

ATC #DA045023  
ESTOPPEL DEED

THIS INDENTURE, between David E. Eitner and Donna M. Eitner, hereinafter called Grantors, and James E. Buchanan, Gloria L. Buchanan, husband and wife, and Wayne I. Smith, Laurettya G. Smith, husband and wife, taking title as tenants in common between them, hereinafter called Grantees.

Whereas, title to the real property hereinafter described is being sold by Grantees to Grantors by way of a Contract of Sale, dated August 5, 1991, a memorandum of which is recorded in Book M-91, Page 15371, of the Record of Deeds of Klamath County, Oregon;

Whereas, said contract is now in default and subject to immediate foreclosure with Grantors being unable to pay the same, and Grantors desire that Grantees accept an absolute deed of conveyance of said property in full satisfaction of the indebtedness as represented by the aforementioned contract, and the Grantors do now also agree to such conveyance.

NOW THEREFORE, David S. Eitner and Donna M. Eitner, do hereby grant, bargain, sell and convey unto James E. Buchanan, Gloria L. Buchanan, husband and wife, and Wayne I. Smith and Laurettya G. Smith, husband and wife, with Smith and Buchanan taking title as tenants in common between them the following described Klamath County, Oregon real property:

The East 90 feet of Lots 11 and 12, Block 6,  
North Bly, in the County of Klamath, State of  
Oregon.

(Code 58; Map 3614-34DC; TL 8300)

together with all tenements, hereditaments and appurtenances thereunto situated, subject to reservations, restrictions, easements, and rights of way of record and those apparent on the ground.

This deed is intended as an absolute conveyance of the title to said premises and that said possession of the premises are hereby peaceably surrendered to Grantees, that the Grantors are not acting under misapprehension as to the effect hereof or any duress or undue influence.

The true and actual consideration paid for this transfer is the cancellation of the remaining indebtedness represented by

the Contract of Sale owed by Grantors to Grantees as of October 1, 1996. The Grantors agree that Grantees shall retain any and all payments previously made under said contract.

DATED this 16th day of August, 1996.

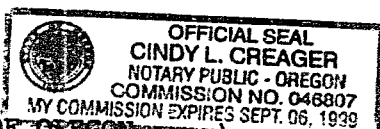
16 Sept.

David E. Eitner  
David E. Eitner

Donna M. Eitner  
Donna M. Eitner

STATE OF OREGON )  
County of Lake ) ss.

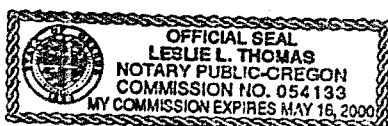
Be it remembered that on this 16th day of September 1996, personally appeared before me, a Notary Public in and for said County and State, the above named David E. Eitner and acknowledged the foregoing instrument to be his voluntary act and deed.



STATE OF OREGON )  
County of Klamath ) ss.

Cindy L. Creager  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: Sept. 06, 1999

Be it remembered that on this 9th day of September 1996, personally appeared before me, a Notary Public in and for said County and State, the above named Donna M. Eitner, and acknowledged the foregoing instrument to be her voluntary act and deed.



Leslie L. Thomas  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: May 16, 2000

"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."

After Recording return to:

John H. Bogardus  
Bogardus & Nichols, P.C.  
35 G Street South  
Lakeview, OR 97630

All tax statements should be sent to:

Mr. and Mrs. James E. Buchanan  
Mr. and Mrs. Wayne I. Smith  
P.O. Box 545  
Bly, OR 97622

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 1st day of October A.D., 1996 at 3:47 o'clock P. M. and duly recorded in Vol. M96 of Deeds on Page 31176.

FEE \$35.00

Bernetha G. Letsch  
By Kathleen Rose County Clerk