

5980

Vol. m89 Page 18679

STATUTORY SPECIAL WARRANTY DEED
IN LIEU OF FORECLOSURE

KNOW ALL PERSONS BY THESE PRESENCE that ALVERNA J. ROARK, grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell, convey and specially warranty unto KENNETH H. KINSMAN and LINDA L. KINSMAN, husband and wife, herein grantee, and unto grantee's successors and assigns, all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining and free of encumbrances created or suffered by grantor except as specifically set forth herein, situated in Klamath County, Oregon, and more particularly described as follows:

Lot 37, Block 125, MILLS ADDITION TO THE CITY OF
 KLAMATH FALLS, in the County of Klamath, State of
 Oregon

The real property is subject to the following-described encumbrances: Those of record and apparent on the ground.

This deed is absolute in effect and conveys fee simple title of the premises above-described to the grantee and does not operate as a mortgage, trust, conveyance or security of any kind.

This deed does not effect a merger of the fee ownership and the liens of the contract in favor of the grantee as follows:

Contract, including the terms and provisions thereof:
 Vendor: Kenneth H. Kinsman and Linda L. Kinsman,
 husband and wife
 Vendee: Clifford Honeycutt and Patricia Honeycutt,
 husband and wife
 Dated: March 19, 1979
 Recorded: March 21, 1979
 Book: M-79
 Page: 6403

The Vendees interest in said contract was assigned by instrument:
 To: Alverna J. Roark
 Recorded: September 30, 1985
 Book: M-85
 Page: 15854

The fee and liens shall hereafter remain separate and distinct.

Grantor herein is not under any misapprehension as to the effect of this deed nor under any duress, undue influence or misrepresentation by grantee, its agents, attorneys or any other person.

By acceptance of this deed, grantee covenants and agrees that it shall forever forebear taking any action whatsoever to collect against grantor contract hereinabove described other than by foreclosure of such contract and that in any proceeding to foreclose such contract it shall not seek or obtain a deficiency judgment against grantor, its officers, directors, successors or assigns, such rights and remedies being hereby waived.

Grantor does hereby waive, surrender, convey and relinquish any equity of redemption and statutory rights of redemption concerning the real property the subject hereof.

89 OCT 3 PM 3 30

The true and actual consideration for this transfer is other value given, including without limitation grantee's waiver of its rights to a deficiency judgment as to the above-mentioned mortgages.

THIS INSTRUMENT DOES NOT GUARANTY THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED ON THIS INSTRUMENT. THE BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

In construing this deed and where the context so requires, the singular includes the plural and grammatical changes shall be applied to make the provisions apply equally to corporations and individuals.

Until a change is requested, all tax statements are to be sent to the following address: Kenneth H. Kinsman and Linda L. Kinsman, 6007 Henley Road, Klamath Falls, Oregon 97603.

IN WITNESS WHEREOF, the grantor has executed this instrument this 22 day of September, 1989.

Alverna J. Roark
Alverna J. Roark AP

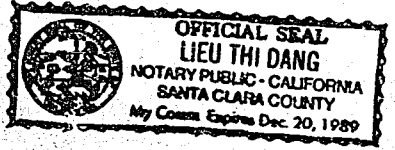
STATE OF CALIFORNIA)
County of SANTA CLARA) ss.

PERSONALLY APPEARED BEFORE ME the above-named Alverna J. Roark, and acknowledged the foregoing instrument to be her voluntary act and deed.

Lieu Thi Dang
NOTARY PUBLIC FOR _____
My Commission expires: September 22, 1989

After recording return to:

Mike Ratliff
PARKS & RATLIFF
228 North 7th Street
Klamath Falls OR 97601



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Parks & Ratliff the 3rd day of Oct. A.D., 19 89 at 3:30 o'clock PM., and duly recorded in Vol. M89 of Deeds on Page 18679.

FEE \$13.00

Evelyn Biehn County Clerk
By Raulin Muelendore

STATUTORY SPECIAL WARRANTY DEED
IN LIEU OF FORECLOSURE