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2013-005343

Klamath County, Oregon

05/14/2013 10:46:48 AM

Fee: \$57.00

Recorded Requested By  
And When Recorded Mail To:

BANK OF AMERICA, N.A.  
4161 PIEDMONT PARKWAY  
GREENSBORO NC 27410-8110

DIL No: 1379094-53  
Loan No: 185143985 **RECORDING REQUESTED BY  
FIRST AMERICAN TITLE COMPANY  
AS AN ACCOMMODATION ONLY**

7654312

**WARRANTY DEED IN LIEU OF FORECLOSURE**

FOR VALUE RECEIVED, DORENE L HARGER AND BARBARA J WILSON, WITH RIGHTS OF SURVIVORSHIP as grantor, do hereby Grant, Bargain, Sell and Convey unto **BANK OF AMERICA, NA**

The Grantee, the following described real estate, to-wit:

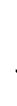
**LOT 8 OF SUMMERS HEIGHTS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.**

This Deed is an absolute conveyance of title, in effect as well as in form and is not intended as a mortgage, trust conveyance, or security of any kind. The consideration hereto existing on account of the Deed of Trust on said land recorded on June 16, 2008 as instrument No. 2008-008674, book NA, page NA records of **KLAMATH** County, OREGON. This Deed completely satisfies said Deed of Trust and Note secured thereby, and any effect thereof in all respects.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee their successors, heir and assigns forever. And the Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: April 3, 2013

  
DORENE L. HARGER

  
BARBARA J WILSON

State of Alaska  
Municipality \_\_\_\_\_  
County of Anchorage

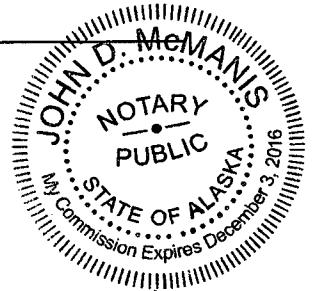
On 4/3/13 before me, J.D. McMANIS,  
a Notary Public, personally appeared DORENE HARGER,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the  
within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized  
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 ALASKA that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

(Seal)

Signature

  
WARD



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4161 PIEDMONT PARKWAY  
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DIL No: 1379094-53  
Loan No: 185143985

**WARRANTY DEED IN LIEU OF FORECLOSURE**

FOR VALUE RECEIVED, DORENE L HARGER AND BARBARA J WILSON, WITH RIGHTS OF SURVIVORSHIP as grantor, do hereby Grant, Bargain, Sell and Convey unto BANK OF AMERICA, NA

The Grantee, the following described real estate, to-wit:

**LOT 8 OF SUMMERS HEIGHTS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.**

This Deed is an absolute conveyance of title, in effect as well as in form and is not intended as a mortgage, trust conveyance, or security of any kind. The consideration hereto existing on account of the Deed of Trust on said land recorded on June 16, 2008 as Instrument No. 2008-008674, book NA, page NA records of KLAMATH County, OREGON. This Deed completely satisfies said Deed of Trust and Note secured thereby, and any effect thereof in all respects.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee their successors, heir and assigns forever. And the Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: \_\_\_\_\_

Dated: 3-30-13

DORENE L. HARGER

Barbara J. Wilson  
BARBARA J WILSON

State of ARIZONA)

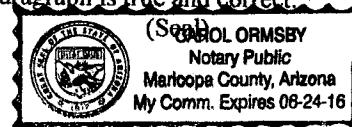
County of MARICOPA)

On 3-30-13 before me, CAROL ORMSBY,  
a Notary Public, personally appeared BARBARA J WILSON,  
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 ARIZONA that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature Carol Ormsby

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And When Recorded Mail To:**

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4161 PIEDMONT PARKWAY  
GREENSBORO NC 27410-8110

DIL No: 1379094-53  
Loan No: **185143985**

**ESTOPPEL AFFIDAVIT**

**DORENE L HARGER AND BARBARA J WILSON, WITH RIGHTS OF SURVIVORSHIP** being first duly sworn, dispose and say: That they are the identical parties who made, executed and delivered that certain Warranty Deed to  
**BANK OF AMERICA, NA**  
dated April 3, 2013 conveying the following described property to wit:

**LOT 8 OF SUMMERS HEIGHTS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.**

That the aforementioned Deed was an absolute conveyance of the title to said land to the Grantees named therein. In effect as well as in form, and was not and is not intended as a Deed of Trust, Mortgage, Contract of security of any kind, an that possession of said land has been surrendered to the said Grantee.

