

OA

63916

ESTOPPEL DEED

THIS INDENTURE between KATHLEEN COLAHAN KAMAHAKU
hereinafter called the first party, and RAYMOND R. COLAHAN
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. _____ at page _____ 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 \$ 40,000.00, 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:

Township 37 South, Range 11 East of the Willamette Meridian
Section 31: SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 3).

SUBJECT TO all reservations, restrictions, easements and rights of way of record or apparent on the ground, including that certain indebtedness to the Federal Land Bank of Spokane and real property taxes thereon.

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

(CONTINUED ON REVERSE SIDE)

Kathleen Kamahaku 11206 N.E. 232nd Avenue Vancouver, WA 98662 <small>GRANTOR'S NAME AND ADDRESS</small>	
Ross Colahan P.O. Box 89 Paisley, OR 97636 <small>GRANTEE'S NAME AND ADDRESS</small>	
After recording return to: <u>Raymond</u> Ross Colahan P.O. Box 89 <u>H.C. 64 B4 380</u> Paisley, OR 97636 <small>NAME, ADDRESS, ZIP</small>	
Until a change is requested all tax statements shall be sent to the following address. Ross Colahan P.O. Box 89 Paisley, OR 97636 <small>NAME, ADDRESS, ZIP</small>	

SPACE RESERVED
FOR
RECORDER'S USE

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

12803

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).

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 June 17, 1986

Kathleen Colahan Kamahaku
Kathleen Colahan Kamahaku

NOTARY PUBLIC
STATE OF OREGON, WASHINGTON
County of CLATSOP

(ORS 194.570)

STATE OF OREGON, County of _____
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)

John C. Munier
Notary Public for Oregon
Washington
My commission expires: 11/24/88
(SEAL)

NOTE—The sentence between the symbols Ⓢ, if not applicable, should be deleted. See ORS 93.030.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
of July A.D., 19 86 at 2:06 o'clock P M., and duly recorded in Vol. M86
of Deeds on Page 12802

FEE \$14.00

Evelyn Biehn, County Clerk
By [Signature]