

WJC 90557

2011-012223

Klamath County, Oregon



00109509201100122230050053

RECORDING REQUESTED BY:

10/31/2011 03:16:40 PM

Fee: \$57.00

AND WHEN RECORDED MAIL
DEED AND TAX STATEMENT TO:

BENEFICIAL OREGON INC.
c/o HSBC MORTGAGE SERVICES INC
636 GRAND REGENCY BOULEVARD
BRANDON, FL
33510

Trustee Sale No. OR08000102-11-DIL

APN 3909-011BA-02500-000

Title Order No. 5900921

Grantor: Michelle L. Powers, and Randal R. Powers, as tenants by the entirety
Grantee: BENEFICIAL OREGON INC.
Commonly Known As: 4808 Harlan Dr., Klamath Falls, OR 97603
Tax Parcel No.: 3909-011BA-02500-000

The true consideration for this conveyance is \$ 144,124.11 plus other goods and consideration. (Here comply with the requirements of ORS 93.030)

STATUTORY WARRANTY DEED

The Grantor(s), **Michelle L. Powers, and Randal R. Powers, as tenants by the entirety**, for and in consideration of a DEED IN LIEU OF FORECLOSURE, grants, bargains, sells, conveys, and conforms to **BENEFICIAL OREGON INC.** under said Deed of Trust recorded on **December 18, 2006**, as Volume **2006, Page 024931**, the following described real estate, situated in the County of **Klamath**, State of **Oregon**:

BEGINNING AT A POINT 100 FEET, WESTERLY ON THE NORTHERLY LINE OF TRACT 39, HOMEDALE, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON, FROM THE NORTHEAST CORNER OF TRACT 39; THENCE SOUTHWEST PARALLEL WITH THE SOUTHEAST LINE OF SAID TRACT 39 TO A POINT ON THE SOUTHWEST LINE OF SAID TRACT 39; THENCE NORTHWEST ALONG THE SOUTHWEST LINE OF SAID TRACT 100.27 FEET TO A POINT; THENCE NORTHEAST AND PARALLEL WITH THE SOUTHEAST LINE OF SAID TRACT 39 TO A POINT ON THE NORTHEAST LINE OF SAID TRACT 39; THENCE SOUTHEAST ALONG THE NORTHEAST LINE OF SAID TRACT 39, 100 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THAT PORTION OF SAID TRACT 39 DEEDED TO KLAMATH COUNTY BY INSTRUMENT RECORDED MARCH 23, 1960 IN VOLUME 319, PAGE 679, DEED RECORDS OF KLAMATH COUNTY, OREGON, FOR ROAD PURPOSES.

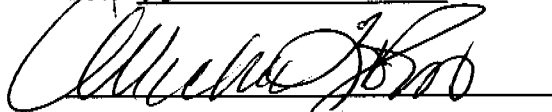
Commonly known as: **4808 Harlan Dr., Klamath Falls, OR 97603**

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS

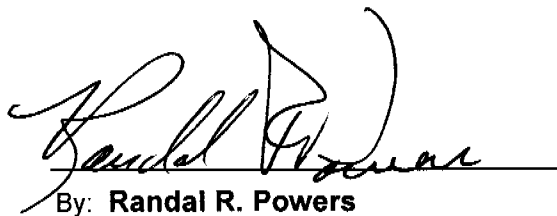
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AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

Date: 10-17-11



By: **Michelle L. Powers**



By: **Randal R. Powers**

STATE OF NEW JERSEY
COUNTY OF Salem

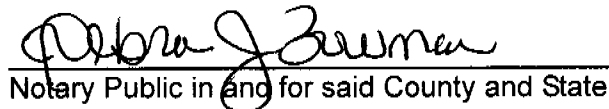
On OCTOBER 17, 2011 before me DEBRA J. BOWMAN, a
Notary Public in and for said county, personally appeared,
MICHELLE L. POWERS & RANDAL R. POWERS

personally known to me (or 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 NEW JERSEY that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

seal


Notary Public in and for said County and State

DEBRA J. BOWMAN
NOTARY PUBLIC OF NEW JERSEY
I.D. # 2340059
My Commission Expires 2/7/2016



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ESTOPPEL AND SOLVENCY AFFIDAVIT

State of Oregon
County of Klamath

Michelle L. Powers, and Randal R. Powers, as tenants by the entirety, ("Deponent") being first duly sworn, for themselves, deposes and says:

That "Deponent" is the identical party who made, executed and delivered that certain Deed in Lieu of Foreclosure to **BENEFICIAL OREGON INC.** ("Grantee") dated 10/17/11, encompassing the following described property, to wit:

