

197 1854975

2012-004664

Klamath County, Oregon



00117593201200046640050057

05/03/2012 11:31:29 AM

Fee: \$57.00

When recorded mail to:

Bank of America, N.A.
WA1-501-15-22
PO Box 3977
Seattle, WA 98124-2477

WARRANTY DEED

In Lieu of Foreclosure

TS#: 09-BR-117636

Order No.: 6507240

THE GRANTOR Daniel Brown and Elouise Brown, as tenants by the entirety, for and in consideration of CANCELLATION OF INDEBTEDNESS, grant(s), bargain(s), sell(s), convey(s) and confirm(s) to Bank of America, N.A., as such, the following described real estate situated in the County of Klamath, State of Oregon, together with any mobile or manufactured home(s) thereon

Tax Parcel No.: R886770

UNIT 17 TRACT 1381 - THE HARBOR ISLES GOLF COURSE CONDOMINIUM - STAGE 10, TOGETHER WITH THE GENERAL AND LIMITED COMMON ELEMENTS PERTAINING THERETO, AS PROVIDED IN THE SUPPLEMENTAL DECLARATION SUBMITTING STAGE 10 OF HARBOR ISLES GOLF COURSE CONDOMINIUM TO CONDOMINIUM OWNERSHIP RECORDED THE 7TH DAY OF NOVEMBER, 2000 IN THE RECORDS OF KLAMATH COUNTY, OREGON. THE LAND INCLUDED WITHIN SUCH PROPERTY IS DESCRIBED IN EXHIBIT A TO THE SUPPLEMENTAL DECLARATION AND SUCH DESCRIPTION IS INCORPORATED HEREIN BY REFERENCE.

Commonly known as: 885 Hanks Street, Klamath Falls, OR 97601

This deed is absolute conveyance of title and is executed and delivered in lieu of foreclosure by Grantors of those certain Deeds of Trust, one dated December 6, 2009 and recorded under Instrument No. 2009-015584 on December 10, 2009, and another dated December 6, 2009 and recorded under Instrument No. 2009-015585 on December 10, 2009, in Klamath County, Oregon.

Grantor concurrently herewith transfer(s) and assign(s) any and all reserve accounts held with respect to the subject loan account to Grantee

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Grantor warrants that no labor has been performed nor any materials delivered to the property described herein which have been fully paid and in consequence of which any lien may be claimed or enforced against said property.

Grantor agrees that this deed shall not operate to extinguish that deed of trust referred to hereinabove and unless and until this deed is accepted by Grantee and placed by Grantee of record.

The Grantor and his successors in interest do by these presents expressly limit the covenants of the deed to these herein expressed, and exclude all covenants arising or to arise by statutory or other implication and do hereby covenant that against all persons whosoever lawfully claiming or to claim by, through or under said Grantors and not otherwise, will forever warrant and defend the said described real estate.

Dated: 4-13-12

By: Daniel L. Brown
DANIEL BROWN

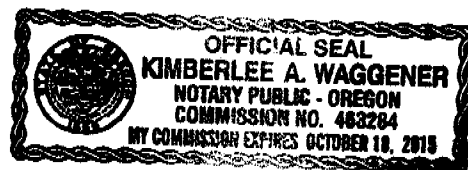
By: Elouise Brown
ELOUISE BROWN

State of Oregon)
County of Klamath) ss

On 4/13/12, before me Kim Waggener, a Notary Public in and for said County and State, personally appeared Daniel Brown and Elouise Brown personally known to me (or proved to me on the basis of satisfactory evidence) to 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

WITNESS my hand and official seal

Signature [Signature]
NOTARY PUBLIC in and for the State of Oregon
Residing in Klamath County
My commission expires: 10/18/2015



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ESTOPPEL AND SOLVENCY AFFIDAVIT

TS#: 09-BR-117636

Order No.: 6507240

Grantor: Daniel Brown and Elouise Brown, as tenants by the entirety

Grantee: Bank of America, N.A.

Commonly Known As: 885 Hanks Street, Klamath Falls, OR 97601

Tax Parcel No.: R886770

State of Oregon)
) ss
County of Klamath)

Daniel Brown and Elouise Brown, as tenants by the entirety, being duly sworn, depose(s) and say(s)

That he/she/they executed and delivered that certain Deed in Lieu of Foreclosure conveying to Bank of America, N.A. ("Grantee") dated 4-13-12 as such, the following described property situated in the City of Klamath Falls, County of Klamath and State of Oregon, to wit.

LEGAL DESCRIPTION:

Tax Parcel No.: R886770

Commonly Known As: 885 Hanks Street, Klamath Falls, OR 97601

That the aforesaid deed executed by Daniel Brown and Elouise Brown, as tenants by the entirety, to Bank of America, N.A. was an absolute conveyance of the title to said

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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 by 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 those certain Deeds of Trust heretofore existing on the property therein and hereinbefore, one dated December 6, 2009 and recorded December 10, 2009, as Instrument No. 2009-015584, and another dated December 6, 2009 and recorded December 10, 2009, as Instrument No. 2009-015585, records of Klamath County, Oregon, and the cancellation of record of said Deeds 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 if 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 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, fixture, 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 is no outstanding bill 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/or assigns as their interest may appear, 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.

Grantor agrees that this deed shall not operate to extinguish that deed of trust referred to hereinabove and unless and until this deed is accepted by Grantee and placed by Grantee of record

Dated: 4-13-12

By: Daniel H Brown
DANIEL BROWN

By: Elouise Brown
ELOUISE BROWN

State of Oregon)
County of Klamath) ss

On 4/13/12, before me Kim Waggener, a Notary Public in and for said County and State, personally appeared Daniel Brown and Elouise Brown personally known to me (or proved to me on the basis of satisfactory evidence) to 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

WITNESS my hand and official seal

Signature [Signature]
NOTARY PUBLIC in and for the State of Oregon
Residing in Klamath County
My commission expires: 10/18/2015

