

40114

ESTOPPEL DEED

Vol. 1379 Page 1379

THIS INDENTURE between Merrie Jacqueline Morin Hall  
 hereinafter called the first party, and Durward L. Boyles  
 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~~ volume No. M90 at page 21940 thereof or as ~~file~~ file instrument/~~file~~ reception No. 21942 (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 \$ 42,321.38, 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:

SEE ATTACHED EXHIBIT 1

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

(CONTINUED ON REVERSE SIDE)

Merrie Jacqueline Morin Hall

HC 52 Box 588 C

Coos Bay, OR 97420

GRANTOR'S NAME AND ADDRESS

Durward L. Boyles

3411 Baldy View Lane

Springfield, OR 97477

GRANTEE'S NAME AND ADDRESS

Return:

Diment, Billings &amp; Walker

Sedde Hotel Bldg.

767 Willamette St. #208

Eugene, Or. 97401

If a change is requested all tax statements shall be sent to the following address:

Durward L. Boyles

3411 Baldy View Lane

Springfield, OR 97477

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 \_\_\_\_\_ TITLE Deputy

3300

1380

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 all encumbrances or easements of record

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 \$ 42,321.38

① However, the actual consideration paid for this transfer, stated in terms of dollars, is \$ 42,321.38

*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 name to be signed and its seal affixed by an officer or other person duly authorized to do so by order of its board of directors.

Dated January, 1992

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.

THE WINNING EQUATION

STATE OF OREGON, County of Coos ) ss

This instrument was acknowledged before me on January 20, 1992

by Merrie Jacqueline Morin Hall

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

by .....

89

[illegible]

**Notary Public for Oregon**

My commission expires Nov. 23, 1992

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



40779

ZIGLIDIS 2699

ACCT 101-01

DESCRIPTION OF PROPERTY

The following described real property situated in Klamath County, Oregon:

## PARCEL 1:

A rectangular portion of the NE1/4 SW1/4 of Section 17, Township 24 South, Range 7 East of the Willamette Meridian, more particularly described as follows:

Commencing at a point where the North-South center line of said Section 17 intersects the Northeasterly line of the highway right-of-way of Oregon State Highway 58; then along said Northeasterly line of said right-of-way in a generally Northwesterly direction, a distance of 650 feet to a point which is the true point of beginning; thence at right angles to said highway right-of-way line in a generally Northeasterly direction 250 feet to a point, thence at right angles to said last course and in a generally Northwesterly direction a distance of 300 feet to a point; thence at right angles to said last course, and in a generally Southwesterly direction 250 feet, more or less, to the said Northeasterly right-of-way line of said Oregon State Highway 58; thence along said Northeasterly line of said right-of-way in a generally Southeasterly direction, a distance of 300 feet, more or less, to the point of beginning.

## PARCEL 2:

A portion of the N1/4 SW1/4 of Section 17, Township 24 South, Range 7 East of the Willamette Meridian, more particularly described as follows:

Commencing at a point where the North-South center line of said Section 17 intersects the Northeasterly line of the highway right-of-way of Oregon State Highway 58; thence along said Northeasterly line of said right-of-way in a generally Northwesterly direction, a distance of 1300 feet to a point which is the true point of beginning; thence at right angles to said highway right-of-way line in a generally Northeasterly direction 250 feet to a point, thence at right angles to said last mentioned course and in a generally Southeasterly direction, 350 feet to a point; thence at right angles to said last mentioned course, and in a generally Southwesterly direction 250 feet, more or less, to said Northeasterly right-of-way line of said Oregon State Highway 58; thence along said Northeasterly line of said right-of-way in a generally Northwesterly direction, a distance of 350 feet, more or less, to the point of beginning.

STATE OF OREGON, ss.  
County of Klamath

Filed for record at request of:

Diment, Billings  
on this 23rd day of Jan. A.D., 19 92  
at 9:36 o'clock A M. and duly recorded  
in Vol. M92 of Deeds Page 1379  
Evelyn Biehn, County Clerk  
By Caroline Muelandere  
Deputy.

Fee, \$38.00

**EXHIBIT /**  
**PAGE / OF /**