BEGINNING AT A POINT 100 FEET, WESTERLY ON THE NORTHERLY LINE OF TRACT 39, HOMEDALE, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON, FROM THE NORTHEAST CORNER OF TRACT 39; THENCE SOUTHWEST PARALLEL WITH THE SOUTHEAST LINE OF SAID TRACT 39 TO A POINT ON THE SOUTHWEST LINE OF SAID TRACT 39; THENCE NORTHWEST ALONG THE SOUTHWEST LINE OF SAID TRACT 100.27 FEET TO A POINT; THENCE NORTHEAST AND PARALLEL WITH THE SOUTHEAST LINE OF SAID TRACT 39 TO A POINT ON THE NORTHEAST LINE OF SAID TRACT 39; THENCE SOUTHEAST ALONG THE NORTHEAST LINE OF SAID TRACT 39, 100 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THAT PORTION OF SAID TRACT 39 DEEDED TO KLAMATH COUNTY BY INSTRUMENT RECORDED MARCH 23, 1960 IN VOLUME 319, PAGE 679, DEED RECORDS OF KLAMATH COUNTY, OREGON, FOR ROAD PURPOSES.

Commonly known as: **4808 Harlan Dr., Klamath Falls, OR 97603**

That the aforesaid deed was an absolute conveyance of the title to said premises to the Grantee named therein, in effect as well as in form, and was and is not intended as a mortgage, trust conveyance, or security of any kind, and that possession of said premises has been surrendered to the proffered Deed in Lieu of Foreclosure to the Grantee named therein, together with full cancellation of all debts, obligations, costs and charges heretofore existing under and by virtue of the terms of that certain Deed of Trust heretofore existing on the property therein and hereinbefore, dated **December 14, 2006** and recorded on **December 18, 2006**, as **Volume 2006, Page 024931**, of the records of Klamath County, Oregon, executed by **Michelle L. Powers, and Randal R. Powers, as tenants by the entirety** as Trustor(s), to **BENEFICIAL OREGON INC., A DELAWARE CORPORATION** as Beneficiary, to Regional Trustee Services, as Trustee and the cancellation of record of said Deed of Trust.

record of said Deed of Trust.

That the aforesaid deed and conveyance was by this Deponent as the result of their request that the Grantee accept such deed and was their free and voluntary act; that at the time of making said deed this Deponent considered and still considers that the indebtedness above-mentioned represented a fair value of the property so deeded; that said deed was not given as a preference against any other creditors of the Deponent or either of them; that as of the time it was given there was no other person or persons, firms or corporations, other than the Grantee therein named interested, either directly or indirectly, in said premises: that this Deponent is not obligated upon any bond or other mortgage whereby any lien has been created or exists against the premises described in said deed; that Deponent in offering to execute the aforesaid deed to the Grantee therein, and in execution of the same, was not acting under any duress, undue influence, misapprehension or misrepresentation by the Grantee in said deed, or the agent or attorney or any other representative of the Grantee in said deed; that it was the intention of this Deponent as Grantor in said deed to convey and by said deed the Deponent did convey to the Grantee therein all their right, title, and interest absolutely in and to the premises described in said deed.

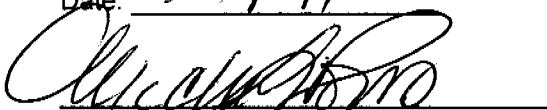
There are no unpaid bills or claims for labor or services performed or material furnished or delivered during neither the last twelve months nor any contract for the making of repairs or improvements on said premises.

There are no chattel mortgages, conditional sale contracts, security agreements, financing statements, retention of title agreements or personal property leases affecting any materials, fixtures, appliances, furnishings, or equipment placed upon or installed in or upon the premises and all plumbing, heating, lighting, refrigerating and other equipment is fully paid for including all bills for the repair thereof.


There are no outstanding bills for utilities, unused fuel, gas, electric or sewer.

This affidavit is made for the protection and the benefit of the aforesaid Grantee in said deed, its successors and assigns, and all other parties hereafter 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.

Date: 10-17-11



By: **Michelle L. Powers**



By: **Randal R. Powers**

STATE OF NEW JERSEY
COUNTY OF Salem

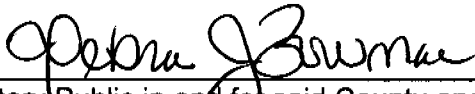
On OCTOBER 17, 2011 before me DEBRA J. BOUMAN, a
Notary Public in and for said county, personally appeared,
MICHELLE L. POWERS & RANDAL R. POWERS
personally known to me (or proved to me on the basis of satisfactory evidence) to be the

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 New Jersey that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

seal



Notary Public in and for said County and State

DEBRA J. BOWMAN
NOTARY PUBLIC OF NEW JERSEY
I.D. # 2340059
My Commission Expires 2/7/2016

