

87391

Order No.

Escrow No.

Loan No.

44749

09-06-94 10:51 RCVD

Vol. 94 Page 27735

WHEN RECORDED MAIL TO:

Gary Fitzpatrick
1223 High Street
Auburn, Ca 95602

MAIL TAX STATEMENTS TO:

as shown above

SPACE ABOVE THIS LINE FOR RECORDER'S USE

DOCUMENTARY TRANSFER TAX \$none

Computed on the consideration or value of property conveyed; OR
Computed on the consideration or value less liens or encumbrances
remaining at time of sale.

The undersigned Grantor declares

Signature of Declarant or Agent determining tax - Firm Name

GRANT DEED IN LIEU OF FORECLOSURE

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

JERRY THOMAS JUSTUS, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY

hereby GRANT(S) to GARY FITZPATRICK, AN UNMARRIED MAN AS TO A 28% INTEREST; ERNIE FREEMAN,
A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY AS TO AN UNDIVIDED 19% INTEREST;
JEFFREY ADAM, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY AT TO AN UNDIVIDED
19% INTEREST; FITZPATRICK/MCLAIN SELF EMPLOYED MONEY PURCHASE AND PROFIT SHARING
PLAN FBO GARY FITZPATRICK AS TO AN UNDIVIDED 15% INTEREST; JAN H. THOMPSON AND
LESTER E. THOMPSON, TRUSTEES OF THE JAN H. THOMPSON AND LESTER E. THOMPSON FAMILY
TRUST DATED MAY 25, 1993 AS TO AN UNDIVIDED 19% INTEREST

the real property in the City of
County of

unincorporated area

NEVADA/KATH

as SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

OREGON
State of California described

Dated August 25, 1994

STATE OF CALIFORNIA
COUNTY OF

San Diego

On August 27th, 1994

me, Cheryl L. MARTINI, NOTARY PUBLIC

personally appeared

JERRY THOMAS JUSTUS

before

personally known to me (or proved to me on the basis of satisfactory
evidence) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed the
same in his/her/their authorized capacity(ies), and that I, by his/her/their
signature(s) on the instrument, the person(s) or the entity upon behalf of
which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Cheryl L. Martini

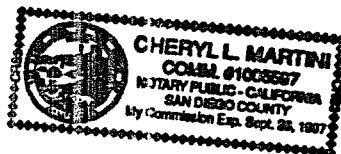


EXHIBIT "A"

27736

County of Klamath, State of Oregon described as follows, to-wit:
TOWNSHIP 35 SOUTH, RANGE 12 EAST W.M.
SECTION 8: Southwest 1/4 of Southwest 1/4
(forty acres)

This conveyance is made subject to a 200 foot wide easement for
road and landing strip along the southerly boundary

ESTOPPEL AFFIDAVIT

STATE OF OREGON
COUNTY OF KLAMATH

Jerry Thomas Justus, a married man as his sole and separate property Being first duly sworn; for himself, deposes and says: That he is the party who made, executed, and delivered that certain deed to Gary Fitzpatrick, an unmarried man as to an undivided 27.65% interest, Ernie Freeman, a married man as his sole and separate property as to a 20% interest, Jeffrey Adam, a married man as his sole an separate property as to a 20% interest, Fitzpatrick/McLain Self Employed Money Purchase and Profit Sharing Plan as to an undivided 12.35% Jan H. Thompson and Lester E. Thompson trustees of the Jan H. Thompson and Lester E. Thompson Family Trust dated May 25, 1993 as to an undivided 20% interest conveying the following described property, to-wit:

State of Oregon, County of Klamath, described as Township 35 South, Range 12 East.W.M. Section 6 :Southwest 1/4 of Southwest 1/4 (40 Acres

That the aforesaid deed is intended to be and is an absolute conveyance of the title to said premises to the grantee named therein, and was not and is not now intended as a mortgage, trust conveyance or security of any kind; that it was the intention of affiant as grantors in said deed to convey, and by said deed these affiant did convey to the grantee therein all right, title and interest absolutely in and to said premises; that possession of said premises has been surrendered to the grantee;

That in the execution and delivery of said deed affiant were not acting under any misapprehension as to the effect thereof, and acted freely and voluntarily and were not acting under coercion or duress;

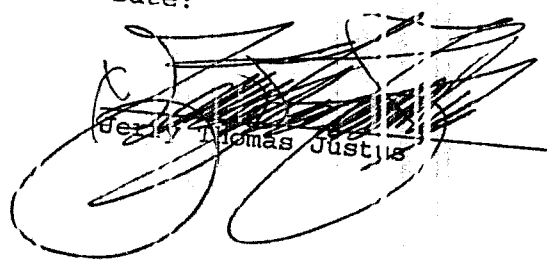
That the consideration for said deed was and is payment to affiant of the sum of \$ 254,900.00 plus additional advances by Gary Fitzpatrick by grantee, and the full cancellation of all debts, obligations, costs and charges secured by that certain deed of trust heretofore existing on said property executed by Jerry Thomas Justus, Trustor, to Empire Title Company a California Corporation as Trustee, for Gary Fitzpatrick, an unmarried man as to an undivided 27.65% interest, Ernie Freeman, a married man as his sole and separate property as to an undivided 20% interest, Jeffrey Adam, a married man as his sole and separate property as to an undivided 20% interest, Fitzpatrick/McLain, self Employed Money Purchase and Profit Sharing Plan and Gary Fitzpatrick as to an undivided 12.35% interest, Jan H. Thompson and Lester E. Thompson,

Trustees of the Jan H. Thompson and Lester E. Thompson Family Trust dated May 5, 1993 as to an undivided 20% interest as Beneficiary, dated the 10th day of July 1993 and recorded on July 21, 1993 as Series No. 93-25543, Nevada County, California, and the reconveyance of said property under said deed of trust; that at the time of making said deed affiant believed and now believe that the aforesaid consideration therefor represents the fair value of the property so deeded;

This affidavit is made for the protection and benefit of the grantee in said deed, his successors and assignees, and all other parties hereafter dealing with or who may acquire an interest in the property herein described, and particularly for the benefit of First American Title Insurance Company which is about to insure the title to said property in reliance thereon, and any other title company which may hereafter insure the title to said property in reliance thereon, and any other Title Company which may hereafter insure the title to said property;

That affiant, and each of them will testify, declare, depose, or certify before any competent tribunal, officer, or person, in any case now pending or which may hereafter be instituted, to the truth of the particular facts hereinabove set forth.

Date:



 Jerry Thomas Justice

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

27739
No. 5907

State of California

County of San Diego

On August 27, 1994 before me, Cheryl L. Martini

personally appeared Jerry Thomas Justus

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Cheryl L. Martini
SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

☒ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

☐ PARTNER(S) ☐ LIMITED
☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER:

DESCRIPTION OF ATTACHED DOCUMENT

Estate & Affidavit
TITLE OR TYPE OF DOCUMENT

2
NUMBER OF PAGES

8-27-94
DATE OF DOCUMENT

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

SIGNER(S) OTHER THAN NAMED ABOVE

STATE OF OREGON COUNTY OF KLAMATH

Filed for record at request of Amath County Title Co the 6th day of Sept. A.D., 19 94 at 10:51 o'clock A.M., and duly recorded in Vol. M94 of Deeds on Page 27735

FEE \$50.00

Evelyn Biehn County Clerk

By Cheryl L. Martini