

2013-009687

Klamath County, Oregon

08/23/2013 12:30:33 PM

Fee: \$62.00

MTC 97023

Recording Requested by and After Recording Return to:

Charles A. Brown

Charles A. Brown & Associates, P.L.L.C.

2316 Southmore

Pasadena, Texas 77502

Loan Number: 847177

DEED IN LIEU OF FORECLOSURE

Grantor: Marian G. O'Larick as Trustee of the Revocable Living Trust Marian O'Larick

Grantor's Address: 2175 N. El Dorado Apt 115, Klamath Falls, OR 97601

Grantee: NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY

Grantee's Address: 350 Highland Drive, Lewisville, TX 75067

Real Property – Address: 10553 Wright Ave, Klamath Falls, OR 97603

Real Property – Legal Description: UNIT 10553 (WRIGHT AVENUE), TRACT 1336, FALCON HEIGHTS CONDOMINIUMS- STAGE 1, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.. Parcel Number 3909-03400-90051-000.

WITNESSETH:

WHEREAS, the parties hereto do acknowledge that Grantor, Marian G. O'Larick, is now in default under the terms of a note executed 10/7/2005, and further secured by a mortgage or deed of trust of even date in the original amount of \$165,000.00, recorded 10/13/2005 as Book M05, Page 66463, in the official records of the County of KLAMATH, OR.

Grantor and Grantee further expressly acknowledge and agree that (1) this Deed is not intended, and shall not operate or cause the cancellation, discharge, extinguishment, or merger of the Note, the Mortgage or Deed of Trust, or any other document or debt instrument given to secure the Note or any other obligation due and owing to Grantee, and (2) the delivery and acceptance of this Deed by Grantee shall not preclude the Grantee from enforcing any of its rights under the Mortgage or any other document or debt instrument given to secure the Note or any obligation due and owing to Grantee. Nevertheless,

LA-ant

Grantee covenants and agrees not to seek deficiency judgments or any other form of personal liability against the Grantor with respect to the indebtedness.

This deed is a deed in lieu of foreclosure and is being executed and delivered to the grantee absolutely and unconditionally in consideration of the grantee releasing the grantors from their personal obligation to pay the debt under the mortgage executed by the grantor in favor of the grantee, and is not intended as additional security under that mortgage. It is not the intention of the parties that the mortgage lien held by the grantee shall merge with the fee title being conveyed.

NOW, THEREFORE, for an in consideration of the above and foregoing, Grantor does hereby grant, bargain, sell and convey unto Grantee, its successors and assigns forever, in fee simple, the following described real estate, situated in KLAMATH, OR, and described as follows:

UNIT 10553 (WRIGHT AVENUE), TRACT 1336, FALCON HEIGHTS CONDOMINIUMS-STAGE 1, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

TO HAVE AND TO HOLD, together with all and singular the rights, tenements, hereditaments and appurtenances belonging or in anywise appertaining; and all reversions, remainders, rents, issues and profits; and all the estate, right, title, interest, claim, or demand of the Grantor, either in law or equity.

IN WITNESS, the Grantor has set their hands the day and year first above written.

6-28-2013
Date

Marian G. O'Larick
Marian G. O'Larick as Trustee of the Revocable
Living Trust Marian O'Larick

ACKNOWLEDGMENT

State of OREGON

County of KLAMATH

On this 28th June 2013, before me, the undersigned, a Notary Public, for the aforesaid county and state, duly commissioned and sworn, personally appeared Marian G. O'LaRick as Trustee of the Revocable Living Trust Marian O'LaRick, to me known to be the person (or persons) described in and who executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said person (or persons).

Witness my hand and official seal hereto affixed the day and year first above written.

