

15165 NTC 4148 - KA ESTOPPEL DEED Vol. 1997 Page 36670
MORTGAGE OR TRUST DEED

THIS INDENTURE between JOE L. DUNNIE
hereinafter called the first party, and DIANA C. GRAHAM aka CUNROV
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. 14, 412, 25 at page 101, 91 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 \$ 14, 412, 25, 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: LEGAL DESCRIPTION

THE WEST HALF OF ALL OF THE FOLLOWING DESCRIBED PROPERTY: THE EAST 33 1/3 FEET OF LOT 414 AND THE WEST 30 FEET OF LOT 413, BLOCK 101, MILLS ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT OF THE SOUTH LINE OF ORCHARD AVENUE, 16 2/3 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 414 AND RUNNING THENCE EAST ALONG SAID LINE OF ORCHARD AVENUE A DISTANCE OF 31 2/3 FEET; THENCE SOUTH PARALLEL TO THE EAST LINE OF SAID LOT 414 A DISTANCE OF 120 FEET; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 414, A DISTANCE OF 31 2/3 FEET; THENCE NORTH PARALLEL TO THE EAST LINE OF SAID LOT A DISTANCE OF 120 FEET TO THE POINT OF BEGINNING.

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

The true and actual consideration for this conveyance is \$ 14, 412, 25 (Here comply with ORS 93.030.)

(CONTINUED ON REVERSE SIDE)

Grantor's Name and Address	
Grantor's Name and Address	
After recording return to (Name, Address, Zip):	
<u>Diana Cunrov</u>	
<u>P.O. Box 1011</u>	
<u>Klamath, CA 95621</u>	
Until requested otherwise send all tax statements to (Name, Address, Zip):	
<u>Same</u>	

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/instrument/microfilm/reception No. _____, Record of Deeds of said County.

Witness my hand and seal of County affixed.

By _____, Deputy

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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 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.

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 May 14, 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 FEED 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.

Joe L. Duque

STATE OF OREGON, County of _____ ss.

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

by _____

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

by _____

as _____

of _____

Notary Public for Oregon

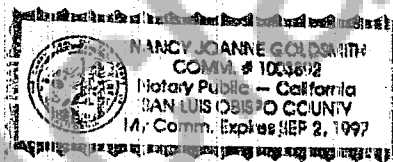
My commission expires _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of San Luis Obispo

On May 14, 1997 before me, Nancy Joanne Goldsmith, Notary Public, personally appeared Joe L. Duane,
and proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Nancy Joanne Goldsmith
Signature of Notary

DESCRIPTION OF ATTACHED DOCUMENT

Mortgage on Trust Deed
Title or Type of Document

2
Number of Pages

May 14, 1997
Date of Document

B
Signer(s) other than named above

STATE OF OREGON,
County of Klamath ss.

Filed for record at request of:

Amerititle
on this 5th day of November A.D., 1997
at 2:32 o'clock P. M. and duly recorded
in Vol. M97 of Deeds Page: 36670

Bernetha G. Letsch, County Clerk

By Kathleen Ryan
Fee, \$40.00

Deputy