



2015-000880

Klamath County, Oregon

01/30/2015 02:29:03 PM

Fee: \$62.00

WHEN RECORDED MAIL TO:
STEWART LENDER SERVICES
9700 BISSONNET ST
HOUSTON, TX 77036

SEND TAX STATEMENT TO:
NATIONSTAR MORTGAGE LLC D/B/A
CHAMPION MORTGAGE COMPANY
350 HIGHLAND DRIVE
LEWISVILLE, TX 75067

Loan No. 1110031

[Space Above This Line For Recording Data]

DEED IN LIEU OF FORECLOSURE

KNOW ALL MEN BY THESE PRESENTS, that JANIS A. WILCYNski whose address is 6340 WYATT LANE KLAMATH FALLS OR 97601 hereinafter called grantor, for \$313,232.73 and the consideration hereinafter stated, do hereby grant, bargain, sell and convey unto NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY whose address is 350 HIGHLAND DRIVE LEWISVILLE, TX 75067 and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, situated in the County of KLAMATH, State of Oregon, described as follows:

SE ¼ SE1/4 NW ¼ OF SECTION 21, TOWNSHIP 39 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.

PROPERTY ADDRESS: 6340 WYATT LANE, KLAMATH FALLS, OR 97601

TAX PARCEL NO: R-3908-02100-00700-000

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 forbear 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 proceeding to foreclose 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. See Estoppel Affidavit attached as Exhibit "A"

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The true and actual consideration for this transfer consists of \$313,232.73 and 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 as stated above with respect to that certain mortgage signed on 5/18/2009, by grantor in favor of WORLD ALLIANCE FINANCIAL CORP. and recorded as Instrument No. 2009-007412 on 5/28/2009. Said mortgage assigned to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (MERS) AS NOMINEE FOR BANK OF AMERICA, NATIONAL ASSOCIATION recorded as Volume 2010-004817 on 4/22/2010. Said mortgage assigned to *CHAMPION MORTGAGE COMPANY, dated _____ and recorded on _____ as Volume _____ of the real property records of KLAMATH County, State of Oregon. RECORDED CONCURRENTLY HEREWITH

*NATIONSTAR MORTGAGE LLC DBA

In construing this deed and where the context so requires, the singular includes 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.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

IN WITNESS WHEREOF, the grantor has executed this instrument this 21 day of Oct, 2014

Janis A. Wilczynski
JANIS A. WILCYNSKI

STATE OF OREGON)

COUNTY OF Klamath) SS.

This instrument was acknowledged before me on 10.21.14 by JANIS A. WILCYNSKI.

Dated: 10.21.14

(seal/stamp)

Wendy L. Young
Notary Public
My Appointment Expires: 8.31.2015

Prepared By/Reviewed By:
TERRY HANSEN, Attorney at Law
901 N. BRUTSHER ST. SUITE 206
NEWBERG, OR 97132

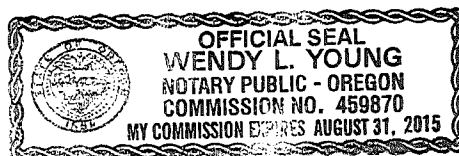


Exhibit "A"
ESTOPPEL AFFIDAVIT

STATE OF OREGON)
COUNTY OF Klamath)SS.

JANIS A. WILCYNski ("Grantor"), 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 **NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY** ("Grantee"), dated this 10-21 day of 2014, conveying the following described property, to-wit:

SE ¼ SE ¼ NW ¼ OF SECTION 21, TOWNSHIP 39 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.

PROPERTY ADDRESS: 6340 WYATT LANE, KLAMATH FALLS, OR 97601

TAX PARCEL NO: R-3908-02100-00700-000

That the aforesaid deed was intended to be and was an absolute conveyance of the title to said premises to and was not and is not now intended as a mortgage, trust conveyance, or security of any kind; that it was the intention of affiant as grantor in said deed to convey, and by said deed affiant did convey to **NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY** therein all their right, title, and interest absolutely in and to said premises; that possession of said premises has been surrendered to **NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY**.

That in the execution and delivery of said deed affiant 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 aforesaid deed was not given as a preference against any other creditors of the deponent, that at the time it was given there was no other person or persons, firms or corporations, other than **JANIS A. WILCYNski**, and **NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY**, who have an interest, either directly, or indirectly, in said premises; that this deponent is solvent and has no other creditors whose rights would be prejudiced by such conveyance, and that deponent is 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 affiant of the sum of \$313,232.73 by **NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY** and its agreement to forbear taking any action against affiant 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 affiant in such foreclosure action. The mortgage referred to herein was executed by **WALTER J. WILCYNski, JR. AND JANIS A. WILCYNski**, H to **WORLD ALLIANCE FINANCIAL CORP.**, dated 5/18/2009, recorded on 5/28/2009, as Instrument No. 2009-007412. Said mortgage assigned to **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (MERS)** AS NOMINEE FOR **BANK OF AMERICA, NATIONAL ASSOCIATION** recorded as Volume 2010-004817 on 4/22/2010. Said mortgage assigned to **CHAMPION MORTGAGE COMPANY**, dated _____ and recorded on _____ as Volume _____ of the real property records of **KLAMATH County, State of Oregon**.

At the time of making said deed in lieu of foreclosure affiant believed and now believes that the aforesaid consideration therefore presents the fair value of the property so decided, or more.

This affidavit is made for the protection and benefit of NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described.

