

2016-007566

Klamath County, Oregon



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Scott MacArthur
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IN THE CIRCUIT COURT FOR THE STATE OF OREGON
IN AND FOR THE COUNTY OF KLAMATH

WILLIAM BOEHME and MERNICE
BOEHME,

Plaintiffs,

v.

DEUTCHE BANK TRUST COMPANY AS
TRUSTEE fna BANKERS TRUST
COMPANY AS TRUSTEE, SUCCESSOR IN
INTEREST TO RESIDENTIAL FUNDING
CORPORATION, SUCCESSOR IN
INTEREST TO KEY BANK OF OREGON,
SUCCESSOR BY MERGER TO JACKSON
COUNT FEDERAL BANK,

Defendant.

Case No. 16CV15722

STIPULATED GENERAL
JUDGMENT QUIETING TITLE

1.

Based on the stipulation of plaintiffs WILLIAM BOEHME and MERNICE BOEHME
("Plaintiffs" collectively), by and through its attorney of record, Scott D. MacArthur, and
defendant DEUTCHE BANK TRUST COMPANY AS TRUSTEE fna BANKERS TRUST
COMPANY AS TRUSTEE, SUCCESSOR IN INTEREST TO RESIDENTIAL FUNDING
CORPORATION, SUCCESSOR IN INTEREST TO KEY BANK OF OREGON,

GENERAL JUDGMENT
QUIETING TITLE

WFZ File No. 214-20162269

Renee M. Parker (SBN 36995)
Wright, Finlay, & Zak, LLP
4665 MacArthur Blvd., Suite 200
Newport Beach, CA 92660
PH: (949) 477-5050/FAX: (949) 608-9142

1 SUCCESSOR BY MERGER TO JACKSON COUNT FEDERAL BANK ("Defendant") by and
2 through its attorney of record, Renee M. Parker, the COURT FINDS AS FOLLOWS:

3 **STIPULATED FINDINGS OF FACT**

4 2.

5 The Parties agree that Plaintiffs are the fee simple owners of the real property commonly
6 known as 15109 Broyles Avenue, Klamath Falls, Oregon 97627 (the "Subject Property") as
7 alleged and described as:

8 A PORTION OF LOT 1, BLOCK 1, RIVERSIDE ADDITION TO KENO,
9 ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE
10 OFFICE OF THE COUNTY CLERK, KLAMATH COUNTY, OREGON,
11 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

12 BEGINNING AT THE SOUTHEAST CORNER OF LOT 1; THENCE
13 NORTHWESTERLY ALONG THE SOUTHERLY LINE OF LOT 1 A
14 DISTANCE OF 165.5 FEET TO THE TRUE POINT OF BEGINNING;
15 THENCE NORTHEAST PARALLEL TO AND 20 FEET FROM THE
16 WESTERLY LINE OF SAID LOT, WHEN MEASURED AT RIGHT
17 ANGLES, TO THE NORTHERLY LINE OF SAID LOT 1; THENCE
18 NORTHWESTERLY TO THE NORTHWEST CORNER OF SAID LOT;
19 THENCE SOUTHWESTERLY ALONG THE WEST LINE OF SAID LOT TO
20 THE SOUTH LINE THEREOF; THENCE SOUTHEASTERLY TO THE
21 POINT OF BEGINNING.

22 ALSO LOT 2, BLOCK 1, RIVERSIDE ADDITION TO KENO, ACCORDING
23 TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE
24 COUNTY CLERK, KLAMATH COUNTY, OREGON.

3.

20 The parties agree that the Deed of Trust recorded as to the Subject Property on or about
21 September 3, 1992, Deed Records of Klamath County at Volume M-92 at Page 020186 as
22 Document No. 50196, and assigned to Residential Funding Corporation by the Assignment of
23 Mortgage/Deed of Trust recorded on August 3, 1995, Deed Records of Klamath County at
24 Volume M-95 at Page 020562, will be deemed released in public record after entry of the Order

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1 on this Stipulation by the Court and recordation by Plaintiffs of a certified copy of the Order in
2 the public records of Klamath County.

3 4.

4 The Parties agree that Plaintiffs and Defendant do not admit any fault and that each side
5 shall each bear its own fees and costs.

6 5.

7 Plaintiffs agree that all claims as to Defendant shall be dismissed with prejudice.

8 6.

9 There is no just reason for delay of the entry of a Limited Judgment as to Defendant.

10 Now, therefore,

11 **STIPULATED LIMITED JUDGMENT**

12 7.

13 IT IS HEREBY ORDERED AND ADJUDGED that Plaintiff shall have judgment as
14 follows:

- 15 1. Plaintiffs are the fee simple owners of the Subject Property.
- 16 2. Deed of Trust recorded as to the Subject Property on or about September 3, 1992, Deed
17 Records of Klamath County at Volume M-92 at Page 020186 as Document No. 50196,
18 and assigned to Residential Funding Corporation by the Assignment of Mortgage/Deed
19 of Trust recorded on August 3, 1995, Deed Records of Klamath County at Volume M-95
20 at Page 020562, will be deemed released in public record after entry of the Order on this
21 Stipulation by the Court and recordation by Plaintiffs of a certified copy of the Order in
22 the public records of Klamath County.
- 23 3. No money award of any form shall be awarded to either Plaintiffs or Defendant as
24 against each other as a result of the entry of this Stipulated Limited Judgment.

GENERAL JUDGMENT
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- 1 4. All claims against Defendant shall be dismissed with prejudice.
2 5. This Stipulated Limited Judgment shall inure to the benefit of Plaintiff and Defendant,
3 and their successors and/or assigns in interest.
4

5 **IT IS SO STIPULATED:**

Signed: 7/13/2016 03:19 PM


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9 **Circuit Court Judge Andrea Janney**

10
11
12 **Stipulated to by:**

13 By: Scott D. MacArthur Dated: 8th day of July, 2016
14 Scott D. MacArthur, OSB No. 892960
15 Scott D. MacArthur, P.C.
16 125 S. 6th Street
17 Klamath Falls, OR 97601
18 Phone: (541) 851-0571
19 Fax: (541) 205-6655
20 Of Attorneys for Plaintiffs

21 **Approved as for Form:**

22 By:  Dated: 13th day of July, 2016
23 Renee M. Parker, OSB No. 140656
24 Wright, Finlay & Zak, LLP
4665 MacArthur Court, Suite 200
Newport Beach, CA 92660
Phone: (949) 610-7023
Fax: (949) 608-9142
Of Attorneys for Defendant

GENERAL JUDGMENT
QUIETING TITLE

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