS, OREGON 97601

1. ESTOPPEL DEED

UG JAN 21 PM 1 18

SUBJECT TO: a 30 foot wide road easement, for ingress and egress, over and across the following described centerline: beginning at the intersection of the Northeasterly right-of-way line of State Highway No. 39 (Merrill Hwy) and the West line of said Section 28; thence Northerly along said West line of Section 28 to an aluminum survey cap marking the section corner common to said Sections 20, 21, 28 and 29; thence along the East line of said Section 20, N. 0°15'47" W. 1005.37 feet to a point on the centerline of a 20 foot wide road easement, said point being the Southwest corner of Parcel No. 3 of Minor Land Partition No. 34-82; thence along said 20 foot wide road easement centerline N. 82°24'23" E. 161.50 feet; thence continuing along said centerline N. 55°04'31" E. 20.01 feet to a common point of the above-described parcel and Parcel No. 2 of Minor Land Partition No. 34-82.

ALSO SUBJECT TO: An easement 30 feet wide lying South of and adjacent to the South boundary of the U.S.B.R. #5 Drain, said South boundary of drain being also the Northerly boundary of the above described property. Said easement running from the West boundary of the SE¼SE¼ of Section 20 to the East boundary of the SW¼SW¼ of Section 21, Township 40 South, Range 10.E.W.M.

The Grantor covenants that by this conveyance it is conveying all its right, title and interest to said premises, including but not limited to any redemption rights and that it is not acting under any misrepresentations, duress or undue influence by Grantees.

The true and actual consideration for this transfer is cancellation of the debt in the above-described .

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.

IN WITNESS WHEREOF the Grantor above-named has executed this instrument.

DATED this 14 day of JANUARY, 1986
~~December, 1985.~~

LONE TREE RANCH, an Oregon
Business Trust

By: Keith E. McClung Trustee

STATE OF OREGON) January
) ss. December 14th, 1985.
County of Klamath)

Personally appeared the above-named KEITH MCCLUNG, authorized representative of ~~Grantor~~, and acknowledged the foregoing instrument to be his voluntary act. Before me:

let.
BRANDNESS & HUFFMAN, P.C.
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
411 PINE STREET
KLAMATH FALLS, OREGON 97601

Barbara L. Truster
Notary Public for Oregon
My Commission Expires: 2-5-89

2. ESTOPPEL DEED
85-12-12c

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 21st day
of January A.D. 19 86 at 1:18 o'clock P.M., and duly recorded in Vol. 386
of _____ Deeds on Page 297

FEE \$9.00

Evelyn Biehn, County Clerk
By Barbara L. Truster