

17841

ESTOPPEL DEED

MTC 1396-2141 Vol. 1390 Page 14493

**THIS INDENTURE** between John F. Vaughn, Sr. & Betty Sue Vaughn, Husband and Wife  
hereinafter called the first party, and Shamrock Development Co.  
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. M90 at page 3779 thereof or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_ (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 \$ 21,000, 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 Klamath County, State of Oregon, to-wit:

Lot 18 Block 2 - Tract 1082 - Cedar Trails

According to the official plat there of 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)

John F. Vaughn, Betty Sue Vaughn  
10805 Woodley Ave.  
Granada, Hills, CA. 91344  
GRANTOR'S NAME AND ADDRESS

Shamrock Development Co.  
2250 Ranch Rd.  
Ashland, Oregon 97501  
GRANTEE'S NAME AND ADDRESS

After recording return to:

Shamrock Development  
2250 Ranch Rd  
Ashland, Oregon 97501  
NAME, ADDRESS, ZIP

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

NAME, ADDRESS, ZIP

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.

By \_\_\_\_\_ Deputy

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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 NONE

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 \$ 1.00  
However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which).<sup>⓪</sup>

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.

Dated 7/6, 1990

*John L. Vaughn*  
*Betty Sue Vaughn*

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.

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

STATE OF OREGON, ) ss.  
County of \_\_\_\_\_  
The foregoing instrument was acknowledged before me this \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_

(ORS 194.570) ) ss.  
STATE OF OREGON, County of \_\_\_\_\_  
The foregoing instrument was acknowledged before me this \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_, president, and by \_\_\_\_\_, secretary of \_\_\_\_\_ corporation, on behalf of the corporation.

(SEAL) Notary Public for Oregon  
My commission expires: \_\_\_\_\_

Notary Public for Oregon (SEAL)  
My commission expires: \_\_\_\_\_  
(If executed by a corporation, affix corporate seal)

NOTE—The sentence between the symbols ⓪. If not applicable, should be deleted. See ORS 93.030.

after recording return to:  
Shamrock  
2250 Ranch Rd.  
Ashland, OR 97520

14495

NO. 201

## GENERAL ACKNOWLEDGMENT

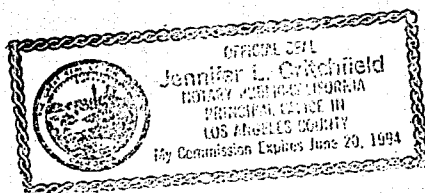
State of California  
County of Los Angeles } ss.

On this the 16<sup>th</sup> day of July 19 90, before me,

Jennifer L. CRITCHFIELD

the undersigned Notary Public, personally appeared

JOHN F. VAUGHN AND BETTY SUE VAUGHN



☐ 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.

[Signature]  
Notary's Signature

ATTENTION NOTARY: Although the information requested below is **OPTIONAL**, it could prevent fraudulent attachment of this certificate to another document.

THIS CERTIFICATE  
MUST BE ATTACHED  
TO THE DOCUMENT  
DESCRIBED AT RIGHT:

Title or Type of Document \_\_\_\_\_

Number of Pages \_\_\_\_\_

Date of Document \_\_\_\_\_

Signer(s) Other Than Named Above \_\_\_\_\_

NATIONAL NOTARY ASSOCIATION • 8236 Remmet Ave. • P.O. Box 7184 • Canoga Park, CA 91304-7184

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MOUNTAIN TITLE COMPANY, has recorded this  
instrument by request as an accommodation only,  
and has not examined it for regularity and sufficiency  
or as to its effect upon the title to any real property  
that may be described therein.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co the 20 day  
of July A.D., 19 90 at 11:59 o'clock a M., and duly recorded in Vol. M90  
of deeds on Page 14492

Evelyn Biehn County Clerk  
By Bernetha L. Ketch

FEE 38.00