

1997

55740

FCC Construction, Inc.
 10 Box 1115
 Klamath Falls, OR 97601
 Wyatt + Annette M. Ledbetter
 2205 Herzing St.
 Eugene, OR 97402

After recording, return to (Name, Address, Zip):

Annette + Wyatt Ledbetter
 2205 Herzing St.
 Eugene, OR 97402

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

SPACE RESERVED
 FOR
 RECORDER'S USE

Vol. M98 Page 10867STATE OF OREGON,
 County of _____ ss.

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. _____,
 Records of said County.

Witness my hand and seal of County
 affixed.

NAME _____ TITLE _____

Deputy

MTC 43060-2c

ESTOPPEL DEED
 MORTGAGE OR TRUST DEED

THIS INDENTURE between FCC Construction, Inc. (Derrick Muller, ph) + Jennielle Osipjak
 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. M97 on page
15547, and/or as fee/file/instrument/microfilm/reception No. 37992 (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 \$11,777.16, 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 indebted-
 ness 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, situ-
 ated in Klamath County, State of Oregon, to-wit:

Riverview 2nd Addition, Block 1, Lot 16
 232 Autumn Klamath Falls, OR 97601

Prop ID# R532711

Map Tax Lot R-3709-000BD-03400-000

**THIS ESTOPPEL DEED IS BEING RERECORDED TO INCLUDE THE RECORDING
 INFORMATION OF THE TRUST DEED WHICH WAS MISSING WHEN ORIGINALLY
 RECORDED MAY 21, 1997 IN VOLUME M97, PAGE 15547, MICROFILM RECORDS
 OF KLAMATH COUNTY, OREGON.

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

(OVER)

19255

10368

"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'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.

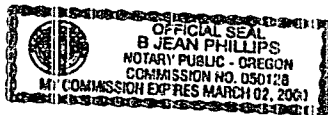
In construing this instrument, it is understood and agreed that the first party as well as the second party may be more than one person; that if the context so requires the singular includes the plural, and that all grammatical changes shall be made, assumed and implied to make the provisions hereof 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 FEES 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 30.830.

STATE OF OREGON, County of Klamath
 This instrument was acknowledged before me on 3-27- 1998
 by Jeanette Capital only
 This instrument was acknowledged before me on _____ 19____
 by _____
 as _____
 of _____



B. Jean Phillips
 Notary Public for Oregon
 My commission expires 3-2-2000

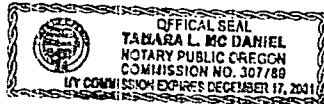
STATE OF OREGON,

County of Klamath } ss.

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 Derrick Miller

known to me to be the identical individual described in and who executed the within instrument and
 acknowledged to me that h/s 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.



Tabara 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 10367

FE \$15.00

By Kathleen Rosen
 Bernetha G. Leisch, County Clerk

FORM No. 33—ACKNOWLEDGMENT,
 Stevens-Hess Law Publishing Co., Inc.
 Portland, OR 97204 © 1992

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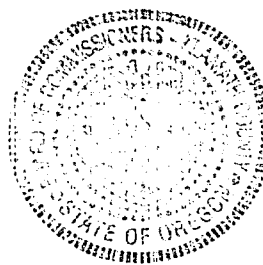
STATE OF OREGON)

County of KLAMATH)

I CERTIFY that this is a true and correct
copy of a document in the possession
of the Klamath County Clerk.

Dated: May 13, 1999
LINDA SMITH, Klamath County Clerk

By: Kathleen Rose Deputy



State of Oregon, County of Klamath
Recorded 5/14/99, at 11:24 am
at the referenced page, Vol. M99
Linda Smith, County Clerk
Fee \$ 35.00

Linda Smith