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MTL-20267  
ESTOPPEL DEED

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THIS INDENTURE between Donald Ray Qualls, hereinafter called the first party, and Eleanor I. Nidever hereinafter called the second party;

WITNESSETH:

Whereas, the title to the real property hereinafter described is vested in fee simple in the second party, subject to the lien of a Contract of Sale recorded in the mortgage records of Klamath County, in book M-87 at page 22077 thereof, reference to said records hereby being made, and indebtedness secured by said Contract is now owned by the second party, on which indebtedness there is now owing and unpaid the sum of \$32,060.50, with interest to June 1, 1988, the same being now in default and said 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 in satisfaction of the indebtedness secured by said Contract and the second party does now accede to said request, except as stated herein.

NOW, THEREFORE, for the consideration hereinafter stated (which includes the cancellation of the indebtedness secured by said Contract), the first party does hereby grant, bargain, sell and convey unto the second party, its heirs, successors and assigns, all of the following described real property and mobile home situate in Klamath County, State of Oregon, to-wit:

See Exhibit "A" attached hereto

together with all 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.

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  
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in terms of dollars, is \$0. However, the actual consideration consists of or includes other 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.

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

Dated September 16, 1988.

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.

Donald Ray Qualls

STATE OF OREGON,

COUNTY OF Klamath  
NOTARY PUBLIC

) ss.

The foregoing instrument was acknowledged before me this 16th day of September, 1988, by Robert L. Oliver

NOTARY PUBLIC FOR OREGON

My commission expires: Oct 30 1989

Donald Ray Qualls

P.O. Box 423

Merrill, OR 97633

GRANTOR'S NAME AND ADDRESS

Eleanor I. Nidever

3415 Crest, Space #14

Klamath Falls, OR 97603

GRANTEE'S NAME AND ADDRESS

After recording return to:

BOIVIN & UERLINGS, P.C.

110 N. Sixth, Suite 209

Klamath Falls, OR 97601

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

Mrs. Eleanor I. Nidever

3415 Crest, Space #14

Klamath Falls, OR 97603

## PARCEL 1:

Commencing at a point on the South line of Lot 4, Section 14, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, and which lies West a distance of 104.3 feet from the Southeast corner of said Lot 4, extending thence West along the South line of said Lot 4 a distance of 104.3 feet; thence North at right angles a distance of 208.6 feet; thence East and parallel to the said South line of said Lot 4, a distance of 104.3 feet; thence South a distance of 208.6 feet, more or less, to the point of beginning.

Tax Account No.: Portion of 4110-1400-1000

## PARCEL 2:

The North half of the following described real property:

Commencing at a point on the South line of Lot 4, Section 14, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, which point is a distance of 208.6 feet West from the Southeast corner of said Lot 4; thence West along the South line of said Lot 4 a distance of 208.6 feet; thence North at right angles a distance of 208.6 feet; thence East and parallel to the said South line of said Lot 4 a distance of 208.6 feet; thence South a distance of 208.6 feet, more or less, to the point of beginning.

The above described property being in Section 14, Township 41 South, Range 10 East of the Willamette Meridian.

Tax Account No.: Portion of 4110-1400-1000

## PARCEL 3:

The following described real property in Klamath County, Oregon:

The South half of the following described property:

A portion of Lot 4, Section 14, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at a point on the South line of said Lot 4, Section 14, which lies West 208.6 feet from the Southeast corner of said Lot; thence West along the South line of said Lot 208.6 feet; thence North at right angles 208.6 feet; thence East and parallel to said South line of said Lot 4, 208.6 feet; thence South 208.6 feet, more or less, to the point of beginning.

Tax Account No.: 4110-1400-1100

TOGETHER WITH a certain 1973 Champion Mobile Home bearing Oregon License No. X87474, Vehicle Identification Number 243263S1505, and Oregon Title Number 8526670916.

## Exhibit "A"

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 21st day of Sept. A.D., 19 88 at 3:44 o'clock P.M., and duly recorded in Vol. M88, of Deeds on Page 15650.  
 Evelyn Biehn - County Clerk  
 By Pauline Mullendore

FEE \$18.00