

MTC- 64347

Vol M04 Page 52683

State of Oregon, County of Klamath

Recorded 08/11/04 11.21a mVol M04 Pg 52683-84

Linda Smith, County Clerk

Fee \$ 26<sup>00</sup> # of Pgs 2**AFTER RECORDING RETURN TO:**

American General Financial Services (DE), Inc.  
235 E. Barnett Road, Suite 107  
Medford, Oregon 97501

**SEND ALL TAX STATEMENTS TO:**

American General Financial Services (DE), Inc.  
235 E. Barnett Road, Suite 107  
Medford, Oregon 97501

**NON-MERGER DEED IN LIEU OF FORECLOSURE**

Robert M. Cheek ("Grantor") does hereby bargain, sell, and convey to American General Financial Services, Inc., dba American General Financial Services (DE), Inc. ("Grantee"), the real property in Klamath County, State of Oregon, described as follows ("Property"):

The Southerly 75 feet of Block 49 of City of Malin, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. TOGETHER with the North one-half of that portion of Rosicky Avenue adjacent on the South.

This deed is absolute in effect and conveys fee simple title to the Property to Grantee and does not operate as a mortgage, trust conveyance or security of any kind.

This deed does not constitute a merger of the fee ownership and the lien of that certain trust deed recorded August 22, 2003 in Vol. M03, Page 61500 in the Microfilm Records of Klamath County, Oregon. Grantee is the beneficiary on that trust deed. The fee and lien shall hereafter remain separate and distinct until Grantee merges those interests with a separate instrument. Grantee takes the property subject to any prior liens, but does not assume any prior liens or obligations secured by the Property. Grantee is entitled to possession of the Property immediately upon recording of this deed. Grantor acknowledges that he, and any persons claiming by or through Grantor, shall be a tenant at sufferance upon the recording of this deed and Grantee may proceed to obtain possession of the Property by any lawful means including any action pursuant to ORS 105.110.

The true consideration for this instrument is zero (\$0.00) dollars but includes other good and valuable consideration.

By recording this deed, Grantee agrees that it will forever forbear taking any action whatsoever to collect against the Grantor on the indebtedness secured by the Property, other than by foreclosure of any lien which Grantee may have and that in any proceeding, Grantee will not seek or obtain a deficiency judgment, costs or attorneys fees against Grantor. Other than as set forth in this paragraph, the debt secured by the Property is not satisfied or forgiven.

2600 am

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Grantor hereby waives, surrenders, conveys and relinquishes any equity of redemption and statutory right of redemption with respect to the Property.

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: 8/3, 2004.

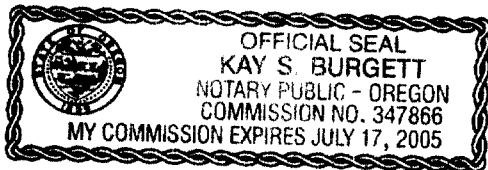
Robert M. Cheek  
Robert M. Cheek

STATE OF OREGON

County of Klamath

)  
) ss.  
)

Personally appeared before me this 3<sup>rd</sup> day of August, 2004, Robert M. Cheek and acknowledged the foregoing to be his voluntary act and deed.



Kay S. Burgett  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 7/17/05

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