

1st 1839496

2012-013788  
Klamath County, Oregon  
12/11/2012 01:39:36 PM  
Fee: \$42.00

After recording return to:  
Trudy Arneson  
Routh Crabtree Olsen, PS  
13555 SE 36<sup>th</sup> St., Suite 300  
Bellevue, WA 98006

8519.80041/Moore, James and Joyce

### ESTOPPEL AFFIDAVIT

STATE OF Oregon  
COUNTY OF Klamath ss.

James Moore and Joyce Moore as tenants by the entirety, (the "Affiants") being first duly sworn, depose and state:

That the Affiants are the individuals who made, executed, and delivered that certain Warranty Deed (Deed in Lieu) to Federal National Mortgage Association, conveying the following described property ("Property") in Klamath County, Oregon.

LOT 17 IN BLOCK 4, TRACT 1000, SECOND ADDITION TO SUNSET VILLAGE, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

Tax Parcel No. R563900

Commonly known as 3906 Coronado Way, Klamath Falls, Oregon 97603

That the aforesaid Warranty Deed is intended to be and is an absolute conveyance of the title to the Property to the Grantee named therein, and was not and is now not intended as a mortgage, trust conveyance, or security of any kind; that it was the intention of Affiants as Grantors of the Warranty Deed to convey, and by the Warranty Deed the Affiants did convey, to the Grantee therein all right, title, and interest absolutely in and to the Property; and that possession of the Property has been surrendered to the Grantee;

That in the execution and delivery of the Warranty Deed, Affiants as Grantors were not acting under any misapprehension as to the effect thereof, and acted freely and voluntarily and were not acting under coercion or duress;

That the Warranty Deed shall not cause a merger of the Affiants' interest under the Warranty Deed with the Beneficiary's interest under the Deed of Trust encumbering the Property and granted by Affiants herein, to First American Title Insurance Company as Trustee, and to ABN AMRO Mortgage Group, Inc. as Beneficiary, dated October 26, 2007, and recorded on October 31, 2007 under File No. 2007-018682, in the Official Records of Klamath County, State of Oregon (the "Deed of Trust") described herein, or the related documents. The interest transferred by the Warranty Deed is intended to be a separate interest from the beneficial interest or lender's interest under the Deed of Trust.

The Warranty Deed was not, and is not given as a preference against any other creditors of the Affiants herein; there is no other person or persons, firms or corporations, other than the Affiants therein named interested, either directly or indirectly in said Property; that Grantors are solvent and have no other creditors whose rights would be prejudiced by such conveyance and that Grantors are not obligated upon any bond or other deed of trust whereby any lien has been created or exists against the Property described in said Warranty Deed.

Consideration for the Warranty Deed is payment to Affiants of the sum of \$0.00 by Grantee, and a covenant not to sue to enforce the promissory note dated October 26, 2007, in the amount of \$180,000.00, or to foreclose the Deed of Trust encumbering the Property; that at the time of making the Warranty Deed, Affiants believed and now believe that this consideration represents the fair value of the Property so deeded.

This affidavit is made for the protection and benefit of the Grantee of said Warranty Deed and First American Title Company, 404 Main Street, Ste 1, Klamath Falls, OR 97601 which is about to insure the title to the Property in reliance thereon, and any other title company that may hereafter insure the title to the Property; That Affiants will testify, declare, depose, or certify before any competent tribunal, officer, or person, in any case now pending or that may hereafter be instituted, to the truth of the particular facts hereinabove set forth.

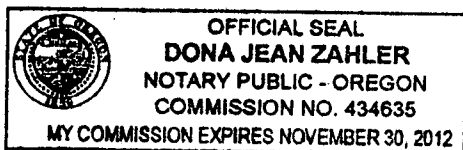
James Moore  
James Moore

Joyce Moore  
Joyce Moore

STATE OF Oregon )  
COUNTY OF Klamath ) ss.

I certify that I know or have satisfactory evidence that James Moore is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it as the free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 13 day of September, 2012.

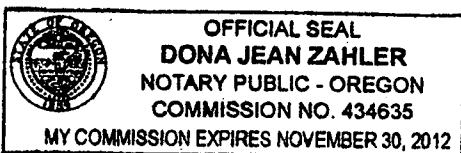


Dona Jean Zahler  
Printed Name: Dona Jean Zahler  
Notary Public in and for the State of Oregon  
residing at Klamath County  
My commission expires: 11-30-2012

STATE OF Oregon )  
COUNTY OF Klamath ) ss.

I certify that I know or have satisfactory evidence that Joyce Moore is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it as the free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 13 day of September, 2012.



Dona Jean Zahler  
Printed Name: Dona Jean Zahler  
Notary Public in and for the State of Oregon  
residing at Klamath County  
My commission expires: 11-30-2012

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.

#### ESTOPPEL AFFIDAVIT

James Moore and Joyce Moore as tenants by the entirety,  
Grantors  
to  
Federal National Mortgage Association, Grantee