

1999 OCT -3 11:16

MTC 49294-KR

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GRANTOR NAME AND ADDRESS: Nancy C. Mueller, P.O. Box 1223, Klamath Falls, OR 97603

GRANTEE NAME AND ADDRESS: Stanley W. and Elizabeth A. Clark, 5620 McKennie Hwy,
Blue River, Oregon 97411

AFTER RECORDING RETURN TO: AmeriTitle, 222 S. 6th St., Klamath Falls, OR

SEND TAX STATEMENTS TO: Stanley W. and Elizabeth A. Clark, 5620 McKennie Hwy,
Blue River, Oregon 97411

ESTOPPEL DEED

THIS INDENTURE between Nancy A. Mueller, hereinafter called the first party, and Stanley W. Clark and Elizabeth A. Clark, Husband and Wife, or the survivor thereof, hereinafter called the second party;

WITNESSETH:

Whereas, the equitable title (the vendee's interest) to the real property hereinafter described is vested in the first party subject to the lien of the vendor's interest in second party with reference to a certain Contract-Real Estate recorded in the records of Klamath County, Oregon in Book M84 at page 18137 or as recorder's fee number 42462, reference to said records hereby being made, and the indebtedness secured by said Contract-Real Estate are now owned by the second party, on which indebtedness there is now owing and unpaid the sum of \$5,951.72 together with interest on said sum at the rate of 10% per annum from March 3, 1999 until paid, the same being now in default and said Contract-Real Estate 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 said property in satisfaction of the indebtedness secured by said Contract-Real Estate and the second party does now accede to said request.

NOW, THEREFORE, for the consideration hereinafter stated (which included the cancellation of the indebtedness secured by said Contract-Real Estate and the surrender thereof marked "Paid in Full" to the first party), the first party does hereby grant, bargain, sell, warrant and convey unto the second party, Stanley W. Clark and Elizabeth A. Clark, Husband and Wife, their heirs, successors and assigns, all of the following described real property situate in Klamath County, State of Oregon, to-wit:

The Westerly 37 feet of Lot 1 in Block 2 of Fairview 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.

together with all of the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining:

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 5,500.00. However, the actual consideration consists of or includes other property or value given or promised which is a part of the consideration, being in lieu of foreclosure.

TO HAVE AND TO HOLD the same unto said second party, their 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, its heirs, successors and assigns, that the first party is the possessor of an equitable (vendee's) interest in said property, free and clear of all encumbrances whatsoever; 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 herein expressly excepted; that this deed is intended as a conveyance, absolute in legal effect as well as in form, of the title to said 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 said premises hereby is surrendered and delivered to said second party; that in executing this deed the first party is not

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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 the 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 said premises directly or indirectly, in any manner whatsoever.

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 shall be taken to mean and include the plural; that the singular pronoun means and includes the plural, the masculine, the feminine and the neuter and that, generally, 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 corporate name to be signed hereto and its corporate seal affixed by its officers duly authorized thereunto by order of its Board of Directors.

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 October 6, 1999.

Nancy A. Mueller
Nancy A. Mueller

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on 10/6, 1999, by Nancy A. Mueller.



Kristi L. Redd
NOTARY PUBLIC FOR OREGON
My commission expires: 11/16/99

State of Oregon, County of Klamath
Recorded 10/08/99, at 11:16 a.m.
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Linda Smith.
County Clerk Fee \$ 35.00