

19 1768440

2012-001749
Klamath County, Oregon

**WHEN RECORDED MAIL DEED
AND TAX STATEMENT TO:**

The Bank of New York Mellon
c/o Bank Of America Home Loans
400 National Way
Simi Valley, CA 93065



00114104201200017490060065

02/16/2012 11:24:24 AM

Fee: \$62.00

RECORDING COVER SHEET

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, ORS 205.234, and does NOT affect the instrument.

**ESTOPPEL AND SOLVENCY AFFIDAVIT AND
STATUTORY WARRANTY DEED**

Trustee Sale No: OR08000206-11-DIL

APN: R300640

Title Order No: 6007077

Consideration Amount \$163,800.00

ASSIGNOR:	WILLIAM A. GIBSON AND KATHRYN E. GIBSON, AS TENANTS BY THE ENTIRETY
(TRUSTOR)	1532 Lakeview Avenue, Klamath Falls, OR 97601
ASSIGNEE:	THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWALT, INC., ALTERNATIVE LOAN TRUST 2007-HY7C MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-HY7C
(CURRENT BENEFICIARY)	5401 N. Beach St, Fort Worth, TX 76137
ORIGINAL TRUSTEE:	Aspen Title & Escrow N/A
ORIGINAL BENEFICIARY:	"MERS" is Mortgage Electronic Registration Systems, Inc., acting solely as a nominee for Direct Mortgage, Inc. 4500 Amon Carter Blvd., TX2-979-01-19, Fort Worth, TX 76155

RECORDING REQUESTED BY:

WHEN RECORDED MAIL DEED
AND TAX STATEMENT TO:

*The Bank of New York Mellon
c/o Bank Of America Home Loans
4500 Amon Carter Blvd.
Tx2-979-01-19
Fort Worth, TX. 76155

Case No. **OR08000206-11**
MIN# 1003458-0705004500-4
PHONE# 888-679-6377

APN **R300640**

Title Order No. **6007077**

Grantor: WILLIAM A. GIBSON AND KATHRYN E. GIBSON, AS TENANTS BY THE
ENTIRETY

Grantee: THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK,
AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWALT, INC.,
ALTERNATIVE LOAN TRUST 2007-HY7C MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2007-HY7C

Commonly Known As: 1532 Lakeview Avenue, Klamath Falls, OR 97601

Tax Parcel No.: R300640

The true consideration for this conveyance is **\$163,800.00** plus other goods and consideration. (Here
comply with the requirements of ORS 93.030)

STATUTORY WARRANTY DEED

The Grantor(s), **WILLIAM A. GIBSON AND KATHRYN E. GIBSON, AS TENANTS BY THE ENTIRETY**,
for and in consideration of a DEED IN LIEU OF FORECLOSURE, grants, bargains, sells, conveys, and
conforms to ***THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK,
AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWALT, INC., ALTERNATIVE LOAN
TRUST 2007-HY7C MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-HY7C** under said
Deed of Trust recorded on **May 30, 2007** as Instrument No. **2007-9731** the following described real
estate, situated in the County of **Klamath**, State of **Oregon**:

**The South 33 feet and 4 inches of Lot 2 Block 6, FAIRVIEW ADDITION NO. 2 to the City of Klamath
Falls, according to the official plat thereof on file in the office of the Clerk of Klamath County,
Oregon, and more particularly described as follows:**

**Beginning at the Southeast corner of said Lot 2, running thence West 110 feet to the Southwest
corner of said Lot; thence North along the West line of said Lot 2. 33 feet and 4 inches; thence
East and parallel with the South line of said Lot 2, 110 feet to the West line of Lakeview Avenue;
thence South along the line of Lakeview Avenue 33 feet and 4 inches to the place of beginning.**

**AND ALSO all of Lot 3 Block 6, Fairview Addition No. 2 to the City of Klamath Falls, according to
the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.**

Commonly known as: 1532 Lakeview Avenue, Klamath Falls, OR 97601

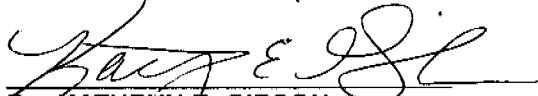
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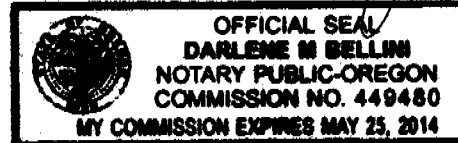
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT 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 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: December 17, 2011


