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32856

MTC 13060054
ESTOPPEL DEED

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THIS INDENTURE between ROBERT L. SMITH
hereinafter called the first party, and ERNEST R. SESSOM AND DORIS C. SESSOM, HUSBAND AND WIFE,
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. M91 at page 24793 thereof and/or as fee/file/instrument/microfilm/reception No. _____ (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 \$ 2210.80, 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.

NOW, THEREFORE, for the consideration hereinafter 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:

PLEASE SEE ATTACHED EXHIBIT "A" WHICH IS MADE A PART OF THIS REFERENCE

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

(CONTINUED ON REVERSE SIDE)

ROBERT L. SMITH	
Grantor's Name and Address	
ERNEST AND DORIS SESSOM	
1960 LAWRENCE ST.	
KLAMATH FALLS, ORE. 97601	
Grantee's Name and Address	
After recording refers to (Name, Address, Zip):	
ERNEST AND DORIS SESSOM	
1960 LAWRENCE ST.	
KLAMATH FALLS, ORE 97601	
Until requested otherwise send all tax statements to (Name, Address, Zip):	

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON, } ss.
County of _____ }
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/file/instru-
ment/microfilm/reception No. _____,
Record of Deeds of said County.
Witness my hand and seal of
County affixed.

NAME TITLE
By _____, Deputy

97 FEB 13 P 3:28

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 NONE

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 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.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$10.00

① However, the actual consideration consists of or includes other property or value given or promised which is ^{the whole} consideration (indicate which) ① _{part of the}

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 Jan 8, 1997

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.

Robert L. Smith
ROBERT L. SMITH

BY: VIRGINIA CALLAGHER HIS ATTORNEY IN FACT

STATE OF OREGON, County of MARION

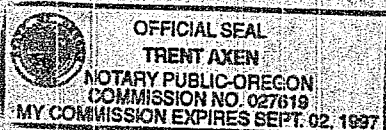
This instrument was acknowledged before me on JANUARY 08, 1997,
by ROBERT LEE SMITH

This instrument was acknowledged before me on _____, 19____,

by _____

as _____

of _____



Trent Axen
Notary Public for Oregon

My commission expires 09/02/97

NOTE—The sentence between the symbols ①, if not applicable, should be deleted. See OIS 93.630.

EXHIBIT "A"
LEGAL DESCRIPTION

A portion of that tract of land recorded in Volume 242, page 100, Deed Records of Klamath County, Oregon, described as being that portion of the NW1/4 NE1/4 of Section 24, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at the Northeast corner of the above described tract of land which point of beginning is the Northeast corner of the NW1/4 NE1/4 of Section 24, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon and bears West along the section line a distance of 1,339.75 feet from the Northeast corner of said Section 24; thence continuing West along the section line a distance of 190.96 feet; thence South 0 degrees 19' West parallel with the East boundary of above said tract, a distance of 561.11 feet to the South boundary thereof; thence North 42 degrees 17' East along said South boundary a distance of 286.14 feet to the Southeast corner of said tract; thence North 0 degrees 19' East along the East boundary of same a distance of 349.5 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM that portion of the NW1/4 NE1/4 of Section 24, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at the Northeast corner of the above described tract of land which point of beginning is the Northeast corner of the NW1/4 NE1/4 of Section 24, and bears West along the section line a distance of 1,339.75 feet from the Northeast corner of said Section 24; thence continuing West along the section line a distance of 125 feet; thence South 0 degrees 19' West 167 feet; thence East parallel to the North section line 125 feet; thence North 0 degrees 19' East 167 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying in Airway Drive.

TOGETHER WITH any personal property left upon the premises as of this date. First party will hold second party harmless from any and all liability resulting from second party disposing of said personal property.

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 13th day
of February A.D. 19 97 at 3:28 o'clock P. M., and duly recorded in Vol. M97
of Deeds on Page 4541

FEE \$40.00

by Bernetha G. Letsch, County Clerk
Kathleen Ross