

After recording, please return to:
Atty Richard L. Fredericks
P.O. Box 296
Oakridge, OR 97463

Send tax statements to:
Mr. & Mrs. Bert E. Davis
P.O. Box 1226
Oakridge, OR 97463

78778

ESTOPPEL DEED

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THIS INDENTURE Between TIMOTHY G. WAKEFIELD and ROSE MARIE WAKEFIELD, husband and wife, hereinafter called the first party, and BERT E. DAVIS and IOLA M. DAVIS, husband and wife, hereinafter called the second party.

W I T N E S S E T H :

WHEREAS, the title to the real property hereinafter described is vested in fee simple in the second party, subject to the Land Sale Contract, as per Memorandum of Land Sale Contract recorded in the Klamath County Deed Records, Klamath County, Oregon on Reel No. M 81 (Vol) as Reception No. 7320 page 21220, on the 11th day of December 1981, reference to said records hereby being made, and the Land Sale Contract is now owned by the second party, on which Land Sale Contract and indebtedness there is now owing and unpaid the sum of \$150,000.00 plus accrued interest, the same being now in default and said Land Sale Contract 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 for cancellation of the Land Sale Contract and indebtedness and the second party does now accede to said request.

NOW THEREFORE, for the consideration hereinafter stated (which includes the cancellation of the Land Sale Contract and indebtedness), 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:

E $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ in Section 30 Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

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

TO HAVE AND TO HOLD the same unto said second party, his heirs, successors and assigns forever.

And the first party, for themselves and their heirs and legal representatives, does covenant to and with the second party,

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its heirs, successors and assigns, that the first party is lawfully seized in fee simple of said property, free and clear of encumbrances except said Land Sale Contract and further except none

forever defend the above ; that the first party will warrant and 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; 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 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 \$ other than money. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

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.

That all moneys heretofore paid by the first party to the second party upon the purchase paid of said property and all improvements made upon said property by the first party belong to the second party, free from all claims of the first party.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE CITY OR COUNTY PLANNING DEPARTMENTS TO VERIFY APPROVED USES.

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IN WITNESS WHEREOF, the first party above named has executed this instrument.

DATED this 28th day of August, 1987.

Timothy G. Wakefield
Timothy G. Wakefield

Rose Marie Wakefield
Rose Marie Wakefield

STATE OF OREGON)
Lane Klamath) ss
County of Dave)

28th The foregoing instrument was acknowledged before me this day of August, 1987, by

Timothy G. Wakefield and ~~Rose Marie Wakefield~~
to be their voluntary act and deed.

WINNIE J. WEST
NOTARY PUBLIC - OREGON

My Commission Expires

Winnie J. West
Notary Public for Oregon
My Commission expires: 6/30/89

STATE OF OREGON,

County of Deschutes } ss.

FORM NO. 23 — ACKNOWLEDGMENT
STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

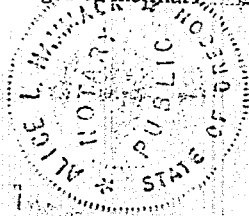
BE IT REMEMBERED, That on this 17th day of April, 1987, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Rose Marie Wakefield

known to me to be the identical individual.... described in and who executed the within instrument and acknowledged to me that She executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Alice L. Hassman
Notary Public for Oregon.

My Commission expires 1-19-90



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Richard L. Fredericks Attorney at Law the 1st day of September A.D. 19 87 at 11:38 o'clock A M., and duly recorded in Vol. M87 of Deeds on Page 15828

FEE \$18.00

Evelyn Biehn County Clerk

By Sam Smith