

OK

83832

ESTOPPEL DEED

Vol. M88 Page 1265



THIS INDENTURE between ARTHUR G. SEARS and LA NELL SEARS and hereinafter called the first party, and EDWARD HETTENHAUSEN & CHARLENE G. HETTENHAUSEN 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/ (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 \$18,107.44, 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 Oregon, to-wit: Klamath County, State of

The Southwesterly 50 feet of Lots 5 and 6 in Block 47 Hillside Addition to the City of Klamath Falls, Oregon, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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

(CONTINUED ON REVERSE SIDE)

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Gloria McConnell
1415 East Main
Klamath Falls, Or 97601

Until a change is requested all tax statements shall be sent to the following address.

Florence McConnell
1415 East Main
Klamath Falls, Ore 97601

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/instrument/microfilm/reception No. _____, Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME

TITLE

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 except as noted of record and those apparent upon the land, if any, as of the date of this deed.

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 \$18,107.44

~~However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration and which is 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. *Edward E. Hettenhausen*

Dated 12-29, 1987

Edward E. Hettenhausen

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.

Charles E. Hettenhausen

Charles E. Hettenhausen

Arthur G. Sears

Arthur G. Sears

LaNell Sears

LaNell Sears

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

STATE OF ~~OREGON~~ CALIFORNIA

County of SAN MATEO

The foregoing instrument was acknowledged before me this DECEMBER 29, 1987, by

EDUARDO E. HETTENHAUSEN AND
CHARLES E. HETTENHAUSEN

John R. Tealot
OFFICIAL SEAL
JOHN R. TEALOT
NOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN
SAN MATEO COUNTY
MY COMMISSION EXPIRES
NOV. 4, 1988

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

John R. Tealot
OFFICIAL SEAL
JOHN R. TEALOT
NOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN
SAN MATEO COUNTY
MY COMMISSION EXPIRES
NOV. 4, 1988

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)

(If executed by a corporation, affix corporate seal)

93878

1502

EXHIBIT "A"

GENERAL ACKNOWLEDGMENT

NO. 201

State of CALIFORNIA }
 County of LOS ANGELES } ss.

On this the 19TH day of JANUARY 1988, before me,

DELORES V. HAUGE,

the undersigned Notary Public, personally appeared

ARTHUR G. SEARS AND LANELL SEARS,

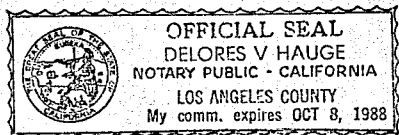
☒ personally known to me

☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged that they executed it.

WITNESS my hand and official seal.

Delores V. Hauge
 Notary's Signature



NATIONAL NOTARY ASSOCIATION • 23012 Ventura Blvd. • P.O. Box 4625 • Woodland Hills, CA 91364

7110 122

Through the courtesy of -

Fidelity National Title
 INSURANCE COMPANY



STATE OF CALIFORNIA)
 County of SAN MATEO) ss.

(Individual Acknowledgment)

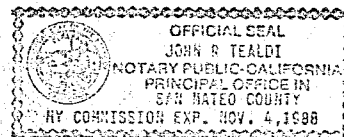
On this 29th day of DECEMBER, in the year 1987, before me, the undersigned, a Notary Public in and for said County and State, personally appeared

EDWARD E. HETTENHAUSEN AND CHARLENE G. HETTENHAUSEN
 personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose names ARE subscribed to this instrument and acknowledged that THEY executed it.

WITNESS my hand and official seal.

John R. Tealdi
 Notary Public in and for said County and State.

CD-15



(Notary Seal)

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Florence McConnell the 27th day
 of January A.D., 19 88 at 10:00 o'clock A M., and duly recorded in Vol. M88
 of Deeds on Page 1265
 Evelyn Biehn, County Clerk

FEE

\$20.00

By Pam Smith