

STATE OF OREGON
CLERK OF COURT

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR KLAMATH COUNTY

1992 APR 16 AM 10:59

BRUCE M. STRAMPE and SUSAN R.
STRAMPE,

CLERK OF COURT

Case No. 9101646 CV

Plaintiffs, BY

SUPPLEMENTAL
DECREE

vs.

EDNA GAYLE MCINTOSH, aka EDNA
GAYLE HENDERSON,

Defendant.

This matter having come before the Court upon the Motion of the Plaintiffs for the entry of a Supplemental Decree and the Court finding:

1. That on February 17, 1992, the Court entered an Interlocutory Decree which Ordered Defendant Gayle McIntosh to specifically perform the obligations set forth in Trial Exhibit No. 7, Oregon Association of Realtors Sale Agreement and Earnest Money Agreement signed by the Defendant on January 9, 1991, by signing all documents, including closing statements, FHA forms, Deed and Closing Escrow Instructions, which are necessary to consummate the sale of the subject property to the Plaintiffs;
2. That on March 17, 1992, Aspen Title & Escrow, Inc. attempted to deliver the documents necessary to consummate the sale of the property to the office of Scott D. MacArthur, Attorney for Defendant, but that Attorney MacArthur refused to accept said documents;
3. That, thereafter, at the request of attorney Scott D. MacArthur, on March 17, 1992, Aspen Title & Escrow, Inc. caused said documents to be mailed to the office of Carlyle F. Stout, III, of attorneys for Defendant;

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1 4. That as of the date of the Affidavit of Marlene
2 Addington, the necessary documents had not been returned to the
3 Title Company by the Defendant;

4 5. That the Interlocutory Decree provided in part that if
5 the Defendant failed to comply with the said Decree by signing and
6 returning the documents to the Escrow Closing Agent within
7 fourteen (14) days after the documents were delivered to
8 Defendant's Attorney, Scott D. MacArthur, the Plaintiffs could
9 apply to this Court for a further Decree of the Court specifying
10 the documents requiring Defendant's signature and providing that
11 such further Decree shall be equivalent to the signature of the
12 Defendant;

13 6. Based on the foregoing findings, the Court finds that the
14 Plaintiffs are entitled to the entry of the Supplemental Decree
15 specifying the documents requiring the Defendant's signature,
16 which are necessary to consummate the subject transaction.

17 THEREFORE, it is hereby ORDERED, ADJUDGED and DECREED as
18 follows:

19 A. This Decree shall be deemed to be equivalent to the
20 execution and signature of the Defendant Edna Gayle McIntosh, who
21 is also known as Edna Gayle Henderson, on the following documents,
22 copies of which are attached hereto and incorporated herein by
23 this reference:

24 1. Aspen Title & Escrow, Inc. Escrow Instructions dated
25 March 17, 1992;

26 2. Sellers' Estimated Closing Statement;

3. Aspen Title & Escrow, Inc. Second Amended Preliminary Title Report, which is hereby deemed read, accepted and approved, and a copy thereof acknowledged by said Defendant;

4. Warranty Deed dated March 16, 1992;

5. Aspen 01036045 Affidavit entitled Statement Under Oath Regarding Possession, Repairs, Alterations and New Construction;

6. U.S. Department of Housing and Urban Development Form No. OMB 2502-0265;

7. Addendum to HUD-1 Settlement Statement;

8. Amendment to Sales Contract and Mortgagor's Certificate;

9. Plaza Mortgage Sweat Labor Form;

10. Information for Real Estate 1099-B Report Filing;

11. Interest Bearing Account Letter; and

12. Payer's Request for Taxpayer Identification Number.

B. This Decree shall be effective to convey to the Plaintiffs Bruce M. Strampe and Susan R. Strampe, husband and wife, Grantees, the Estate in fee simple of Edna Gayle McIntosh, who is also known as Edna Gayle Henderson in the following described property to-wit:

The N1/2 NW1/4 NW1/4 of Section 16, Township 39S., Range 8 E.W.M., and the N1/2 NE1/4 NE1/4 of Section 17, Township 39S., Range 8 E.W.M. in the County of Klamath, State of Oregon.

Dated this 15th day of April, 1992.

Donald A. W. Piper
Donald A. W. Piper, Circuit Court Judge

William M. Ganong, OSB No. 78213
Attorney for Plaintiffs
635 Main Street
Klamath Falls, OR 97601

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Report, which is hereby deemed read, adopted and approved.
 and a copy thereof acknowledged by said defendant.
 Defendant's Deed dated March 16, 1992.
 Defendant's Affidavit entitled "Statement Under Oath"
 regarding the transaction, repairs, alterations and new construction,
 the Department of Housing and Urban Development Form No.

Defendant's Affidavit;
 Affidavit for Sales Contract and Mortgage in Conjunction
 with the Mortgage Note and Deed.
 Affidavit for Best Estate 1992-2 Report, filed.

STATE OF OREGON
 COUNTY OF KLAMATH
 I, LYN G. HARDY, Clerk of the Circuit Court of the County of Klamath,
 do hereby certify that the foregoing copy has been
 compared with the original and that it is a true and correct
 copy of such original as the same appears on the face of the original
 and in my own and official possession.
 WHEREOF, I have hereunto set my hand and
 the seal of said Court, this 20 day of April, 1992.
 LYN G. HARDY, Clerk of Court
 By Cathy Gehring

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Wm. M. Ganong the 21st day
 of April, A.D., 19 92 at 2:53 o'clock P.M., and duly recorded in Vol. M92,
 of Deeds on Page 8536.

FEE \$45.00
 Evelyn Biehn - County Clerk
 By Evelyn Biehn

Return: Robt. B. Downes
 1008 16th Ave. #200
 Fairbanks, Ak. 99701

1008 16th Ave. #200
 Fairbanks, Ak. 99701