

2013-007025

Klamath County, Oregon



00137988201300070250070072

06/20/2013 10:35:58 AM

Fee: \$67.00

After Recording, Mail/Return to:
Chicago Title of Colorado
3005 Center Green Dr., Suite 130
Boulder, CO 80301

Parcel Number: **R-3908-031CC-03600**

Mail Tax Statements To: Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc., d/b/a American General Financial Services (DE), Inc.
601 NW 2nd STREET, EVANSVILLE, IN 47708

Consideration Amount: **\$1.00**

Grantor: **Venetta L. Strunk**

Grantee: **Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc., d/b/a American General Financial Services (DE), Inc.**

Commitment Number: 1499832

DEED IN LIEU OF FORECLOSURE

KNOWN ALL MEN BY THESE PRESENTS, that Venetta L. Strunk, hereinafter called grantor, for \$1.00 and the consideration hereinafter stated, do hereby grant, bargain, sell and convey unto Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc., d/b/a American General Financial Services (DE), Inc., hereinafter called grantee, and unto grantee's successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, situated in **Klamath County, Oregon**, described as follows:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF KLAMATH, STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS: LOT 19 IN BLOCK 27 OF TRACT NO. 1004 - THIRD ADDITION TO KLAMATH RIVER ACRES, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

Parcel ID: 3908-031CC-03600-000 AND 500844 Commonly known as 10777 Morgan Way, Keno, OR 97627

This being the identical property conveyed to the GRANTOR herein by Deed from recorded in **Book M05-16381**

COMMONLY known as: **10777 Morgan Way, Keno, OR 97627**
Assessor's Parcel Number: **3908-031CC-03600-000 / Account No. 500844**

To have and to hold the same unto the said grantee and grantee's successors and assigns forever.

This deed is absolute in effect and conveys fee simple title of the premises above described to the grantee and does not operate as a mortgage, deed of trust or security of any kind.

This deed does not effect a merger of the fee ownership and the lien of the mortgage described below. The fee and lien shall hereafter remain separate and distinct. By acceptance and recording of this deed, grantee covenants and agrees that it shall forever forebear taking any action whatsoever to collect against grantor on the obligations which are secured by the mortgage/deed of trust (referred to herein as "mortgage") described below, other than by foreclosure of that mortgage; and, that in any proceedings to foreclosure that mortgage, grantee shall not seek, obtain or permit a deficiency judgment against grantors, their heirs, successors or assigns, such right being hereby waived. This paragraph shall be inapplicable in the event that grantor attempts to have this deed set aside or this deed is determined to transfer less than fee simple title to grantee.

Grantor does hereby assign and transfer to grantee any equity of redemption and statutory rights of redemption concerning the real property and the mortgage described below.

Grantor is not acting under any misapprehension as to the legal effect of this deed, nor under duress, undue influence or misrepresentation of grantee, its agent, attorney or any other person. Grantor declares that this conveyance is freely and fairly made in accord with the Estoppel Affidavit attached hereto as Exhibit A.

The true and actual consideration for this transfer consists of grantee's waiver of its right to bring an action against Grantor based on the promissory note secured by the mortgage hereinafter described and agreement not to name the grantor as a party to a foreclosure action stated above with respect to that certain mortgage

Company requires evidence of satisfaction or release of a Deed of Trust from VENETTA L. STRUNK (borrower) dated September 15, 2006 and recorded on September 19, 2006 in (instrument) 2006-018807, of the official property records of KLAMATH County, OR in the amount of \$66,492.99 and in favor of AMERICAN GENERAL FINANCIAL SERVICES (DE), INC. (lender) "TRUSTEE, as trustee ASPEN TITLE AND ESCROW, INC.***SUB TRUSTEE REC 2012-006544 6/15/2012 **NOTICE OF DEFAULT REC 2012-007055 6/26/2012.

In construction this deed and where the context so requires, the singular included the plural and the plural includes the singular and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

WITNESS the hand of said Grantor this 28 day of May, 2013.

Venetta L. Strunk
Venetta L. Strunk

STATE OF Oregon
COUNTY OF Klamath



The foregoing instrument was acknowledged before me on May 28th, 2013 by Venetta L. Strunk who is personally known to me or has produced Driver License as identification, and furthermore, the aforementioned person has acknowledged that his/her signature was his/her free and voluntary act for the purposes set forth in this instrument.

