

55740 98 APR -3 AM 11:41 Vol. 1798 Page 10867

FCC Construction Inc  
PO Box 445  
Klamath Falls, OR 97601  
First Party's Name and Address

Wyatt + Annette M. Ledbetter  
2065 Pershing St  
Eugene, OR 97402  
Second Party's Name and Address

After recording, return to (Name, Address, Zip):  
Annette + Wyatt Ledbetter  
2065 Pershing St  
Eugene, OR 97402

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

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. \_\_\_\_\_, Records of said County.

Witness my hand and seal of County affixed.

NAME \_\_\_\_\_ TITLE \_\_\_\_\_

By \_\_\_\_\_, Deputy.

SPACE RESERVED FOR RECORDER'S USE

ESTOPPEL DEED  
MORTGAGE OR TRUST DEED

THIS INDENTURE between: FCC Construction Inc. (Derrick Miller (pt.) + Jeannette Ospital)  
hereinafter called the first party, and Wyatt + Annette M. Ledbetter  
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 Records of the county hereinafter named, in book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_, and/or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_ (indicate 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 \$17,797.16., 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 or trust deed, 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 the 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 and to second party's heirs, successors and assigns, all of the following described real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in \_\_\_\_\_ County, State of \_\_\_\_\_, to-wit:

Riverview 2nd Addition, Block 1, Lot 16  
2312 Autumn Klamath Falls, OR 97601  
Prop ID# R 532711  
Map Tax Lot R-3709-005BD-03410-000

The true and actual consideration for this conveyance is \$ 0.00 (Here comply with ORS 93.030.)

(OVER)

TO HAVE AND TO HOLD the same unto the second party and 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 and second party's heirs, successors and assigns, that the first party is lawfully seized in fee simple of the property, free and clear of encumbrances except the mortgage or trust deed and not otherwise except (if none, so state)

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, 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 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 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 3-27-98, 1998

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.

STATE OF OREGON, County of Klamath

This instrument was acknowledged before me on 3-27-98, 1998

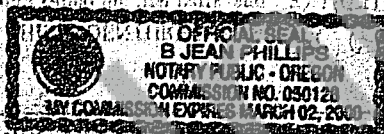
by Derick Miller

This instrument was acknowledged before me on 3-27-98, 1998

by Derick Miller

as owner

of the property described in the instrument



Notary Public for Oregon

My commission expires 3-2-2000

STATE OF OREGON,

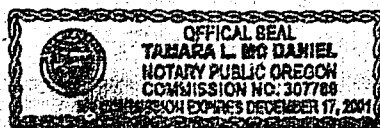
County of Klamath } ss.

FORM No. 23—ACKNOWLEDGMENT.  
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BE IT REMEMBERED, That on this 3rd day of April, 1998, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named Derick Miller

known to me to be the identical individual..... described in and who executed the within instrument and acknowledged to me that his..... executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written



Tamara L. McDaniel  
Notary Public for Oregon  
My commission expires 12/17/01

STATE OF OREGON; COUNTY OF KLAMATH: ss.

Filed for record at request of Ledbetter the 3rd day of April, A.D., 19 98 at 11:41 o'clock A.M., and duly recorded in Vol. M98 of Deeds on Page 10867

FEE \$15.00

By Bernetha G. Leisch, County Clerk  
Kathleen Ross