

6603

ASPE N 33981
ESTOPPEL DEED

Vol. m49 Page 19861

THIS INDENTURE between CLAUDE W. DUKE AND NORMA JEAN DUKE
hereinafter called the first party, and LAWRENCE A. BEEBY AND SUSAN E. BEEBY
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-88 at page 3112 thereof or as fee/file/instrument/microfilm/reception No. 84937 (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 \$ 40,000.00, 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, second party's heirs, successors and assigns, all of the following described real property situate in OREGON County, State of OREGON, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN AS IF SET FORTH AT LENGTH.

TO HAVE AND TO HOLD unto the said second party, second party's heirs, successors and assigns, together with all of the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, unto the said second party, second party's heirs, successors and assigns, forever.

CLAUDE AND NORMA JEAN DUKE
2989 PIONEER HILL ROAD
PLACERVILLE, CA 95667

GRANTOR'S NAME AND ADDRESS
LAWRENCE A. AND SUSAN E. BEEBY
P.O. BOX 448
OLATHE, CO 81425

GRANTEE'S NAME AND ADDRESS
LAWRENCE AND SUSAN E. BEEBY
P.O. BOX 448
OLATHE, CO 81425

NAME, ADDRESS, ZIP
LAWRENCE AND SUSAN E. BEEBY
P.O. BOX 448
OLATHE, CO 81425

STATE OF OREGON,
County of _____

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

Witness my hand and seal of _____ County affixed.

By _____ NAME _____ TITLE _____ Deputy

TO HAVE AND TO HOLD the same unto said second party, second party's heirs, successors and assigns forever. And the first party, for first party and first party's heirs and legal representatives, does covenant to and with the second party, second party's 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 PAST DUE PROPERTY TAXES THAT THE SECOND PARTY SHALL PAY

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. *PLUS PAST DUE REAL PROPERTY TAXES

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 40,000.00*

11. The transfer, stated in terms of dollars, is \$ 40,000.00.

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 pronoun includes the plural and that 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 and its seal affixed by an officer duly authorized thereto by order of its Board of Directors.

Dated AUGUST 28, 1989

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.

CLAUDE W. DUKE
NORMA JEAN DUKE

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

STATE OF ~~OREGON~~ CALIFORNIA, } ss.
County of EL DORADO

County of EL DORADO

This instrument was acknowledged before me on

This instrument was acknowledged before
AUGUST 28, 1985, by
CLAUDE W. NORMAN
DUKE

Notary Public for Oregon
NOTA CALIFORNIA

(SEAL) My commission expires: 3-30-90

STATE OF ~~OREGON~~ CALIFORNIA,) ss
County of _____)

County of

This instrument was acknowledged before me on
19..... by

AS

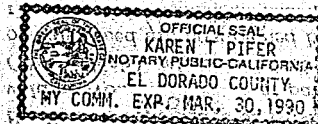
of

Notary Public for ~~OF THE~~ CALIFORNIA

My commission expires:

(SEAL)

NOTE—The sentence between the symbols ①, if not applicable, should be deleted. See ORS 93.030.



APPROXIMATELY 100 TO 125 TONS OF BOMBS WERE DESTROYED IN A SERIES OF TESTS CONDUCTED IN THE FIRST QUARTER OF 1964. APPROXIMATELY 100 TO 125 TONS OF BOMBS WERE DESTROYED IN A SERIES OF TESTS CONDUCTED IN THE FIRST QUARTER OF 1964.

OUR INDEPENDENT PUNERS

INVASIVE AL. BROWN AND WHITE F. L. 1953
CLAYTON AL. BROWN AND WHITE F. L. 1953

210445

AD 070 1589

19863

NE $\frac{1}{4}$ NW $\frac{1}{4}$, and part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ lying West of the Sycan River, in Section 6, Township 35 South, Range 12 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

Subject, however, to the following:

1. Reservations, terms and provisions thereof, as set forth in deed from United States of America to Jonathan M. Crume, et al., dated April 3, 1959, recorded April 14, 1959, in Deed Volume 311 at page 515, Records of Klamath County, Oregon.
2. Rights of the public and of Governmental bodies in and to any portion of the herein described property lying below high water mark of the Sycan River.
3. No liability is assumed if a financing statement is filed in the office of the County Clerk covering growing crops of fixtures wherein the land is described other than by metes and bounds, the rectangular survey system, or by recorded lot and block.
4. The rights of the public in and to any portion of the herein describe property lying within the limits of roads and highways.
5. Subject to a 60 foot wide easement for road along the Southerly boundary of the N $\frac{1}{2}$ N $\frac{1}{2}$ West of the Sycan River as set forth in Warranty Deed recorded August 18, 1964 in Deed Volume 355 at page 398.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 18th day
of Oct. A.D., 19 89 at 3:34 o'clock P M., and duly recorded in Vol. M89,
of Deeds on Page 19861.
By Evelyn Biehn County Clerk
Pauline Mullendore

FEE \$18.00

EXHIBIT "A"