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70962

ATC 406 2 / Vol. m93 Page 29450
ESTOPPEL DEED

STEVENESS LAW FIRM, P.C., PORTLAND, OR 97204

THIS INDENTURE between FRANKLIN A. CARINO and NIDA V. CARINO, husband and wife hereinafter called the first party, and FN REALTY SERVICES, INC., a California Corporation, 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. M-90 at page 9955 thereof or as fee/file/instrument/microfilm/reception No. 15269 ** (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 \$ 13,720.42, 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:

PARCEL 1: Lot 25, Block 25, Tract No. 1113, OREGON SHORES UNIT #2, in the County of Klamath, State of Oregon

PARCEL 2: Lot 11, Block 27, Tract No. 1113, OREGON SHORES UNIT #2, in the County of Klamath, State of Oregon:

CODE 118 MAP 3507-17CC TL 3800
CODE 118 MAP 3507-17CC TL 5300

and recorded in M-88 at Page 18465 and fee #93353

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

Franklin and Nida Carino
715 Mt. Hood Avenue
Boardman, Oregon 97818
GRANTOR'S NAME AND ADDRESS
FN Realty Services, Inc.
222 East Huntington Dr. 2nd Floor
Monrovia, CA 91016
GRANTEE'S NAME AND ADDRESS

After recording return to:
Robert Perla
1922 Stradella Road
Los Angeles, Calif. 90077

Until a change is requested all tax statements shall be sent to the following address:
FN Realty Services, Inc.
222 East Huntington Dr. 2nd Floor
Monrovia, CA 91016
Attention: Legal Department

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 _____ NAME _____ TITLE _____
Deputy



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

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) the whole

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 _____, 19____

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.)

(ORS 194.570)

STATE OF OREGON,

County of Morrow ss.

The foregoing instrument was acknowledged before me this October 26, 1993, by

Franklin A. Cain Jr.
Nida V. Cain

Shirley Zielinski
Notary Public for Oregon

(SEAL) My commission expires: 7/26/96

STATE OF OREGON, County of _____ ss.

The foregoing instrument was acknowledged before me this

_____, 19____, by _____,

_____, president, and by _____,

_____, secretary of _____

_____, corporation, on behalf of the corporation.

Notary Public for Oregon

My commission expires:

(If executed by a corporation, affix corporate seal)

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

STATE OF OREGON, ss.

County of Klamath

Filed for record at request of:

Aspen Title co

on this 8th day of Nov. A.D., 19 93
at 11:19 o'clock A M. and duly recorded
in Vol. M93 of Deeds Page 29490

Evelyn Biehn County Clerk

By Dorlene Mullins

Deputy.

Fee, \$35.00

