

2009-008764

Klamath County, Oregon



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06/24/2009 03:04:04 PM

Fee: \$31.00

Recorded Requested By
And When Recorded Mail To:

CITIMORTGAGE, INC.
P.O. BOX 790017
ST. LOUIS, MO 63179

T.S. No: 1208552-53
Loan No: 2004398779

4082598-LS

WARRANTY DEED IN LIEU OF FORECLOSURE 70291387765

1st 1387765

FOR VALUE RECEIVED, **THOMAS L. WELLS AND LORI G. WELLS, HUSBAND AND WIFE**
Tenants, as grantors, do hereby Grant, Bargain, Sell and Convey unto
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC. The Grantee, the following described real
estate, to-wit:

**LOT 13 AND 14 OF BLOCK 6 CHILOQUIN DRIVE ADDITION, IN THE CITY OF CHILOQUIN, COUNTY
OF KLAMATH, STATE OF OREGON.**

R220898

This Deed is an absolute conveyance of title, in effect as well as in form and is not intended as a
mortgage, trust conveyance, or security of any kind. The consideration hereto existing on account of the
Deed of Trust on said land recorded as Instrument NO: **2007-009280** records of said County. This Deed
completely satisfies said Deed of Trust and Note secured thereby, and any effect thereof in all respects.

* 5-22-07

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee their
successors, heir and assigns forever. And the Grantors do hereby covenant to and with the said Grantee,
that they are the owners in fee simple of said premises; that they are free from all encumbrances and that
they will warrant and defend the same from all lawful claims whatsoever.

DATED: April 28, 2009

Thomas L. Wells
THOMAS L. WELLS
Lori G. Wells
LORI G. WELLS

STATE OF OREGON

COUNTY OF Klamath

SS

On this 28th day of April 2009, before me, Lani R. Blankenship, a Notary
Public in and for said County and State, personally appeared X THOMAS L. WELLS AND LORI G.
WELLS, known to me to be the person(s) whose name(s) are subscribed to the within instrument and
being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that
they executed the same.

Lani R. Blankenship
Notary Public
Residing at
Commission Expires:



F31-

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T.S. No:1208552-53
Loan No:2004398779

ESTOPPEL AFFIDAVIT

✓ **THOMAS L. WELLS AND LORI G. WELLS, HUSBAND AND WIFE** being first duly sworn, dispose and say: That they are the identical parties who made, executed and delivered that certain Warranty Deed to **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC.** dated **April 22, 2009** conveying the following described property to wit:

✧ **LOT 13 AND 14 OF BLOCK 6 CHILOQUIN DRIVE ADDITION, IN THE CITY OF CHILOQUIN, COUNTY OF KLAMATH, STATE OF OREGON.**

That the aforementioned Deed was an absolute conveyance of the title to said land to the Grantees named therein. In effect as well as in form, and was not and is not intended as a Deed of Trust, Mortgage, Contract of security of any kind, an that possession of said land has been surrendered to the said Grantee.

That this consideration in the aforesaid Deed was and is payment to us of the sum of ONE DOLLAR by the Grantees named therein receipt of which is hereby acknowledged, together with full cancellation of all debts, obligation, costs and charges, heretofore existing under and by virtue of the terms of that certain Note secured by the undersigned Deed of Trust heretofore existing on the property herein and hereinbefore described.

That said Note and Deed of Trust were executed by **THOMAS L. WELLS AND LORI G. WELLS, AS TENANTS BY THE ENTIRETY** as Grantor to **AMERITITLE**, as successor trustee for the benefit and security of **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC.**, as beneficiary, recorded **May 22, 2007** as Instrument No. **2007-009280, book XX, page XX** records of **KLAMATH** County, Oregon. ✓

We have defaulted under the terms of said Note and Deed of Trust. All notice provisions have been complied with and all grace periods have either expired or have been waived by us and the Lender has declared the Note and all indebtedness under the Note and Deed of Trust due and payable according to the terms thereof and the laws of the State of Oregon.

That in offering to execute the aforesaid Deed to the Grantees therein, and in executing the same, we were not acting under any misapprehension as to the effects thereof, nor under duress, undue influence or misrepresentation by the Grantees or the agent or attorney of the Grantees in said Deed. That the aforesaid Deed was made as a result of our request that the Grantees accept such Deed and was our free and voluntary act. Also by executing said Warranty Deed to Grantee's herein, we agree to vacate said premises within ten (10) days of the undersigned date.

That at the time of making said Deed we felt, and still feel, that the Note and Deed of Trust above mentioned represented a fair value of the property so deeded.

That we are solvent and have no other creditors whose rights would be prejudiced by said conveyance. The Deed was not given as preference against any other of our creditors.

✓

ESTOPPEL AFFIDAVIT
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That at the time it was given there were no other persons, firms or corporations other than the Grantees therein named interested either directly or indirectly in said land and personal property, and that we are not obligated upon any bond or other Mortgage or Deed of Trust or Contract where any lien has been created or exists against the premises described in said Deed.

That is was our intentions Grantors to convey, and by said Deed did convey to the Grantees therein, all our right, title and interest absolutely in and to the land in said Deed. This Affidavit was made for the protection and benefit of the aforesaid Grantees in said Deed, their successors and assigns, and all other parties hereinafter dealing with or who may acquire an interest in the property described therein and shall bind the respective heirs, executors, administrators and assigns of the undersigned.

DATED: April 28, 2009

Thomas L. Wells
THOMAS L. WELLS

Lori G. Wells
LORI G. WELLS

STATE OF OREGON

COUNTY OF Klamath SS

On this 28th day of April 2009, before me, Lani R. Blankenship a Notary Public in and for said County and State, personally appeared THOMAS L. WELLS AND LORI G. WELLS known to me to be the person(s) whose name(s) are subscribed to the within instrument and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that they executed the same.

Lani R. Blankenship

Notary Public
Residing at
Commission Expires:

