MTC-71310

M05-64859

Klamath County, Oregon 09/22/2005 02:24:23 PM Pages 3 Fee: \$31.00

**AFTER RECORDING RETURN TO:** 

SEND ALL TAX STATEMENTS

ANDERSON & MONSON, PC 10700 SW Beaverton-Hillsdale Hwy., # 460 Beaverton, Oregon 97005 American General Financial Services, Inc. Attn: Tamara Kraljev, Manager 1210 East Burnside PO Box 485 Gresham, Oregon 97030

## NON-MERGER DEED IN LIEU OF FORECLOSURE

John Pope and Ann A. Pope (collectively "Grantor") do hereby bargain, sell, and convey to American General Financial Services, Inc., dba American General Financial Services (DE), Inc., fka American General Finance, Inc. ("Grantee"), the real property in Klamath County, State of Oregon and which property is described as follows ("Property"):

Lots 26 and 27, Block 2 of BLEY-WAS HEIGHTS, in the County of Klamath, State of Oregon.

CODE 58 MAP 3714-3CD TL 2300 CODE 58 MAP 3714-3CD TL 2400

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. Grantee shall not be deemed to have accepted this deed until and unless Grantee causes this deed to be recorded.

This deed does not constitute a merger of the fee ownership and the lien of that certain trust deed dated June 4, 1998 and recorded June 10, 1998 in Book M98, Page 19787, as file/reel number 59540, in the official 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 all prior liens. Grantee does not assume any prior liens or the obligations secured by the Property, but takes the Property subject to any prior liens or obligations. To the extent Grantor is living in the Property, Grantor agrees to vacate the Property by the time this deed is recorded. If Grantor remains on the Property after this deed is recorded, Grantor acknowledges that they will be a tenant at sufferance if the Property is not vacant immediately 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.

1 - NON-MERGER DEED IN LIEU OF FORECLOSURE



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, as the debt was discharged in bankruptcy, 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.

Grantor hereby waives, surrenders, conveys and relinquishes any equity of redemption and statutory right of redemption with respect to the Property. The true consideration for this instrument is zero (\$0.00) dollars but includes other valuable consideration.

Grantee shall be entitled to possession of the Property immediately upon recordation of this deed and Grantor shall have no claim or right to possession of the Property after the date this deed is recorded.

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: Sept. 16 , 2005.

John Pope

STATE OF NORTH CAROLINA

) ss

County of Mechlenburg

Personally appeared before me this 16 day of Septulus, 2005, John Pope and acknowledged the foregoing to be his voluntary act and deed.

GEORGE MARTIN HUNTER

NOTARY PUBLIC

MECKLENBURG COUNTY, N.C.

My Commission Expires 7-12-07

NOTARY PUBLIC FOR NORTH CAROLINA My Commission Expires: 7-12-05

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SIGNATURES CONTINUED ON NEXT PAGE

2 - NON-MERGER DEED IN LIEU OF FORECLOSURE

DATED: Sept. 16	, 2005.
	Ann A. Pope
STATE OF NORTH CAROLINA  County of Meckienburg	) ) ss. )
Personally appeared before me the acknowledged the foregoing to be her vo	nis 16 day of Soptember, 2005, Ann A. Pope ar oluntary act and deed.
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GEORGE MARTIN HUNTER
NOTARY PUBLIC
MECKLENBURG COUNTY, N.C.
My Commission Expires 7–12-09

NOTARY PUBLIC FOR NORTH CAROLINA
My Commission Expires: >-12-09

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