

After recording, return document to:  
W. Brad Coleman  
1467 13<sup>th</sup> Street SE  
Salem Oregon 97302

Until change is requested,  
all tax statements shall be sent to:  
Ron and Donna Holaday  
PO Box 76  
Crescent, Oregon 97733

MIC 47403  
ESTOPPEL DEED - TRUST DEED  
(Deed in Lieu of Foreclosure)

GRANTOR:  
F. H. Ventures, LLC

CONVEYS TO:

GRANTEES:  
Ronald W. Holaday and  
Donna M. Holaday  
Husband and Wife as tenants by the entirety

all that real property situated in Klamath County, Oregon, described as follows.

The Easterly 80 feet of Lots 23 and 24, in block 30 and Lots 1 and 2 in Block 30, CRESCENT, and also the vacated alley between said lots, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

EXCEPTING any part of the Easterly 80 feet of Lot 23 and 24, Block 30, if any, contained in the Deeds to the State of Oregon, by and thought its State Highway Commission by Ray Clinton Campbell and Lillian Pearl Campbell, recorded April 19, 1943 in Volume 154 at page 479 and Volume 154, page 477, Deed Records of Klamath County, Oregon.

Tax account no: 2409-030DB-08900

To have and to hold above-described property unto said Grantees, their successors and assigns forever free from all rights of the Grantor under the trust deed hereinafter described, but otherwise subject to the trust deed which shall remain alive solely for the purpose of protecting the title to the property against all intervening rights.

Page 1 Estoppel Deed - Trust Deed

deed 98-140 de

W. BRAD COLEMAN & ASSOCIATES, P.C. ATTORNEYS AT LAW  
1467 13<sup>th</sup> STREET SE, SALEM, OREGON 97302  
(503) 376-9326 (503) 370-4541 Fax

## GRANTOR COVENANTS THAT:

Grantor is the owner of the premises. The Trust Deed executed to Grantees is now in default and subject to immediate foreclosure.

The true and actual consideration for this conveyance is the satisfaction by Grantees of the obligations secured by that certain Trust Deed executed by the Grantor, dated January 27, 1994, and recorded January 28, 1994, on M94 at Page 3130 of the Records of Klamath County, Oregon, which shall be canceled upon the recording of this deed. There was due and owing on the Trust Deed obligation at the time of the execution of this deed \$35,238.15, with interest thereon at the rate of 8% per annum from January 27, 1994, plus foreclosure expenses.

This deed is intended by Grantor as an absolute conveyance of all Grantor's right, title and interest in and to the above-described property to the Grantees and is not intended as a mortgage, trust conveyance or security instrument of any kind.

This deed does not effect a merger of the fee ownership and the Trust Deed described above. The fee and lien shall hereafter remain separate and distinct.

By acceptance of this deed, Grantees covenants and agrees that it shall forever forbear taking any action whatsoever to collect against Grantor on the promissory note given to secure the Trust Deed above described, other than by foreclosure of that Trust Deed and that in any proceeding to foreclose the Trust Deed it shall not seek, obtain or permit a deficiency judgment against Grantor, its heirs or assigns, such rights and remedies being hereby waived.

Grantor does hereby waive surrender, convey and relinquish any equity of redemption and statutory rights of redemption concerning the real property and Trust Deed described above. Grantees may retain any and all payments previously made on the obligation with no duty to account therefor.

This deed is not given as a preference over any other creditor of the Grantor. Grantor has no creditors whose rights are prejudiced by this conveyance.

Grantor executes and delivers this deed and release of the property freely and voluntarily and is not acting under any duress, undue influence, fraud, misapprehension as to the legal effect thereof, of misrepresentation by the Grantees, Grantee's agents, attorneys or any other person.

ORS 93.040 requires that the following statement shall be included in the body of an instrument transferring or contracting to transfer fee title to real property:

*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 Oregon Revised Statute 30.930.*

*The property described in this instrument may not be within a fire protection district protecting structures. The property is subject to land use laws and regulations, which, in farm or forest zones, may not authorize construction or siting of a residence. 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 existence of fire protection for structures.*

Dated: April 2, 1999.

F. H. Ventures, LLC.

By Rebecca D. Fullerton  
Rebecca D. Fullerton - Member

STATE OF OREGON )

County of MARION ) ss.

This instrument was acknowledged before me on April 2, 1999, by Rebecca D Fullerton.

[Signature]  
Notary Public for Oregon

\*\*\*\*\*

14512

Dated: April 5, 1999.

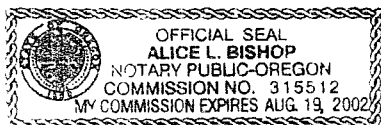
F. H. Ventures, LLC.

By Hilda Joyce Fullerton  
Hilda Joyce Fullerton - Member

STATE OF OREGON )

County of Klamath ) ss.  
)

This instrument was acknowledged before me on April 5, 1999, by Hilda Joyce Fullerton.



Alice L. Bishop  
Notary Public for Oregon

\*\*\*\*\*

Dated: April 5<sup>th</sup>, 1999.

F. H. Ventures, LLC.

By Phyllis M. Fullerton  
Phyllis M. Fullerton - Member

STATE OF OREGON )

County of Klamath ) ss.  
)

This instrument was acknowledged before me on April 5, 1999, by Phyllis M. Fullerton.



Alice L. Bishop  
Notary Public for Oregon

\*\*\*\*\*

Page 4 Estoppel Deed - Trust Deed

deed 98-19-00

W. BRAD COLEMAN & ASSOCIATES, P.C. ATTORNEYS AT LAW  
1467 13<sup>TH</sup> STREET SE, SALEM, OREGON 97302  
(503) 370-9325 • (503) 370-4541 FAX

14513

Dated: April 2, 1999.

F. H. Ventures, LLC.

By Robert J. Hamilton Jr. - Member  
Robert J. Hamilton Jr. - Member

STATE OF OREGON )  
 ) ss.  
County of MARION )

This instrument was acknowledged before me on April 2, 1999, by Robert J. Hamilton Jr.



[Signature]  
Notary Public for Oregon

\*\*\*\*\*

The Foregoing instrument is hereby accepted upon the terms and conditions set forth herein, with such acceptance to be effective upon the recording of this instrument.

Dated: April     , 1999.

[Signature]  
Ronald W. Holaday

[Signature]  
Dorina M. Holaday

Page 5 Estoppel Deed - Trust Deed

Deed 98-196-00

W. BRAD COLEMAN & ASSOCIATES, P.C. ATTORNEYS AT LAW  
1467 13<sup>th</sup> STREET SE, SALEM, OREGON 97302  
(503) 370-9328 (503) 370-4541 FAX

STATE OF OREGON, COUNTY OF CLATSOP ss.

Filed for record at request of Amerititle the 20th  
of April A.D. 1999 at 3:16 o'clock P. M. and duly recorded in Vol. 14509  
of Deeds or Page 14509

Linda Smith, County Clerk

FILE \$50.00

By [Signature]