


MTC 133050AM
Recorded Requested By

2017-003113
Klamath County, Oregon
03/24/2017 02:21:00 PM
Fee: \$62.00

When Recorded Mail To
And Send Tax Statements To:
WELLS FARGO HOME MORTGAGE
1 HOME CAMPUS
WEST DES MOINES, IA 50266

DIL No: 000515-119260

8672547

WARRANTY DEED IN LIEU OF FORECLOSURE

FOR VALUE RECEIVED, Daniel W. Van De Hey and Karla Van De Hey, as Tenants by the Entirety, as grantor, having an address 12168 Tara Lane SE. Turner, OR 97392 do hereby Grant, Warrant, Sell and Convey unto WELLS FARGO BANK, NA The Grantee, having an address of 1 Home Campus, West Des Moines, IA, 50266 of the following described real estate free of encumbrances (except as set forth herein), to-wit:

Lot 37, Tract 1403, First Addition to Klamath Meadows East, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

APN: R-3909-012BA-08300-000

[TRUE AND ACTUAL CONSIDERATION ORS 93.030 \$203,584.78]

This Deed is an absolute conveyance of title, in effect as well as in form and is not intended as a mortgage, trust conveyance, or security of any kind. The consideration hereto existing on account of the Deed of Trust on said land recorded on December 28, 2010 as Instrument No. 2010-014644, records of Klamath County, OREGON. This Deed completely satisfies said Deed of Trust and Note secured thereby, and any effect thereof in all respects.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

AMERITITLE, has recorded this
instrument by request as an accommodation only,
and has not examined it for regularity and sufficiency
or as to its effect upon the title to any real property
that may be described therein.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee their successors, heir and assigns forever. And the Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSONS RIGHTS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) 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 (Definitions for ORS 92.010 to 92.192) OR 215.010 (Definitions), 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 (Definitions for ORS 30.930 to 30.947), AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) 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.

DATED: 1-9-2017

SIGNATURE OF GRANTOR(S):

Daniel W. Van De Hey
Daniel W. Van De Hey

Karla Van De Hey
Karla Van De Hey

State of OREGON

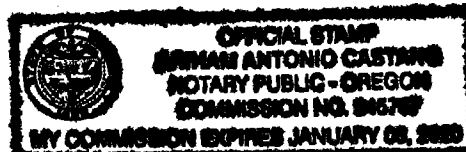
County of MARION

This record was acknowledged before me on JANUARY 09th, 20 17
by Karla Van De Hey and Daniel W. Van De Hey

(seal)

Arman Antonio Castano
Notary Public - State of Oregon

My commission expires: January 03 2020



Recorded Requested By

**When Recorded Mail To:
WELLS FARGO HOME MORTGAGE
1 HOME CAMPUS
WEST DES MOINES, IA 50266**

DIL No: 000515-119260

ESTOPPEL AFFIDAVIT

DANIEL W. VAN DE HEY AND KARLA VAN DE HEY, AS TENANTS BY THE ENTIRETY being first duly sworn, depose and say: That we are the identical party(ies) who made, executed and delivered that certain Warranty Deed in Lieu of Foreclosure to **WELLS FARGO BANK, N.A.** dated 1-9-2017 conveying the following described property to wit:

SEE ATTACHED EXHIBIT "A"

That the aforementioned Deed was an absolute conveyance of the title to said land to the Grantee(s) named therein, in effect as well as in form, and was not and is not intended as a Deed of Trust, Mortgage, Contract of security of any kind, and that possession of said land has been surrendered to the said Grantee. We agree that there is no right to redeem the property under any circumstances.

That this consideration in the aforesaid Deed was and is payment to us of the sum of ONE DOLLAR by the Grantees named therein receipt of which is hereby acknowledged, together with full cancellation of all debts, obligation, costs and charges, heretofore existing under and by virtue of the terms of that certain Note secured by the undersigned Deed of Trust heretofore existing on the property herein and hereinbefore described.

That said Note and Deed of Trust were executed by **DAN VAN DE HEY AND KARLA VAN DE HEY, HUSBAND AND WIFE** as Grantor to **FIDELITY NATIONAL TITLE INS CO**, as original trustee for the benefit and security of **WELLS FARGO BANK, N.A.**, as beneficiary, recorded on **December 28, 2010** as Instrument No. **2010-014644**, records of **Klamath County, OREGON**.

We have defaulted under the terms of said Note and Deed of Trust. All notice provisions have been complied with and all grace periods have either expired or have been waived by us and the Lender has declared the Note and all indebtedness under the Note and Deed of Trust due and payable according to the terms thereof and the laws of the State of Oregon.

That in offering to execute the aforesaid Deed to the Grantees therein, and in executing the same, we were not acting under any misapprehension as to the effects thereof, nor under duress, undue influence or misrepresentation by the Grantees or the agent or attorney of the Grantees in said Deed. That the aforesaid Deed was made as a result of our request that the Grantees accept such Deed and was our free and voluntary act. Also by executing said Warranty Deed to Grantee's herein, we agree to vacate said premises within ten (10) days of the undersigned date.

ESTOPPEL AFFIDAVIT
PAGE 2

That at the time of making said Deed we felt, and still feel, that the Note and Deed of Trust above mentioned represented a fair value of the property so deeded.

That we are solvent and have no other creditors whose rights would be prejudiced by said conveyance. The Deed was not given as preference against any other of our creditors.

That at the time it was given there were no other persons, firms or corporations other than the Grantees therein named interested either directly or indirectly in said land and personal property, and that we are not obligated upon any bond or other Mortgage or Deed of Trust or Contract where any lien has been created or exists against the premises described in said Deed.

That it was our intentions as Grantors to convey, and by said Deed did convey to the Grantees therein, all our right, title and interest absolutely in and to the land in said Deed. This Affidavit was made for the protection and benefit of the aforesaid Grantees in said Deed, their successors and assigns, and all other parties hereinafter dealing with or who may acquire an interest in the property described therein and shall bind the respective heirs, executors, administrators and assigns of the undersigned.

DATED: 1-9-2017

D. W. Van de Hey
DANIEL W. VAN DE HEY
Karla Van De Hey
KARLA VAN DE HEY

State of OREGON
County of Marion

This record was acknowledged before me on JANUARY 09th, 20 17
by Karla Van De Hey and Daniel W. Van de Hey

(seal)

Ariham Antonio Castano
Notary Public - State of Oregon

My commission expires January 03, 2020

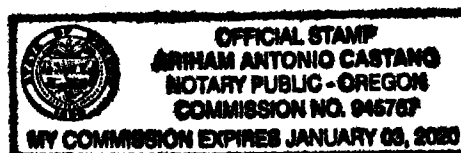


EXHIBIT "A"

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