

2012-004573

Klamath County, Oregon



00117483201200045730020023

05/01/2012 03:58:36 PM

Fee: \$42.00

After recording return to:  
James D. Hitchcock  
1430 NE Grable Drive  
Grants Pass OR 97526

Until requested, all tax statements sent to:  
James D. Hitchcock  
1430 NE Grable Drive  
Grants Pass, OR 97536

## ESTOPPEL DEED

THIS INDENTURE between David M. Cook, hereinafter called the First Party, and James D. Hitchcock and Nancy C. Hitchcock, Trustees of the James D. Hitchcock and Nancy C. Hitchcock Revocable Living Trust u/a/d November 10, 2005 hereinafter called the Second Party;

## WITNESSETH

WHEREAS, the title to the real property hereinafter described is vested in fee simple in the First Party, and free of all encumbrances except as specifically set forth herein. Said property is located at 862 California Avenue, Klamath Falls, Oregon.

WHEREAS, First Party, as Grantor, executed a Trust Deed dated the 01 day of June, 2010 and recorded the 03 day of June 2010 as Volume 2010, Page 006807 Official Records of Klamath County, Oregon in favor of Second Party as Beneficiary.

WHEREAS, said Trust Deed is in default.

NOW THEREFORE, for consideration hereinafter stated, the First Party does hereby grant, bargain, sell and convey unto the Second Party, Second Party's successors and assigns, all of the following described real property situated in Klamath County, State of Oregon, to-wit:

Lot 13, Block 107, Buena Vista Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$-0-; however, the actual consideration consists of or includes other property or value given or promised which is the whole consideration, namely the forbearance of foreclosure against First Party and forbearance of an action on the debt against First Party or a deficiency judgment against First Party.

**First Party's name and address:**

David M. Cook  
1820 Johnson Street  
Klamath Falls, OR 97601

**Second Party's name and address:**

James D. & Nancy C. Hitchcock  
1430 NE Grable Drive  
Grants Pass, Or 97526

TO HAVE AND TO HOLD the same unto the Second Party, Second Party's 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, Second Party's successors and assigns, that the First Party is lawfully seized in fee simple of said property, free and clear of any incumbrance thereon, and further except those of record; 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