By: KATHRYN E. GIBSON


By: WILLIAM A. GIBSON

STATE OF OREGON
COUNTY OF KLAMATH




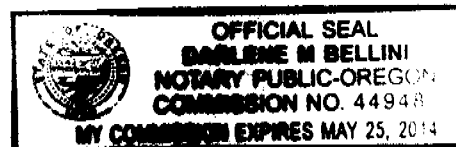
On 17 December 11 before me Darlene M. Bellini, a Notary Public in and for said

county, personally appeared, KATHRYN E. GIBSON AND WILLIAM A. GIBSON who 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 OREGON that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Notary Public in and for said County and State



RECORDING REQUESTED BY:

WHEN RECORDED MAIL DEED
AND TAX STATEMENT TO:

*The Bank of New York Mellon
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Case No. **OR08000206-11**
MIN# 1003458-0705004500-4
PHONE# 888-679-6377

APN **R300640**

Title Order No. **6007077**

Grantor: **WILLIAM A. GIBSON AND KATHRYN E. GIBSON, AS TENANTS BY THE ENTIRETY**

Grantee: **THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWALT, INC., ALTERNATIVE LOAN TRUST 2007-HY7C MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-HY7C**

Commonly Known As: **1532 Lakeview Avenue, Klamath Falls, OR 97601**

Tax Parcel No.: **R300640**

ESTOPPEL AND SOLVENCY AFFIDAVIT

State of **Oregon**
County of **Klamath**

WILLIAM A. GIBSON AND KATHRYN E. GIBSON, 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 **THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWALT, INC., ALTERNATIVE LOAN TRUST 2007-HY7C MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-HY7C** ("Grantee") dated 12/17/2011, encompassing the following described property, to wit:

The South 33 feet and 4 inches of Lot 2 Block 6, FAIRVIEW ADDITION NO. 2 to the City of Klamath Falls, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon, and more particularly described as follows:

Beginning at the Southeast corner of said Lot 2, running thence West 110 feet to the Southwest corner of said Lot; thence North along the West line of said Lot 2. 33 feet and 4 inches; thence East and parallel with the South line of said Lot 2, 110 feet to the West line of Lakeview Avenue; thence South along the line of Lakeview Avenue 33 feet and 4 inches to the place of beginning.

AND ALSO all of Lot 3 Block 6, Fairview Addition No. 2 to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Commonly known as: **1532 Lakeview Avenue, Klamath Falls, OR 97601**

Case No. **OR08000206-11**
MIN# 1003458-0705004500-4
PHONE# 888-679-6377

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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 **May 18, 2007** and recorded on **May 30, 2007** as Instrument No. **2007-9731** of the records of **Klamath County, Oregon**, executed by **WILLIAM A. GIBSON AND KATHRYN E. GIBSON, AS TENANTS BY THE ENTIRETY** as Trustor(s), to **Aspen Title & Escrow** as Trustee, **"MERS" is Mortgage Electronic Registration Systems, Inc., acting solely as a nominee for Direct Mortgage, Inc.** as Beneficiary, and the cancellation of 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.

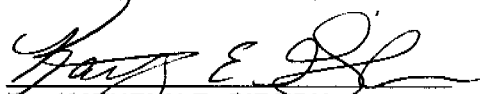
This affidavit is made for the protection and the benefit of the aforesaid Grantee in said Deed, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property described therein, and shall bind the respective heirs, executors, administrators and assigns of the undersigned.


Case No. OR08000206-11
MIN# 1003458-0705004500-4
PHONE# 888-679-6377

APN R300640

Title Order No. 6007077

Date: DECEMBER 17, 2011


By: KATHRYN E. GIBSON


By: WILLIAM A. GIBSON


STATE OF OREGON
COUNTY OF KLAMATH

On 17 DECEMBER 11 before me DARLENE M BELLINI, a Notary Public in and for said

county, personally appeared, KATHRYN E GIBSON AND WILLIAM A GIBSON who 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 OREGON that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Notary Public in and for said County and State

