

PASSED

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

IN THE MATTER OF ACCEPTING A DEED IN LIEU)
OF FORECLOSURE FOR PROPERTY OWNED BY)
KENNETH LEE CLAASSEN LOCATED AT)
82380 BUTTE ROAD, CRESWELL, OR.)

ORDER NO.

00-5-10-18

THIS MATTER now coming before the Board of County Commissioners of Lane County and Kenneth Lee Claassen owning land within Lane County which is not within the limits of an incorporated city or town, having on this 10th day of May, 2000, presented to the Board of County Commissioners of Lane County a good and sufficient deed in lieu of foreclosure said deed being properly executed and forever dedicating such land to the County without restriction and the Board of County Commissioners of Lane County deeming it proper, as a resolution to an existing lien and foreclosure action and as a benefit to the general public, to accept said deed;

NOW, THEREFORE, IT IS HEREBY ORDERED that the said deed shall be and is hereby accepted by the Board of County Commissioners of Lane; and

IT IS FURTHER ORDERED that the above Order shall be entered in the records of the Board of County Commissioners' Journal of Administration, Lane County, Oregon; and

IT IS FURTHER ORDERED that the deed be recorded in the Deed Records of the County and the Reception Number be noted on this Order.

DATED this 10th day of ~~May~~ MAY, 2000.

DEPARTMENT OF PUBLIC WORKS
LAND MANAGEMENT DIVISION

BOARD OF COUNTY
COMMISSIONERS
LANE COUNTY, OREGON

Approved 5/10, 2000.

By John Cole
For John Cole, Manager

BY [Signature]
Chair

Deed Instrument Number _____, Lane County, Oregon Deed Records.

APPROVED AS TO FORM

Date 5-10-00 Lane County

ORDER ACCEPTING A DEED FOR PROPERTY

[Signature]
OFFICE OF LEGAL COUNSEL

Kenneth Lee Claassen

To:

Lane County

125 East 8th Avenue

Eugene, OR 97401

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

Lane County

125 East 8th Avenue

Eugene, OR 97401

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

Lane County

125 East 8th Avenue

Eugene, OR 97401

STATE 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/instrument/microfilm/reception No. _____, Records of said County.

Witness my hand and seal of County affixed.

NAME TITLE

By _____, Deputy

SPACE RESERVED FOR RECORDER'S USE

ESTOPPEL DEED - MORTGAGE OR TRUST DEED
(In Lieu of Foreclosure)

THIS INDENTURE between KENNETH LEE CLAASSEN, hereinafter called the first party, and LANE COUNTY, 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, 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 mortgage, 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 indebtedness 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, situated in Lane County, State of Oregon, to wit:

Beginning at a point in the center of County Road No. 707 in Section 22 Township 19 South, Range 3 West, Willamette Meridian, 295 feet North 0° 21' East from the Southeast corner of the James Butler Donation Land Claim Number 56 and running thence North 0° 21' East along the center line of said road 147.6 feet; thence South 89° 52' West parallel to the South line of said claim 147.6 feet; thence South 0° 21' West parallel with said road 147.6 feet; thence North 89° 52' East parallel with the South line of said claim 147.6 feet; to the place of beginning. Containing 0.50 acres more or less in Lane County, Oregon.

ALSO: Commencing 295 feet North and 147.6 feet West of the Southeast corner of the James Butler and Wife Donation Land Claim #56, Notification 6582, Section 22, Township 19 South, Range 3 West of Willamette Meridian, running thence North 147.6 feet; thence West 147.6 feet, thence South 147.6 feet, thence East 147.6 feet to the point of beginning. Containing one-half acre more or less in Lane County, Oregon.

The true and actual consideration for this conveyance is \$ ZERO (-0-). (Here comply with ORS 93.030)

(OVER)

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): None; 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.

Dated this 20 day of FEBRUARY, 2000.

THIS INSTRUMENT WILL NOW 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.30.93D.

Kenneth Lee Claassen
KENNETH LEE CLAASSEN

STATE OF OREGON, County of LANE) ss.

This instrument was acknowledged before me on FEBRUARY 20, 2000, by KENNETH LEE CLAASSEN.



Michael R. Genna
Notary Public for Oregon
My commission expires: 7/9/03

DEPARTMENT OF PUBLIC WORKS
LAND MANAGEMENT DIVISION

Approved 5/10, 2000

By John Cole
For John Cole, Division Manager

The Board of Commissioners hereby accepts and approves for recording this dedication as described herein.

LANE COUNTY BOARD OF COMMISSIONERS

By [Signature]
Chair

APPROVED AS TO FORM

Date 5.10.00 Lane county

[Signature]
OFFICE OF LEGAL COUNSEL