

03-03-95P02:53 RCVD

ESTOPPEL DEED MORTGAGE OR TRUST DEED

53-196E

Vol. 95 Page 4787

THIS INDENTURE between Rosal D Clark
hereinafter called the first party, and RIVALVEST, INC,
hereinafter called the second party; WITNESSETH: A NEVADA CORPORATION

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. M94 at page 11078 thereof and/or as fee/file/instrument/microfilm/reception No. 79101 (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, on which notes and indebtedness there is now owing and unpaid the sum of \$ 11,500.00, 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.

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NOW, THEREFORE, for the consideration herein after 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, State of OREGON, to-wit:

LOT 25, BLOCK 11, KLAMATH FALLS FOREST ESTATES, HIGHWAY 66, PLAT 1
KLAMATH COUNTY, OREGON

LOT 7, BLOCK 8, KLAMATH FOREST ESTATES, KLAMATH COUNTY, OREGON

LOT 12, BLOCK 33, NIMROD RIVER PARK, 4TH. ADDITION, KLAMATH
COUNTY, OREGON.

LOT 26, BLOCK 11, KLAMATH FALLS FOREST ESTATES HIGHWAY 66,
PLAT 1, KLAMATH COUNTY, OREGON

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

The true and actual consideration for this conveyance is \$ 815,000.00 (Here comply with ORS 93.030.)

(CONTINUED ON REVERSE SIDE)

MS. Rosan D. CLARK
Hc15...Box...495-C.....
Hanover,....N.M.....88

REALVEST, INC., Name and Address
c/o P. BROWNING
HC15, BOX 495C
HANOVER, NM 88041

After recording return to (Name, Address, Zip):

GRANTEE

Until requested otherwise send all tax statements to: (Name, Address, Zip):

GRANTEE

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/tile/instru-
ment/microfilm/reception No. _____,
Record of Deeds of said County.

Witness my hand and seal of
County affixed.

NAME _____ TITLE _____
By _____ Deputy _____

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 who soever, 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.

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 SEPT. 6TH, 1994 19

Rosan D. Clark

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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Acknowledgement - Generic 91/92

STATE OF CALIFORNIA

COUNTY OF ORANGE

SS.

On SEPTEMBER 6TH, 1994

before me, JO KING
(Notary Name and Title)

personally appeared ROSAN D. CLARK * * * * *

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.

Signature



(Notarial Seal)

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Realvest the 3rd day of March A.D., 19 95 at 2:53 o'clock P M., and duly recorded in Vol. M95 of Deeds on Page 4787.

Bernetha G. Letsch, County Clerk

FEES \$35.00

By

Pauline Mullins