That this consideration in the aforesaid Deed was and is payment to us of the sum of ONE DOLLAR by the Grantees named therein receipt of which is hereby acknowledged, together with full cancellation of all debts, obligation, costs and charges, heretofore existing under and by virtue of the terms of that certain Note secured by the undersigned Deed of Trust heretofore existing on the property herein and hereinbefore described.

That said Note and Deed of Trust were executed by **DORENE L. HARGER** as Grantor to **FIRST AMERICA TITLE INSURANCE** as successor trustee for the benefit and security of **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. IS A SEPARATE CORPORATION THAT IS ACTING SOLELY AS NOMINEE FOR GATEWAY BUSINESS BANK** as beneficiary, recorded on June 16, 2008 as Instrument No. 2008-008674, book NA page NA records of **KLAMATH** County, OREGON.

We have defaulted under the terms of said Note and Deed of Trust. All notice provisions have been complied with and all grace periods have either expired or have been waived by us and the Lender has declared the Note and all indebtedness under the Note and Deed of Trust due and payable according to the terms thereof and the laws of the State of Oregon.

That in offering to execute the aforesaid Deed to the Grantees therein, and in executing the same, we were not acting under any misapprehension as to the effects thereof, nor under duress, undue influence or misrepresentation by the Grantees or the agent or attorney of the Grantees in said Deed. That the aforesaid Deed was made as a result of our request that the Grantees accept such Deed and was our free and voluntary act. Also by executing said Warranty Deed to Grantee's herein, we agree to vacate said premises within ten (10) days of the undersigned date.

That at the time of making said Deed we felt, and still feel, that the Note and Deed of Trust above mentioned represented a fair value of the property so deeded.

That we are solvent and have no other creditors whose rights would be prejudiced by said conveyance. The Deed was not given as preference against any other of our creditors.

**ESTOPPEL AFFIDAVIT**  
**PAGE 2**

That at the time it was given there were no other persons, firms or corporations other than the Grantees therein named interested either directly or indirectly in said land and personal property, and that we are not obligated upon any bond or other Mortgage or Deed of Trust or Contract where any lien has been created or exists against the premises described in said Deed.

That is was our intentions Grantors to convey, and by said Deed did convey to the Grantees therein, all our right, title and interest absolutely in and to the land in said Deed. This Affidavit was made for the protection and benefit of the aforesaid Grantees in said Deed, their successors and assigns, and all other parties hereinafter 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.

DATED: April 3, 2013

*Dorene Harger*  
DORENE L. HARGER

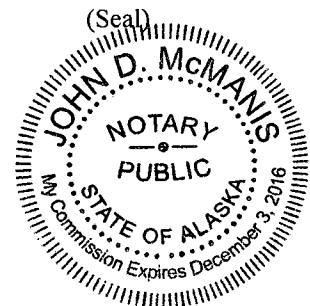
BARBARA J WILSON

State of ALASKA  
Municipality  
County of Anchorage

On 4/3/13 before me, J.D. McMANIS, a Notary Public, personally appeared Dorene Harger, 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 ALASKA that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature



**ESTOPPEL AFFIDAVIT**  
**PAGE 2**

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DATED: 3-30-13

**DORENE L. HARGER**

*Barbara J. Wilson*  
**BARBARA J WILSON**

State of ARIZONA)

County of MARICOPA)

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WITNESS my hand and official seal

Signature Carol Ormsby

(Seal)

