

54133

MTZ 27442 ESTOPPEL DEED

Vol. m92 Page 27453

THIS INDENTURE between CLOYD L. BRILEY AND GLORIA F. BRILEY 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. at page thereof and/or as fee/file/instrument/microfilm/reception No. (state which), reference to those records hereby being made, and the notes and indebtedness secured by the mortgage or trust deed are now owned by the second party, by which notes and indebtedness that is how/when/due unpaid the sum of \$111,111.11, the same being now in default and the 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 the property in satisfaction of the indebtedness secured by the mortgage and the second party does now accede to that request.

NOW, THEREFORE, for the consideration hereinafter stated (which includes the cancellation of the notes and indebtedness secured by the 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 situated in Klamath County, Oregon, to-wit:

All that portion of Government Lots 13 and 14, Section 34, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the South 1/4 corner of said Section 34; thence North 89 degrees 54'15" West along the South line of said Section 34, 511.45 feet to the South-east corner of that property recorded in Volume M75, Page 1124, Microfilm Records of Klamath County, Oregon; thence North along the East boundary of said Parcel 107.00 feet to a 5/8" iron pin, witness corner; thence continuing North 55.0 feet more or less to the high water line of the Williamson River; thence Northeasterly along said high water line to a point North of the point of beginning; thence South 3.0 feet more or less to a 5/8" iron pin witness corner; thence continuing South 561.04 feet to the point of beginning.

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

(CONTINUED ON REVERSE SIDE)

Cloyd L. Briley and Gloria F. Briley
725 Christine Drive
Vacaville, CA 95687

Robert F. Parker and Golda E. Parker
3950 Homedale Road, Space #80
Klamath Falls, OR 97603

After recording return to (Name, Address, Zip):
Mountain Title Company

Until requested otherwise send all tax statements to (Name, Address, Zip):
Robert F. Parker and Gold E. Parker
3950 Homedale Road, Space #80
Klamath Falls, OR 97603

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 and/or 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

SPACE RESERVED FOR RECORDER'S USE



TO HAVE AND TO HOLD the same unto the 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 the property, free and clear of incumbrances except the mortgage or trust deed and further except

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 the 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 the premises hereby is surrendered and delivered to the 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 the premises directly or indirectly, in any manner whatsoever, except as set forth above.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 16,000.

ⓐ However, the actual consideration consists of or includes other property or value given or promised which is the whole 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 name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

Dated 11/13/1992, 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.

Cloyd F. Briley

Gloria J. Briley

CALIFORNIA
STATE OF ~~OREGON~~, County of Solano) ss.

This instrument was acknowledged before me on Nov 13, 1992

by Lisa Marie Reyes, notary

This instrument was acknowledged before me on Nov 13, 1992

by Cloyd Briley

as and Gloria Briley

of Vacaville CA

Lisa Marie Reyes

Notary Public for Oregon

My commission expires 12-25-93

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



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co the 18th day
of Nov. A.D., 1992 at 3:46 o'clock P.M., and duly recorded in Vol. M92
of Deeds on Page 27453

Evelyn Biehn County Clerk

By Doreen Mulholland

FEE \$35.00