

After recording return to:  
Edwin Febus  
RCO Legal, P.S.  
13555 SE 36<sup>th</sup> St., Suite 300  
Bellevue, WA 98006



2014-001254  
Klamath County, Oregon  
02/13/2014 12:55:54 PM  
Fee: \$67.00

Mail Tax Statements to:  
Wells Fargo Bank, N.A.  
3476 Stateview Boulevard  
Fort Mill, SC 29715

7023.87539/Zimmer, Debra A.

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**WARRANTY DEED**  
**(Deed in Lieu)**

Grantor, Debra A. Zimmer, conveys and specially warrants to Wells Fargo Bank, N.A., Grantee, the following described real property free of encumbrances created or suffered by the Grantor except as specifically set forth herein:

SEE ATTACHED EXHIBIT "A"

Tax Parcel No. 3507-00200-00400-000

This property is free of liens and encumbrances, EXCEPT: subject to easements, conditions, reservations, covenants, agreements, restrictions, rights of way and declarations of record, if any.

The Grantee by accepting and recording this Deed does not intend a merger of its interest under that certain Deed of Trust dated September 29, 2008, recorded on October 6, 2008, under File No. 2008-013745, records of Klamath County with the fee title herein conveyed to take place, and it is the intention of the parties that the property above-described shall remain subject to the lien of said Deed of Trust, which lien shall remain a first lien upon the property.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSONS 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.

The true consideration for this conveyance is \$0.00 and other property or value was either part or the whole consideration.

CONTINUED ON FOLLOWING PAGE

*67 Jan 15*

Read, accepted and acknowledged

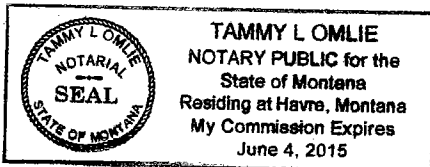
Debra Zimmer  
Debra A. Zimmer

[Signature]  
David Zimmer

STATE OF Montana )  
COUNTY OF Hill ) ss.:

I certify that I know or have satisfactory evidence that Debra A. Zimmer is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it as the free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 18 day of December, 2013.

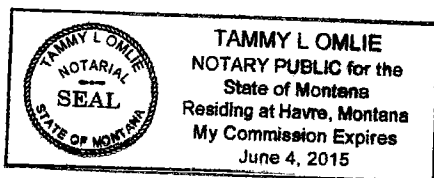


Tammy L Omlie  
Printed Name: Tammy L Omlie  
Notary Public in and for the State of MT  
residing at Havre MT  
My commission expires: 6-4-2015

STATE OF Montana )  
COUNTY OF Hill ) ss.:

I certify that I know or have satisfactory evidence that David Zimmer is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it as the free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 18 day of December, 2013.



Tammy L Omlie  
Printed Name: Tammy L Omlie  
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residing at Havre MT  
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### WARRANTY DEED

Debra A. Zimmer, Grantor  
to  
Wells Fargo Bank, N.A., Grantee

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**PARCEL 1:**

That certain real property situated in Sections 1 and 2 of Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, and being a portion of the North 200 feet of the South 1438 feet of the W1/2 W1/2 NW1/4 of Section 1, and that portion of the E1/2 E1/2 NE1/4 of Section 2 that lays Easterly of the Chiloquin Ridge Road, and being more particularly described as follows:

Beginning at a point on the Section line common to said Sections 1 and 2, said point being North 00° 31' 52" East 1238.00 feet from the 1/4 corner common to Sections 1 and 2; thence Easterly parallel to the East – West centerline of said Section 1, 66.00 feet to a point; thence North 00° 31' 52" East 200.00 feet to a point; thence Westerly parallel to the East – West centerline of said Section 1, 66.00 feet to the Section line common to said Sections 1 and 2; thence South 89° 07' 05" West 169.65 feet to a point on the Easterly right of way line of the Chiloquin Ridge Road; thence South 00° 42' 52" West 200.02 feet along said right of way line to a point; thence North 89° 07' 05" East 170.29 feet to the point of beginning.

**PARCEL 2:**

The North 200 feet of the following described real property:

The South 1438 feet of the W1/2 W1/2 NW1/4 of Section 1 and that portion of the E1/2 E1/2 NE1/4 of Section 2 that lays Easterly of Chiloquin Ridge Road, all in Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

**EXCEPTING THEREFROM THE FOLLOWING:**

Beginning at a point on the Section line common to said Sections 1 and 2, said point being North 00° 31' 52" East 1238.00 feet from the 1/4 corner common to Sections 1 and 2; thence Easterly parallel to the East – West centerline of said Section 1, 66.00 feet to a point; thence North 00° 31' 52" East 200.00 feet to a point; thence Westerly parallel to the East – West centerline of said Section 1, 66.00 feet to the Section line common to said Sections 1 and 2; thence South 00° 31' 52" West 200.00 feet to the point of beginning.

