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George R. Walden
Samantha Ann Thomas-Walden
P.O. Box 174
New Pine Creek, OR 97635
Mortgagor.

This Space Reserved for Re

2014-004069
Klamath County, Oregon
04/29/2014 01:22:29 PM
Fee: \$47.00

Equity Trust Company, Custodian FBO
Locatelli Rao Roth IRA Account #Z094695
1 Equity Way
Westlake, OH 44145
Mortgagee.

After Recording, Return To:

Locatelli Rao
95 W. California Blvd.
Pasadena, CA 91105

**ESTOPPEL DEED
(MORTGAGE OR TRUST DEED)**

THIS INDENTURE between **George R. Walden and Samantha Ann Thomas-Walden**, hereinafter called the mortgagor, and **Equity Trust Company, Custodian FBO Locatelli Rao Account #Z094695**, hereinafter called the mortgagee; WITNESSETH:

Whereas, the title to the real property hereinafter described is vested in fee simple in the mortgagor, subject to a lien of a mortgage or trust deed recorded in the Records of Klamath County, Oregon named as file number **2013-003415**, reference to those Records hereby being made, and the notes and indebtedness secured by the mortgage or trust deed are now owned by the mortgagee, on which notes and indebtedness there is now owing and unpaid the sum of **(\$4389.67)**, the same being now in default and the mortgage or trust deed being now subject to immediate foreclosure; and whereas the mortgagor, being unable to pay same, has requested the mortgagee to accept an absolute deed of conveyance of the property in satisfaction of the indebtedness secured by the mortgage or trust deed, and the mortgagee does now accede to that request;

NOW, THEREFORE, for the consideration hereinafter stated (which includes the cancellation of the notes and the indebtedness secured by the mortgage or trust deed and the surrender thereof marked "Paid in Full" to the mortgagor), the mortgagor does hereby grant, bargain, sell and convey unto the mortgagee and to mortgagee'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, situated in Klamath County, State of Oregon described as follows:

Lot 89, Block 70, Nimrod River Park 5th Addition, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

The true and actual consideration for the conveyance is **\$4389.67**.

To Have and to Hold the same unto the mortgagee and the mortgagee's heirs, successors and assigns forever.

And the mortgagor, for mortgagor and mortgagor's heirs, and legal representatives, does covenant to and with the mortgagee and mortgagee's heirs, successors and assigns, that the mortgagor is lawfully seized in fee simple of the property, free and clear of encumbrances except the mortgage or trust deed and not otherwise, (if none, so state): Klamath County property taxes, unpaid.

(continued)

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And that the mortgagor 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 mortgagee and all redemption rights which the mortgagor may have therein, and not as a mortgage, trust deed or security of any kind; that possession of the premises is hereby surrendered and delivered to the mortgagee; that in executing this deed the mortgagor is not acting under misapprehension as to the effect thereof or under any duress, undue influence, or misrepresentation by the mortgagee, or mortgagee's representatives, agents or attorneys; that this deed is not given as a preference over other creditors of the mortgagor, and that at this time there is no individual, business or other entity, other than the mortgagee, interested in the premises directly or indirectly, in any manner whatsoever, except as set forth above.

In construing this instrument, where the context so requires, the singular includes the plural, "mortgage" includes trust deed, "mortgagor" includes grantor, and all grammatical changes shall be made so that this instrument shall apply equally to businesses, other entities, and individuals.

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, THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352 (MEASURE 37, AND AS MODIFIED BY MEASURE 49). 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. THE EXISTENCE OF FIRE PROTECTION FOR STRUCTURES AND THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352 (MEASURE 37, AND AS MODIFIED BY MEASURE 49). IF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IS SUBJECT TO SPECIAL ASSESSMENT UNDER ORS 359.505, ORS 359.515 REQUIRES NOTIFICATION TO THE STATE HISTORIC PRESERVATION OFFICER OF SALE OR TRANSFER OF THIS PROPERTY.

IN WITNESS WHEREOF, the mortgagor has executed this instrument on this 3 day of

April, 2014.

[Signature]
XXXXXXXXXX

State of XXXXX

County of Lake)

On 4/3/14 before me, Jennifer Sue Stephens, personally appeared
Samantha Walden & George Walden

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of XXXXX that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Jennifer Sue Stephens
Notary Public for XXXXX