Howard
Notary Public

This instrument prepared by:

Jay A. Rosenberg, Esq., Rosenberg LPA, Attorneys At Law, 3805 Edwards Road, Suite 550,
Cincinnati, Ohio 45209 (513) 247-9605 Fax: (866) 611-0170 and Vic J. Devlaeminck Esq.,
Attorney At Law, Oregon State Bar Number: 861803.

EXHIBIT "A"
ESTOPPEL AFFIDAVIT

STATE OF Oregon
COUNTY OF Klamath

Venetta L. Strunk, being first duly sworn, depose and say: That they are the identical parties who made, executed, and delivered that certain Deed in Lieu of Foreclosure to Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc., d/b/a American General Financial Services (DE), Inc., dated the 28th day of May, 2013, conveying the following described property, to-wit:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF KLAMATH, STATE OF Oregon, AND IS DESCRIBED AS FOLLOWS: LOT 19 IN BLOCK 27 OF TRACT NO. 1004 - THIRD ADDITION TO KLAMATH RIVER ACRES, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

Parcel ID: 3908-031CC-03600-000 AND 500844

Commonly known as 10777 Morgan Way, Keno, OR 97627

That the aforesaid deed was intended to be and was an absolute conveyance of the title to said premises to Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc., d/b/a American General Financial Services (DE), Inc., and was not and is not now intended as a mortgage, trust conveyance, or security of any kind; that it was the intention of affiants as grantors in said deed to convey, and by said deed these affiants did convey to Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc., d/b/a American General Financial Services (DE), Inc., therein all their right, title, and interest absolutely in and to said premises; that possession of said premises has been surrendered to Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc., d/b/a American General Financial Services (DE), Inc.;

That in the execution and delivery of said deed affiants 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 aforesaid deed was not given as a preference against any other creditor or the deponents or either of them; that at the time it was given there was no other person or persons, firms or corporations, other than Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc., d/b/a American General Financial Services (DE), Inc., who have interest, either directly or indirectly, in said premises; that these deponents are solvent and have not other creditors whose rights would be prejudiced by such conveyance, and that

deponents are not obligated upon any bond or mortgage or other security whereby any lien has been created or exists against the premises described in said deed.

That the consideration for said deed was and is payment to affiants of the sum of \$1.00 by Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc., d/b/a American General Financial Services (DE), Inc., agreement to forebear taking any action against affiants to collect on the obligations secured by the mortgage described below, other than by foreclosure of that mortgage and to not seek, obtain or permit a deficiency judgment against affiants in such foreclosure action. The mortgage referred to herein:

Company requires evidence of satisfaction or release of a Deed of Trust from VENETTA L. STRUNK (borrower) dated September 15, 2006 and recorded on September 19, 2006 in (instrument) 2006-018807, of the official property records of KLAMATH County, OR in the amount of \$66,492.99 and in favor of AMERICAN GENERAL FINANCIAL SERVICES (DE), INC. (lender) *TRUSTEE, as trustee ASPEN TITLE AND ESCROW, INC. ***SUB TRUSTEE REC 2012-006544 6/15/2012 **NOTICE OF DEFAULT REC 2012-007055 6/26/2012.

At the time of making said deed in lieu of foreclosure affiants believed and now believe that the aforesaid consideration therefore represents the fair value of the property so deeded, or more.

This affidavit is made for the protection and benefit of Springleaf Financial Services, Inc., formerly known as American General Financial Services, Inc., d/b/a American General Financial Services (DE), Inc., its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described.

That affiants, and each of them will testify, declare, depose, or certify before any competent tribunal, officer, or person, in any case now pending or which may hereafter be instituted, to the truth of the particular facts hereinabove set forth.

WE (THE BORROWERS) UNDERSTAND THAT WE HAD A RIGHT TO OBTAIN LEGAL
ADVICE BEFORE SIGNING THE AFORESAID DEED. WE HAVE EITHER DONE SO OR
HAVE ELECTED TO PROCEED WITHOUT LEGAL ADVICE.

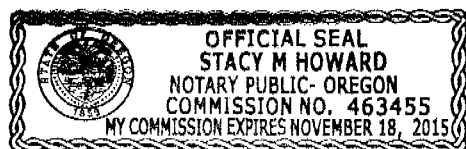
Dated: 5-28-13



Venetta L. Strunk

STATE OF Oregon
COUNTY OF Klamath

The foregoing instrument was acknowledged before me on May 28th, 2013 by Venetta L. Strunk who is personally known to me or has produced Driver License as identification, and furthermore, the aforementioned person has acknowledged that his/her signature was his/her free and voluntary act for the purposes set forth in this instrument.





Notary Public