

2013-010287

Klamath County, Oregon



00142094201300102870060067

09/10/2013 09:09:56 AM

Fee: \$62.00

After recording, mail to:  
Christopher M. Heaps  
205 NW Franklin Ave  
Bend, OR 97701

Mail tax statements to:  
American Cash Equities, Inc.  
1470 NE First St, Suite 150  
Bend, OR 97701

**QUITCLAIM DEED**  
**(Deed in Lieu)**

**Michael Chalmer Dunn**, Grantor, releases and quitclaims to **American Cash Equities, Inc.**, Grantee, all right title and interest in and to the following described real property:

**Lot 47 in DIAMOND PEAKS, TRACT NO 1355, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.**

The true and actual consideration for this conveyance is waiver of Grantor's right to foreclose.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated July 26, 2013, 2013.

  
Michael Chalmer Dunn

STATE OF Arizona )  
County of Pinal )

This instrument was acknowledged before me on this 20th day of July,  
2013, by Michael Chalmer Dunn



Georgia Bird  
NOTARY PUBLIC

## AFFIDAVIT OF HEIRSHIP

The undersigned, being first duly sworn, states as follows:

1. I reside at 270 S San Luis Rey Tr, Casa Grande, AZ 85194-8515.
2. I am the son of Robyn Elizabeth Dunn (SSN 554-32-0545), henceforth "the decedent".
3. The decedent died on 9/1/2011, in Klamath County, in the state of Oregon. A copy of the death certificate is attached.
4. The decedent died owning an interest in the following-described real property: Lot 47 in DIAMOND PEAKS, TRACT NO 1355, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.
5. The decedent's estate has not been admitted to probate in any state.
6. The decedent died without a will.
7. The names, relationships, and addresses of the decedent's heirs at law (i.e., those who would inherit if the decedent left no will) are:

<u>Name</u>	<u>Relationship</u>	<u>Address</u>
Robyn Christine Dunn	daughter	9238 Split Rail Road, La Pine, OR 97739
Geoffrey Philip Dunn	son	8143 Weirick Road Corona, CA 92883
Michael Chalmer Dunn	son	270 S San Luis Rey Tr Casa Grande, AZ 85194-8515
8. The decedent was not married and had no registered domestic partner.
9. The total value of the decedent's estate, including the interest in the above-described property, is less than \$30,000.
11. No claims have been filed against the decedent, and all expenses of the decedent's last illness and funeral have been paid in full, or will be paid from the proceeds of the above-described property.
12. No federal or Oregon estate tax is due.
13. I make this affidavit to induce Amerititle and Chicago Title Company to issue a policy of title insurance and to show title in the name of American Cash Equities, Inc, with full knowledge that Amerititle and Chicago Title Company will rely on the representations made herein to insure title.

DATED: July 30, 2013.

  
Michael Chalmer Dunn

STATE OF Arizona )

County of Pinal )

This instrument was acknowledged before me on this 20th day of July,  
2013, by Michael Chalmer Dunn



Georgia Bird  
NOTARY PUBLIC

Company or Agent: AmeriTitle

Order No. \_\_\_\_\_

**AFFIDAVIT AND ESTOPPEL CERTIFICATE**

(Deed in Lieu of Foreclosure)

State of ARIZONA, County of Pinal:

I, Michael Chalmer Dunn, being first duly sworn, depose and say that:

- (1) I am the grantor (herein "Grantor") that made, executed, and delivered that certain deed-in-lieu of foreclosure (herein "the Deed") to American Cash Equities, Inc. (herein "the Grantee") dated attached hereto <sup>MCD</sup> recorded on \_\_\_\_\_ as Recording Reference \_\_\_\_\_, records of the below referenced county in Oregon, conveying the following described property (herein "the Property"), to wit:

**Lot 47 in DIAMOND PEAKS, TRACT NO 1355, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.**

- (2) I make this Affidavit for and on behalf of Grantor pursuant to appropriate resolution that duly authorized the Deed.
- (3) The Deed is intended to be and is an absolute conveyance of the title to the Property to the Grantee and was not and is not now intended as a mortgage, trust deed, or security instrument of any kind. It was the intention of Grantor in said deed to convey to the Grantee all of Grantor's right, title and interest absolutely in and to the Property. Grantor relinquished to the Grantee any equity of redemption and any statutory right of redemption concerning the Property. Possession of the Property has been surrendered to the Grantee. In the execution and delivery of the Deed, Grantor was not acting under any misapprehension as to the effect thereof and Grantor acted freely and voluntarily and was not acting under coercion or duress. The consideration for the Deed was and is forbearance of foreclosure against Grantor and forbearance of an action on the debt against Grantor or of a deficiency judgment against Grantor, with respect to the debt secured by that certain trust deed (herein "the Trust Deed") dated August 19, 2009, recorded on August 31, 2009 as Recording Reference 2009-011680, records of above referenced county in Oregon. At the time of making the Deed, Grantor was in default of the terms and provisions of the Trust Deed. At the time of making the Deed, Grantor believed, and its duly empowered officers, directors and representatives believed, and now believe, that the aforesaid consideration represents fair value for the Property.
- (4) This Affidavit and Estoppel Certificate is made for the protection and benefit of the Grantee, its successors and assigns, and all other parties hereafter dealing with, or who may acquire an interest in, the Property, and particularly for the benefit of any title insurer that insures the title to the Property directly or indirectly in reliance on the facts and representations contained in this Affidavit and Estoppel Certificate.
- (5) The undersigned affiant 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 facts and representations contained in this Affidavit and Estoppel Certificate.
- (6) The undersigned affiant has executed this Affidavit and Estoppel Certificate as an individual, and also for and on behalf of the Grantor.

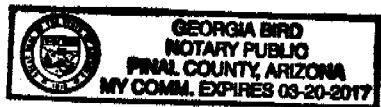
  
Michael Chalmer Dunn

STATE OF Arizona

County of Pinal

This instrument was acknowledged before me on this 26th day of July

2013, by Michael chalmer Dunn



Georgia Bird  
NOTARY PUBLIC