

ESTOPPEL AFFIDAVIT

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STATE OF OREGON

County of Klamath

ss.

RONALD W. BOENKE and KATHERINE W. BOENKE, being first duly sworn, each for himself and herself, depose and says: That they are the identical parties who made, executed, and delivered that certain deed to LEON R. ANDRIEN and MINNIE R. ANDRIEN, dated the 22 day of May, 1907, conveying the real property described on the attached exhibit "A" situate in Klamath County, Oregon.

That the affiants now are, and at all times herein mentioned, were husband and wife;

That the aforesaid deed is intended to be and is an absolute conveyance of the title to said premises to the grantee named therein, and was not and is not now intended as a mortgage, trust conveyance, or security of any kind; that it was the intention of affiants as grantors in said deed to convey, and by said deed these affiants did convey, to the grantee therein all their right, title and interest absolutely in and to said premises; that possession of said premises has been surrendered to the grantee;

That in the execution and delivery of said deed affiants were not acting under any misapprehension as to the effect thereof, and acted freely and voluntarily and were not acting under coercion or duress;

That the consideration for said deed was and is the full cancellation of all debts, obligations, costs, and charges secured by that certain deed of trust heretofore existing on said property executed by Southern Oregon Mt. Corp., grantor, to Klamath County Title Co., as Trustee, for Leon R. Andrien and Minnie R. Andrien, as Beneficiary, dated April 7, 1901, and recorded April 8, 1901, in Vol. 9-21, Page 6344, Official Records of Klamath County, Oregon, and assumed by Ronald W. Boenke and Katherine W. Boenke by that certain exemption of trust deed dated January 22, 1902, and the reconveyance of said property under said deed of trust; that at the time of making said deed, affiants believed and now believe that the aforesaid consideration therefor represents the fair value of the property so deemed;

This affidavit is made for the protection and benefit of the grantee in said deed, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described, and particularly for the benefit of Klamath County Title Co. which is about to issue the title to said property in reliance thereon, and any other title company which may hereafter issue the title to said property;

1. 8976

That officers, and each of them, will testify, declare, depose, or certify before any competent tribunal, officer, or person, in any case now pending or which may hereafter be instituted, as to the truth of the particular facts hereinabove set forth.

Ronald A. Buckle
RONALD A. BUCKLE

Katherine H. Buckle
KATHERINE H. BUCKLE

SUBSCRIBED and SWORN to before me this 22nd day of May, 1937.



Katherine H. Buckle
NOTARY PUBLIC FOR NEW YORK
My Commission Expires: 4-21-38

The following described real property situate in Clatsop County, Oregon, to-wit:

Exhibit "A"

8977

Beginning at an iron pin on the northerly right-of-way line of the County Road known as Billyard Avenue, 30 feet northerly and at right angles from the center line of Billyard Avenue, this point of beginning being North 89°55' West, a distance of 30 feet and North 89°55' East a distance of 774.1 feet from the iron pin which marks the quarter corner common to Sections 1 and 12, T. 29 S., R. 9 E.W.M., and running thence North 43°51' East a distance of 154 feet, more or less, to a point on the southerly boundary line of the Dalles-California Highway, thence North 45°9' West along the southerly right-of-way line of the Dalles-California Highway a distance of 352.6 feet, more or less, to a point; thence South 29°45' West a distance of 322 feet to a point; thence North 29°45' West a distance of 152.6 feet, more or less, to the southerly right-of-way line of Billyard Avenue; thence North 89°55' East along the northerly right-of-way line of said Billyard Avenue a distance of 260 feet, more or less, to the point of beginning. Excepting therefrom that portion granted to the State of Oregon by and through its State Highway Commission as recorded on January 13, 1972, Vol. W-72, Page 479, Microfilm Records of Clatsop County, Oregon.

Subject to acreage and use limitations under provisions of the United States Statutes and regulations issued thereunder; liens and assessments of Clatsop Project and Enterprise Irrigation District and regulations, contracts, assessments, and easements to the California Oregon Power Company, recorded June 11, 1957, in Deed Volume 292, Page 286, Records of Clatsop County, Oregon, subject to limited access, including the terms and provisions contained in Deed recorded January 13, 1972, Vol. W-72, Page 479, Microfilm Records of Clatsop County, Oregon, subject to reservations, restrictions and easements as contained in Deed recorded January 13, 1972, Vol. W-72, Page 479, Microfilm Records of Clatsop County, Oregon.

WHEN RECORDED MAIL TO:

SEACOMINI, JAMES & TROTMAN
ATTORNEYS AT LAW
635 MAIN STREET
CLATSOP FALLS, OREGON 97601

STATE OF OREGON

County of Clatsop ss:
I certify that the within
instrument was received for record
on the 19th day of May,
19 72, at 5:10 o'clock P.M., and
recorded in book 100 or as filing fee number
100
Records of Deeds of said County.
Witness my hand and seal of
County office.

Robert H. Smith
County Clerk
By: R. H. Smith State
Deputy

Fee: \$13.00