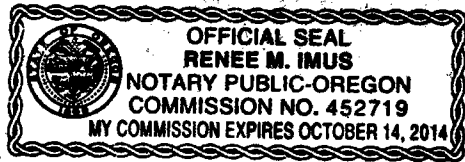
Renée M. Imus

Notary Public

Printed Name: RENEE M. IMUS

My Commission expires: Oct. 14, 2014

(Seal)



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Charles A. Brown
Charles A. Brown & Associates, P.L.L.C.
2316 Southmore
Pasadena, Texas 77502
Loan Number: 847177

ESTOPPEL AFFIDAVIT

THIS AFFIDAVIT, made this 28th day of JUNE, 2013, by Marian G. O'Larick as Trustee of the Revocable Living Trust Marian O'Larick (hereinafter referred to as Grantor) states as follows:

That Marian G. O'Larick, on 10/7/2005, executed and delivered a certain promissory note (the "Note") in the principal sum of \$165,000.00 and secured by a mortgage (the "Mortgage") dated 10/7/2005, and recorded in the Recorder's Office of KLAMATH County, OR, on 10/13/2005, in Book M05, Page 66463, covering the real estate legally described as follows:

UNIT 10553 (WRIGHT AVENUE), TRACT 1336, FALCON HEIGHTS CONDOMINIUMS-STAGE 1, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

That default has occurred in the repayment of the Note and there remains a principal amount due and outstanding and the obligator(s) of the above described note is/are unable to meet the obligations of the Note and Mortgage.

Grantor is the identical party who made, executed, and delivered a deed (the "Deed") conveying the Property to NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY. The Grantor acknowledges, agrees, and certifies that the Deed was an absolute conveyance of the Grantor's rights, title, and interest in and to the Property, together with all buildings and appurtenances belonging and appertaining, and with release of all dower and homestead rights in and to the Property. The Grantor also convey, transfer, and assign their rights of possession, rentals, and equity of redemption in the Property.

The value of the Property is not in excess of the amount of the indebtedness outstanding and in consideration of the premises and in consideration of such conveyance, the Grantors have received a full and complete release of personal liability on the Note together with the cancellation of record by the Grantee and the delivery to the affiant of the Note secured by the Mortgage duly canceled, receipt of which canceled Note is acknowledged.

This Deed was given voluntarily by the Grantor to the Grantee, in good faith on the part of the Grantor and Grantee, without any fraud, misrepresentation, duress or undue influence whatsoever, or any misunderstanding on the part of the Grantor or Grantee and was not given as a preference against any other creditors of the Grantor. The Deed of conveyance shall not restrict the right of the Grantee to institute foreclosure proceedings if the Grantee desires, but the conveyance by the Deed shall be and is intended and understood to be an absolute conveyance and an unconditional sale, with full extinguishment of Grantors' equity of redemption, and with full release of all Grantor's rights, title, and interest of every character in and to the Property. Grantor represents no other.

This affidavit has been made for the protection and benefit of the Grantee in the Deed, its successors and assigns, and all other parties dealing with or who may acquire an interest in the Property, and shall bind the respective heirs, executives, administrators, and assigns of the undersigned. Obligations owed on subject Property.

The Grantor will testify, declare, depose or certify before any competent tribunal, officer, or person, in any case now pending or which may be hereafter instituted, to the truth of the particular facts set forth above.

6-28-2013
Date

Marian G. O'Larick

Marian G. O'Larick as Trustee of the Revocable
Living Trust Marian O'Larick

ACKNOWLEDGMENT

State of OREGON

County of KLAMATH

On this 28th JUNE, 2013, before me, the undersigned, a Notary Public, for the aforesaid county and state, duly commissioned and sworn, personally appeared Marian G. O'Larick as Trustee of the Revocable Living Trust Marian O'Larick, to me known to be the person (or persons) described in and who executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said person (or persons).

SWORN TO AND SUBSCRIBED before me on this JUNE 28, 2013 by Marian G. O'Larick as Trustee of the Revocable Living Trust Marian O'Larick.

Witness my hand and official seal hereto affixed the day and year first above written.

Renée M. Imus
Notary Public

Printed Name: RENEE M. IMUS

My Commission expires: OCT. 14, 2014

(Seal)

