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ESTOPPEL DEED

Vol 1183 Page 63

MTG-1396-1308
THIS INDENTURE between HENRY L. MILNER & LINDA L. MILNER
hereinafter called the first party, and JAMES V. BRUNSCHEID & YOSHIKO BRUNSCHEID
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. M-81 at page 21346 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 \$6,779.57, 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 1, Block 3, STEWART, in the County of Klamath, State of Oregon.

Klamath County Tax Account #3909-07CA-2800.

COOKIA GIVING HIS DEPOSITION TO ALEBIA V. BOARD DATED NOVEMBER FIFTEEN THIRTY EIGHT, HE SAYS THAT HE IS AN OLDER MAN, OVER SEVEN FEET TALL, WITH DARK HAIR, AND THAT HE IS A COOK.

IN WITNESS WHEREOF, the first party, whose signature appears below, has affixed her name to this instrument, the second party having executed this instrument under seal, at the place and date first above written, and the second party has acknowledged the execution of this instrument before me this twenty-second day of November, nineteen hundred and eighty-five.

I, HENRY L. MILNER, do hereby declare that I have read the foregoing instrument and that it is my desire that it be recorded in the office of the recorder of deeds of the county whereof it is executed, and that I will cause the same to be so recorded.

I further declare that I am the owner of the property described in the foregoing instrument and that I am the person who signed the instrument.

I further declare that I am the person who signed the instrument and that I am the person who signed the instrument.

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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.

By _____ Deputy

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 PROPERTY TAXES OWING AGAINST PROPERTY for years 1985-86, 1986-87 & 1987-88.

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 \$ -0-.
 However, the actual consideration consists of or includes other property or value given or promised which is reported the whole consideration (indicate which).
 (Indicate the amount of consideration given or promised)

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 December 28, 1987.

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 APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

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

STATE OF OREGON, WASHINGTON
KITSAP COUNTY, WASHINGTON) ss.

County of KITSAP) ss.

The foregoing instrument was acknowledged before me this 28th day of December, 1987, by
HENRY L. MILNER & LINDA L. MILNER

X Henry L. Milner

X Linda L. Milner

HENRY L. MILNER

LINDA L. MILNER

(ORS 194.570)

STATE OF OREGON, County of ss.

The foregoing instrument was acknowledged before me this

, 19 , by

president, and by

secretary of

corporation, on behalf of the corporation.

Notary Public for Oregon

Notary Public for Oregon

My commission expires:

My commission expires:

(SEAL)

(If executed by a corporation, affix corporate seal)

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Company the 4th day of January 1988 at 2:40 o'clock P.M., and duly recorded in Vol. M88 on Page 63.

FEE \$15.00

Evelyn Biehn, County Clerk

By Pam Smith