

2013-010845

Klamath County, Oregon



00142787201300108450030034

09/24/2013 01:45:28 PM

Fee: \$47.00

After Recording Return to  
John Blackhurst  
Hornecker, Cowling et al.  
717 Murphy Road  
Medford, OR 97504

Send Tax Statements To:  
Washington Federal  
891 O'Hare Parkway  
Medford, OR 97504

## DEED IN LIEU OF FORECLOSURE

Curtis V. Womelsdorf and LaVonne M. Womelsdorf, whose address is 889 Butte Falls Highway, Eagle Point, OR 97524, Grantors, hereby convey to Washington Federal, a federal savings association, successor by merger to South Valley Bank & Trust, Grantee, whose address is P.O. Box 5210, Klamath Falls, OR 97601, the real property situated in Klamath County, Oregon described as:

### PARCEL 1:

Lots 1 through 16 inclusive and Lot 19, and common areas "A" and "B", TRACT NO. 1465, MADSEN CORNER, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

### PARCEL 2:

Lot 18, TRACT NO. 1465, MADSEN CORNER, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

EXCEPTING THEREFROM the most Southerly 9.01 feet of Lot 18 of said TRACT NO. 1465, MADSEN CORNER SUBDIVISION, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

### PARCEL 3:

Lot 20, TRACT NO. 1465 MADSEN CORNER, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

EXCEPTING THEREFROM that part of Lot 20 of said subdivision being more particularly described as follows:

Beginning at the corner of common to Lots 17, 18 and 20 of said subdivision; thence South 15°14' 51" East along the line common to Lots 17 and 20, 105.67 feet to the Northerly right-of-way line of Haderlie Avenue, 29.50 feet from centerline when measured perpendicularly to said centerline; thence 17.61 feet along the arc of a 120.50 foot radius curve to the right and along said right-of-way line through a central angle of 76°50'16" (the chord of which bears South

53°45'48" East 17.59 feet) to a point of non-tangency; thence leavening said right-of-way line North 06°25'29" West 113.31 feet to the Westerly property line of said Lot 18; thence South 15°14'51" East along said Westerly line 9.01 feet to the point of beginning.

Grantors covenant that:

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

Grantors are the owner of the premises. The property is encumbered by a trust deed wherein Grantee is Beneficiary dated March 7, 2007, and recorded on March 19, 2007, at Volume 2007-004730, Microfilm Records of Klamath County, Oregon. The property is free and clear of all other liens and encumbrances, excepting those preceding the trust deed above-referenced. The trust deed is in default.

This deed does not effect a merger of the fee ownership and the lien of the trust deed described above. The fee and lien shall hereafter remain separate and distinct.

The consideration for this transfer is \$300,000, which shall be given in credit towards the judgment entered in Klamath County Circuit Court Case No. 1102807CV. The consideration given in transfer of this deed is in furtherance of the order entered on February 12, 2013 in United States Bankruptcy Court for the District of Oregon, Case No. 12-62075-tmr11, entitled *In re: Curtis Vale Womelsdorf and LaVonne Mae Womelsdorf*.

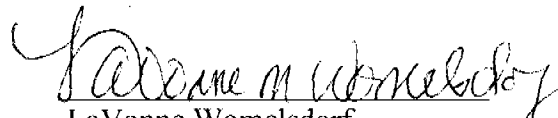
Grantors waive, surrender, convey and relinquish any equity of redemption and any statutory rights of redemption concerning the real property and the trust deed described above. Grantors surrender possession of the real property to Grantee.

Grantors are not acting under any misapprehension as to the legal effect of this deed, nor under any duress, undue influence, or misrepresentation of Grantee, Grantee's agent or attorney, or any other person.

**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.

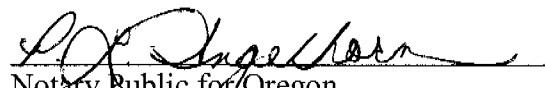
  
Curtis V. Womelsdorf

  
LaVonne Womelsdorf

STATE OF OREGON                    )  
  ) ss.  
County of Jackson                    )

On this 21<sup>st</sup> day of Aug., 2013, Curtis V. Womelsdorf personally appeared in the  
above-named matter and acknowledged the foregoing instrument to be his voluntary act and  
deed.

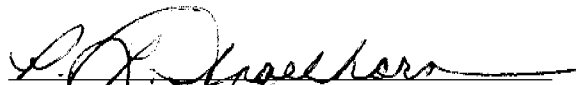


  
Notary Public for Oregon  
My commission expires: 07.10.2016

STATE OF OREGON                    )  
  ) ss.  
County of JACKSON                    )

On this 21<sup>st</sup> day of Aug., 2013, LaVonne Womelsdorf personally appeared in the  
above-named matter and acknowledged the foregoing instrument to be her voluntary act and  
deed.



  
Notary Public for Oregon  
My commission expires: 07.10.16