

mtc 95859

**When recorded return to:**

Stewart Lender services/Joanne Bui  
9700 Bissonnet Suite 1500  
Mail-Stop SLS 1980  
Houston, TX 77036

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

**Deed of Trust Subordination Agreement**

1158675

Account No. 0451

This Agreement is made 2/21/2013, by and between US Bank National Association ND ("Bank") 4325 17<sup>th</sup> Ave S.W., Fargo, N.D. 58103 and CITIBANK, NA ("Refinancer").

Bank is the beneficiary under a deed of trust (the "Junior Deed of Trust") dated 04 day of February, 2009, granted by Peter H. Roby and Treena L. Roby, husband and wife ("Borrower"), and recorded in the office of the County Recorder, Klamath County, Oregon, in Book , Page , as Document 2009-002983, encumbering the real property described therein (collectively, the "Property"). Refinancer is the beneficiary under a deed of trust (the "Senior Deed of Trust") dated March 27, 2013, granted by the Borrower, and recorded in the same office on \_\_\_\_\_, 20\_\_\_\_\_, as concurrently herewith, encumbering the property. To induce Refinancer to make a loan to the Borrower secured by the Senior Deed of Trust, Bank has agreed to execute and deliver this Subordination Agreement.

ACCORDINGLY, in consideration of the premises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Bank hereby agrees with Refinancer that the lien of the Junior Deed of Trust on the Property is and shall be and shall remain fully subordinate for all purposes to the lien of the Senior Deed of Trust on the Property, to the full extent of all sums from time to time secured by the Senior Deed of Trust; provided, however, that the total indebtedness secured by the Senior Deed of Trust does not exceed \$102,200.00, exclusive of interest thereon, amounts advanced to protect the lien and priority of the Senior Deed of Trust, and costs of collection, and provided further, that this agreement shall not be effective until each other mortgage or other lien recorded against the property (other than the Senior Mortgage) and each judgment that is a lien against the Property shall be subordinated of record of the lien of the Senior Mortgage.

47 AMT

Legal Description: see attached legal

Property Address 515 Delta St., Klamath Falls, OR 97601-2452

IN WITNESS THEREOF, this Subordination Agreement is executed on the day and year first above stated.

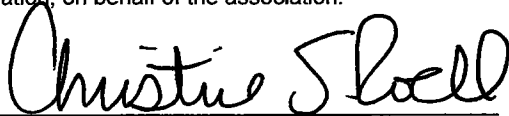
Bank Name: ~~US Bank~~ National Association ND

  
By: Steven Barnes, Vice President

STATE OF Wisconsin )


COUNTY OF Winnebago )

The foregoing instrument was acknowledged before me this 2/21/2013, by (name) Steven Barnes, Vice President, of US Bank National Association ND, a national banking association, on behalf of the association.

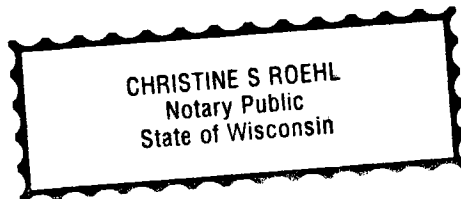


Christine S. Roehl, Notary Public

My Commission Expires: 1/29/2017



Prepared by: Shannon Hensel



**EXHIBIT "A" LEGAL DESCRIPTION**

Account #: 14465437  
Order Date : 01/29/2009  
Reference : 20090281859100  
Name : PETER ROBY  
          TREENA ROBY  
Deed Ref : M03/89921

Index #:  
  
Parcel #: R299689

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**SITUATED IN THE COUNTY OF KLAMATH, STATE OF OREGON, DESCRIBED AS: LOT 3, WEST PARK, IN THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON.**

**SUBJECT TO ALL EASEMENTS, COVENANTS, CONDITIONS, RESERVATIONS, LEASES AND RESTRICTIONS OF RECORD, ALL LEGAL HIGHWAYS, ALL RIGHTS OF WAY, ALL ZONING, BUILDING AND OTHER LAWS, ORDINANCES AND REGULATIONS, ALL RIGHTS OF TENANTS IN POSSESSION, AND ALL REAL ESTATE TAXES AND ASSESSMENTS NOT YET DUE AND PAYABLE.**

**BEING THE SAME PROPERTY CONVEYED BY DEED RECORDED IN VOLUME M03, PAGE 89921, OF THE KLAMATH COUNTY, OREGON RECORDS.**