

## ESTOPPEL DEED

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THIS INDENTURE between GREGORY T. RANDOLPH and SHERRIE L. RANDOLPH, hereinafter called Grantors, and CLARENCE C. LUTHER and LUCILE E. LUTHER, hereinafter called Grantees;

## WITNESSETH:

WHEREAS, the title to the real property hereinafter described is vested in Grantees, subject to a agreement dated June 11, 1987, wherein Grantors were purchasers, a memorandum of which is recorded in the deed records of Klamath County, Oregon, in Book M38 at page 2175 thereof, reference to said records hereby being made, and said agreement being now in default and subject to immediate foreclosure; and,

WHEREAS, the Grantors, being unable to pay the same, have requested the Grantees to accept an absolute deed of conveyance of said property in satisfaction of the indebtedness secured by said agreement dated June 11, 1987, and the Grantees do now accede to said request;

NOW, THEREFORE, for the consideration hereinafter stated, the Grantors do hereby grant, bargain, sell and convey unto the Grantees, their heirs, successors and assigns, all of the following described real property situate in Lake County, Oregon, to-wit:

That portion of the S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$  and N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 13, Township 37 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, located North of the Fishole Road No. 379.

together with the 1978 Homet mobile home and all other improvements located thereon along with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

TO HAVE AND TO HOLD the same unto said Grantees, their heirs, successors and assigns forever.

And the Grantors, for themselves and their heirs and legal representatives, do covenant to and with the Grantees, their heirs, successors and assigns, that the Grantors have an interest in said property as the purchasers under the agreement dated June 11, 1987; that this deed is intended as a conveyance, absolute in legal effect as well as in form, of the interest of Grantors in said property to the Grantees and all redemption rights which the Grantors 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 Grantees; that in executing this deed the Grantors are not acting under any misapprehension as to the effect thereof of under any duress, undue influence, or misrepresentation by the Grantees, or Grantees' representatives, agents or attorneys.

The true and actual consideration paid for this transfer, stated in terms of dollars, is the cancellation of indebtedness pursuant to the terms of said agreement dated June 11, 1987, and the obligations of Grantors thereunder.

IN WITNESS WHEREOF, the Grantors above named have executed this instrument this 16th day of May, 1989.

Gregory T. Randolph  
GREGORY T. RANDOLPH  
Sherrie L. Randolph  
SHERRIE L. RANDOLPH

STATE OF OREGON, )  
Klamath ) ss.  
County of ~~XXXX~~.

On this 16th day of May, 1989, personally appeared before me the above-named GREGORY T. RANDOLPH and SHERRIE L. RANDOLPH, and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary Public for Oregon  
My Commission Expires: 8/8/90

Until a change is requested, all tax statements should be sent to the following address:

Clarence C. & Lucile E. Luther  
Rt. 5, Box 112 Witt Drive  
El Dorado Springs, MO 64744

STATE OF OREGON, )  
County of Klamath ) ss.

Filed for record at request of:

Clarence Luther  
on this 17th day of May A.D., 19 89  
at 11:06 o'clock A M. and duly recorded  
in Vol. M89 of Deeds Page 8563  
Evelyn Biehn  
County Clerk  
By Clarence C. Luther

Fee, \$8.00

Deputy.

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