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ESTOPPEL DEED

Vol. 1480 Page 17227

THIS INDENTURE between DEBRA SWEENEY formerly known as DEBRA FONSECA hereinafter called the first party, and DAVID A. MILBRATH and JOAN C. MILBRATH, husband and wife 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. M85 at page 10088 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 \$28,300.00, 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:

Lot 5, Block 37, HOT SPRINGS ADDITION to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

BEYONDING DEVELPMENT TO AERIAL VIEWHOLDERS BEING CHUCK WALKER THE VENDOR'S SALE ON COMPLETION DEPOSITED IN THE INSTRUMENTAL V BOOK SHOULD BE EVIDENTLY NOT BE MADE OF THE DEPOSITED THIS INSTRUMENTAL DOES NOT CONVEYANCE THAT VMA

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

Debra Sweeney
333 West Whitney
Woodlake, California 97206

David and Joan Milbrath
W. 1219 Belwood
Spokane, Washington 99218

After recording return to:
Crane & Bailey
Attorneys at Law
540 Main St., Suite 204
Klamath Falls, Oregon 97601

Until a change is requested all tax statements shall be sent to the following address.
David and Joan Milbrath
W. 1219 Belwood
Spokane, Washington 99218

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. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____ Record of Deeds of said county.

Witness my hand and seal of County affixed.

By _____ Deputy

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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 Trust Deed wherein David Milbrath and Joan C. Milbrath, husband and wife are Grantors and Klamath First Federal Savings & Loan Assn. is Beneficiary recorded 5-22-74 in Vol. M74, P6383

that the first party will warrant and 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 \$ 0-00-

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 thereunto by order of its Board of Directors.

Dated July 28, 1986

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.

Debra Sweeney Fonseca

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

(ORS 194.570)

STATE OF OREGON, County of California)

STATE OF OREGON, County of) ss.

County of Tulare)

Oregon) The foregoing instrument was acknowledged before me this

The foregoing instrument was acknowledged before me this July 28, 1986, by

_____, president, and by _____, secretary of

DEBRA SWEENEY, formerly
DEBRA FONSECA

a _____ corporation, on behalf of the corporation.

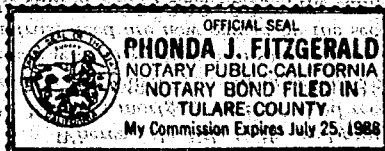
Phonda J. Fitzgerald
Notary Public for Oregon

Notary Public for Oregon

(SEAL) My commission expires: 7-25-1988

(SEAL) My commission expires:

(If executed by a corporation, affix corporate seal)



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 23rd day of September A.D., 19 86 at 3:25 o'clock P. M., and duly recorded in Vol. M86 of _____ Deeds on Page 17227

FEE \$14.00

Evelyn Biehn, County Clerk
By *Phonda J. Fitzgerald*