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Vol. M99 Page 8506

MTC 44726

DEED IN LIEU OF FORECLOSURE

Boyd C. Yaden, Trustee for the Bankruptcy Estate of Rodney D. Miller and Kelly A. Miller, husband and wife, Grantor, conveys to Gary E. Adkins and Joan H. Adkins, husband and wife, Grantees as tenants by the entirety, the real property more particularly described as follows:

Lot 26 in Block 305, DARROW 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.

The true consideration for this conveyance is \$500.00.

This deed is absolute in effect and conveys fee simple title of the premises described above to Grantees and does not operate as a mortgage, trust conveyance, or security of any kind. Grantor is the owner of the premises, free of all encumbrances except the trust deed executed to Grantees as beneficiary, dated August 8, 1996, and recorded August 16, 1996 in Volume M96, Page 25435, Microfilm Records of Klamath County, Oregon, a trust deed dated August 8, 1996, and recorded August 16, 1996 in Volume M96, Page 25437, Microfilm Records of Klamath County, Oregon, and except for real property taxes currently due and owing on the premises.

This deed does not effect a merger of the fee ownership and the lien of Grantees' trust deed described above. Grantees' fee ownership and lien rights shall hereafter remain separate and distinct.

By acceptance of this deed Grantees covenant and agree that they shall forever forbear taking any action whatsoever to collect against Grantor on the promissory note given to secure their trust deed described above, other than by foreclosure of that trust deed, and that in any proceeding to foreclose the trust deed they shall not seek, obtain, or permit a deficiency judgment against Grantor or his assigns, such rights and remedies being waived.

Grantor waives, surrenders, conveys, and relinquishes any equity of redemption and any statutory right of redemption concerning the real property and the trust deed described above.

Grantor is not acting under any misapprehension about the effect of this deed, nor under any duress, undue influence, or misrepresentation of Grantees, Grantees' agent or attorney, or any other person.

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.

DATED this 18 day of Feb, 1999.

Boyd C. Yaden
Boyd C. Yaden, Trustee for the
Bankruptcy Estate of Rodney D. Miller and
Kelly A. Miller, husband and wife

STATE OF OREGON)
)
)

County of Klamath

On this 18 day of Feb, 1999 personally appeared the above-named
Boyd C. Yaden, Trustee for the Bankruptcy Estate of Rodney D. Miller and Kelly A. Miller,
husband and wife, and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

Michael L. Spencer
Notary Public for Oregon



**UNLESS A CHANGE IS REQUESTED,
ALL TAX STATEMENTS SHALL BE
SENT TO THE FOLLOWING ADDRESS:**

AFTER RECORDING, RETURN TO:

Gary C. Peterson
Foster, Purdy, Allan,
Peterson & Dahlin
Post Office Box 1667
Medford, OR 97501

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 10th day
of March A.D., 1999 at 11:12 o'clock A. M., and duly recorded in Vol. M99
of Deeds on Page 8506
by Linda Smith, County Clerk

FEE

\$35.00