

AMERITITLE
45947 AM

2015-009914
Klamath County, Oregon
09/08/2015 10:43:43 AM
Fee: \$57.00

After recording return to:
Marcia Bailey
RCO Legal, P.S.
1587 Northeast Expressway
Atlanta, GA 30329

Mail Tax Statements to:
Caliber Home Loans, Inc.
13801 Wireless Way
Oklahoma City, OK 73134

217567/Troy D. Johnson, Margaret I. Johnson

**WARRANTY DEED
(Deed in Lieu)**

Grantors, Troy D. Johnson and Margaret I. Johnson, as Tenants by the Entirety, convey and specially warrant to Caliber Home Loans, Inc., Grantee, the following described real property free of encumbrances created or suffered by the Grantors except as specifically set forth herein:

Lot 1 in Block 4, TRACT 1152, NORTH HILLS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Tax Parcel No. R447270

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 March 02, 2012, recorded on March 07, 2012, under File No. 2012-002448, 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

Troy D. Johnson

Margaret I. Johnson
Margaret I. Johnson

STATE OF Oregon)

COUNTY OF Klamath) ss.:

I certify that I know or have satisfactory evidence that **Troy D. Johnson** 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 13 day of June, 2015.



Stephanie N Brewer
Printed Name: Stephanie N Brewer
Notary Public in and for the State of Oregon
residing at 3211 Washburn Way
My commission expires: Aug. 21, 2017

STATE OF Oregon)

COUNTY OF Klamath) ss.:

I certify that I know or have satisfactory evidence that **Margaret I. Johnson** 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 13 day of June, 2015.



Stephanie N Brewer
Printed Name: Stephanie N Brewer
Notary Public in and for the State of Oregon
residing at 3211 Washburn Way
My commission expires: Aug. 21, 2017

WARRANTY DEED

Troy D. Johnson and Margaret I. Johnson, as Tenants by the Entirety, Grantors
to
Caliber Home Loans, Inc., Grantee

After recording return to:
Marcia Bailey
RCO Legal, PS
1587 Northeast Expressway
Atlanta, GA 30329

217567/Troy D. Johnson, Margaret I. Johnson

ESTOPPEL AFFIDAVIT

Troy D. Johnson and Margaret I. Johnson, as Tenants by the Entirety, (the "Affiants") being first duly sworn, depose and state:

That the Affiants are the individuals who made, executed, and delivered that certain Warranty Deed (Deed in Lieu) to Caliber Home Loans, Inc., conveying the following described property ("Property") in Klamath County, Oregon.

Lot 1 in Block 4, TRACT 1152, NORTH HILLS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Tax Parcel No. R447270

Commonly known as 785 Homedale Road, Klamath Falls, OR 97603

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 Affiants as Grantors of the Warranty Deed to convey, and by the Warranty Deed the Affiants 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, Affiants as Grantors were not acting under any misapprehension as to the effect thereof, and acted freely and voluntarily and were not acting under coercion or duress;

That the Warranty Deed shall not cause a merger of the Affiants' interest under the Warranty Deed with the Beneficiary's interest under the Deed of Trust encumbering the Property and granted by Affiants herein, to First American Title of Oregon as Trustee, and to Mortgage Electronic Registration Systems, Inc., as nominee for BCK Capital Inc. as Beneficiary, dated March 02, 2012, and recorded on March 7, 2012 under File No. 2012-002448, in the Official Records of Klamath County, State of Oregon (the "Deed of Trust") and assigned to Caliber Home Loans, Inc. by way of Assignment of Deed of Trust recorded on March 03, 2015 under File No. 2015-001858, 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 Affiants 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 Grantors are solvent and have no other creditors whose rights would be prejudiced by such conveyance and that Grantors are 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.

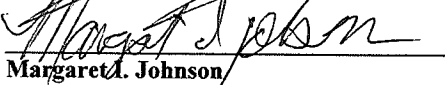
Consideration for the Warranty Deed is payment to Affiants of the sum of \$0.00 by Grantee, and a covenant not to sue to enforce the promissory note dated March 2, 2012, in the amount of \$208,027.00, or to foreclose the Deed of Trust encumbering the Property; that at the time of making the Warranty Deed, Affiants believed and now believe that this consideration represents

the fair value of the Property so deeded.

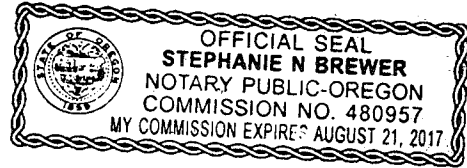
This affidavit is made for the protection and benefit of the Grantee of said Warranty Deed and Title Company which is about to insure the title to the Property in reliance thereon, and any other title company that may hereafter insure the title to the Property; That Affiants will testify, declare, depose, 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.



Troy D. Johnson




Margaret I. Johnson



STATE OF Oregon
COUNTY OF Klamath) ss.:

I certify that I know or have satisfactory evidence that **Troy D. Johnson** 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.

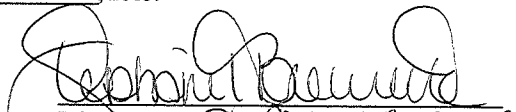
DATED this 22 day of Aug, 2015.


Printed Name: Stephanie N Brewer
Notary Public in and for the State of Oregon
residing at Kosque Credit Union
My commission expires: Aug. 21, 2017

STATE OF Oregon
COUNTY OF Klamath) ss.:

I certify that I know or have satisfactory evidence that **Margaret I. Johnson** 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 22 day of Aug, 2015.


Printed Name: Stephanie N Brewer
Notary Public in and for the State of Oregon
residing at Kosque Credit Union
My commission expires: Aug. 21, 2017



THIS INSTRUMENT WILL 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 APPROVED USES.

ESTOPPEL AFFIDAVIT
Troy D. Johnson and Margaret I. Johnson, as Tenants by the Entirety, Grantor
to
Caliber Home Loans, Inc., Grantee