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7023.87539/Zimmer, Debra A.

---

**ESTOPPEL AFFIDAVIT**

Debra A. Zimmer, (the "Affiant") being first duly sworn, deposes and states:

That the Affiant is the individual who made, executed, and delivered that certain Warranty Deed (Deed in Lieu) to Wells Fargo Bank, N.A., conveying the following described property ("Property") in Klamath County, Oregon.

SEE ATTACHED EXHIBIT "A"

Tax Parcel No. 3507-00200-00400-000

Commonly known as 38123 Chiloquin Ridge Road, Chiloquin, Oregon 97624-6778

That the aforesaid Warranty Deed is intended to be and is an absolute conveyance of the title to the Property to the Grantee named therein, and was not and is now not intended as a mortgage, trust conveyance, or security of any kind; that it was the intention of Affiant as Grantor of the Warranty Deed to convey, and by the Warranty Deed the Affiant did convey, to the Grantee therein all right, title, and interest absolutely in and to the Property; and that possession of the Property has been surrendered to the Grantee;

That in the execution and delivery of the Warranty Deed, Affiant as Grantor was not acting under any misapprehension as to the effect thereof, and acted freely and voluntarily and was not acting under coercion or duress;

That the Warranty Deed shall not cause a merger of the Affiant's interest under the Warranty Deed with the Beneficiary's interest under the Deed of Trust encumbering the Property and granted by Affiant herein, to AmeriTitle as Trustee, and to Mortgage Electronic Registration Systems Inc. (MERS) as nominee for Eagle Home Mortgage, LLC as Beneficiary, dated September 29, 2008, and recorded on October 6, 2008, under File No. 2008-013745, in the Official Records of Klamath County, State of Oregon (the "Deed of Trust") and assigned to Wells Fargo Bank, N.A. by way of Assignment of Deed of Trust recorded on May 7, 2013 under File No. 2013-005470, described herein, or the related documents. The interest transferred by the Warranty Deed is intended to be a separate interest from the beneficial interest or lender's interest under the Deed of Trust.

The Warranty Deed was not, and is not given as a preference against any other creditors of the Affiant herein; there is no other person or persons, firms or corporations, other than the Affiants therein named interested, either directly or indirectly in said Property; that Grantor is solvent and has no other creditors whose rights would be prejudiced by such conveyance and that Grantor is not obligated upon any bond or other deed of trust whereby any lien has been created or exists against the Property described in said Warranty Deed.

Consideration for the Warranty Deed is payment to Affiant of the sum of \$0.00 by Grantee, and a covenant not to sue to enforce the promissory note dated September 29, 2008, in the amount of \$173,137.00, or to foreclose the Deed of Trust encumbering the Property; that at the time of making the Warranty Deed, Affiant believed and now believes that this consideration represents the fair value of the Property so deeded.

This affidavit is made for the protection and benefit of the Grantee of said Warranty Deed and AmeriTitle, which is about to insure the title to the Property in reliance thereon, and any other title company that may hereafter insure the title to the Property; That 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 particular facts hereinabove set forth.

Read. Accepted and acknowledged

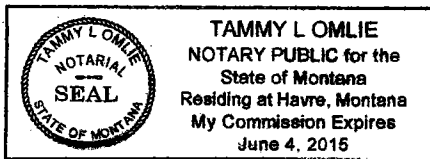
Debra A. Zimmer  
Debra A. Zimmer

David Zimmer  
David Zimmer

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 ) ss.:  
COUNTY OF Hill )

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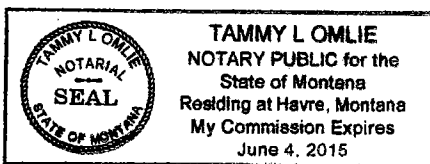


Tammy L Omlie  
Printed Name: Tammy L Omlie  
Notary Public in and for the State of MT  
residing at Havre, MT  
My commission expires: 6-4-2015

STATE OF Montana )  
 ) ss.:  
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ESTOPPEL AFFIDAVIT

Debra A. Zimmer, Grantor  
to  
Wells Fargo Bank, N.A., Grantee

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