

39788

MTC 26903
ESTOPPEL DEED

Vol. m92 Page 798

JOSEPH C. DELANEY

THIS INDENTURE between hereinafter called the first party, and ROBERT F. PARKER AND GOLDA E. PARKER, HUSBAND AND WIFE 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. M91 at page 17591 * thereof or as fee/file/instrument/microfilm/reception No. 34069 (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 \$ 21,251.45, 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 KLAMATH County, State of Oregon, to-wit:

Lot 9 and all of Lot 10 EXCEPT 10 feet along the side thereof adjoining the full length of Lot 11, all in Block 5 of CHILOQUIN DRIVE ADDITION to the City of Chiloquin, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

*Subsequently assigned to Robert F. and Golda Parker, or the survivor thereof, by instrument recorded in Volume M91 at Page 17593, Microfilm Records of Klamath County, Oregon.

together with all of the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

(CONTINUED ON REVERSE SIDE)

Joseph C. Delaney
P.O. Box 691
Chiloquin, OR 97624
GRANTOR'S NAME AND ADDRESS

Robert and Golda Parker
3950 Homedale Sp. 80
Klamath Falls, OR 97603
GRANTEE'S NAME AND ADDRESS

After recording return to:

Robert and Golda Parker
3950 Homedale Sp. 80
Klamath Falls, OR 97603
NAME, ADDRESS, ZIP

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

Robert and Golda Parker
3950 Homedale Sp. 80
Klamath Falls, OR 97603
NAME, ADDRESS, ZIP

STATE OF OREGON, } ss.
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 _____ 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, 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 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 \$ in lieu of reclosure. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which).

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 January 13, 19 92

Joseph C. Delaney (Signature) Joseph C. Delaney

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 and affix corporate seal.)

STATE OF OREGON,) County of Klamath) ss. This instrument was acknowledged before me on January 13, 19 92, by Joseph C. Delaney

STATE OF OREGON,) County of) ss. This instrument was acknowledged before me on 19, by as of

William K. Galita (Signature) Notary Public for Oregon

Notary Public for Oregon

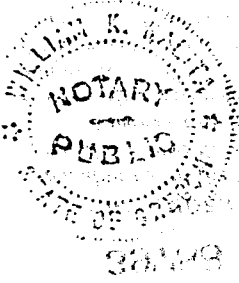
(SEAL)

My commission expires: 12/25/92

My con STATE OF OREGON, County of Klamath ss.

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

Filed for record at request of:



Mountain Title Co. on this 14th day of Jan. A.D., 19 92 at 3:35 o'clock P.M. and duly recorded in Vol. M92 of Deeds Page 798 Evelyn Biehn County Clerk By (Signature) Deputy.

Fee, \$33.00