Vol Mak. Page

**11318** 

## ESTOPPEL DEED ATC961389 MORTGAGE OR TRUST DEED

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	(A)	ì

THIS INDENTURE between GEORGE A. PONDELLA JR. and DONALD E. BALLEY hereinafter called the first party, and

hereinafter called the second party; WITNESSETH:

That portion of the  $NE_*^1$  of  $SW_*^1$  of Section 35. Township 34 South, Range 8 East. W.M. That lay s Southerly of the Sprague River Chiloquin Highway.

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

## (CONTINUED ON REVERSE SIDE)

Joseph G. Jackson Jean L. Jackson  George Pondella Jr.  Donald E. Bailey		I certify that the with was received for record on of  of  o'cjeckM., ar	in instrument theday , 19, at nd recorded in
Grantee's Name and Address	SPACE RESERVED	book/reel/volume No	
After recording return to (Name, Address, Zip): George Pondella Jr.	RECORDER'S USE	ment/microfilm/reception	
P.O. Box 1421		Record of Deeds of said Co	
Klamath Falls, Oregon 97601		Witness my hand	l and seal of
Until requested etherwise send all tax statements to [Name, Address, Zip]:		County affixed.	
and the first of the second	ON CONTRACTOR OF THE	NAME	TITLE
***************************************		Rv	Domester

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 whomsover, 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 INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FFF TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY

STATE OF OREGON, County of ......) ss.

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Notary Public for Oregon

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County of Amadox	<del></del>
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On <u>DOCUMBER SH</u> 1995 before n	ne, GICAC G. KUCKLOF "NOTARY PUBLIC", NAME, TITLE OF OFFICER - E.G., JANE DOE, NOTARY PUBLIC.
personally appeared Joseph G.	Tackscand Toan Jackscan,
□ personally known to me - <b>OR</b> - ☑ p	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.
GINA C. G. KUCKLER TO Comm. # 1035387 TO MOTIANT RIBLE: CALFORNA Amedia County My Comm. Expires Aug. 7, 1998	WITNESS my hand and official seal.
	OPTIONAL
fraudulent reattachment of this form.	prove valuable to persons relying on the document and could prevent
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