

RECORDING REQUESTED BY:  
Caliber Home Loans, Inc.

  
MTC 116035am

MAIL TAX STATEMENTS AND  
WHEN RECORDED MAIL TO:

U.S. Bank Trust, N.A.  
13801 Wireless Way  
Oklahoma City, OK 73134

2017-009495  
Klamath County, Oregon  
08/22/2017 02:12:00 PM  
Fee: \$62.00

Property Tax ID: R216689

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

## WARRANTY DEED IN LIEU OF FORECLOSURE

FOR VALUE RECEIVED, DANIEL MONTES, as grantor, does hereby Grant, Warrant, Sell and Convey unto U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust, the Grantee, the following described real estate free of encumbrances (except as set forth herein), to-wit:

LOT 4, BLOCK 30, HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS,  
ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE  
COUNTY CLERK, KLAMATH COUNTY, OREGON.

Commonly known as 1018 Eldorado Ave, Klamath Falls, OR 97601

The 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 May 3, 2007 as Instrument No. 2007-008047 in the Official Records of Klamath County, Oregon. This Deed completely satisfies said Deed of Trust and Note secured thereby, and any effect thereof in all respects.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee its successors, heirs, and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that they are the owner in fee simple of said premises; that the property is 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 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, 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.

SEE AFFIDAVIT AND ESTOPPEL CERTIFICATE ATTACHED HERETO AS EXHIBIT "A"

Dated: 7/18/17

Daniel Montes  
DANIEL MONTES

### Certificate of Acknowledgement of Notary Public

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of Oregon  
County of Klamath } S.S

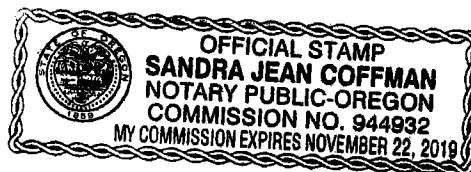
On July 18, 2017 before me, Sandra Coffman, Notary Public  
(insert name and title of the officer)

personally appeared Daniel Montes JR  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Oregon that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Sandra Coffman (Seal)



# **EXHIBIT A**

**AFFIDAVIT AND ESTOPPEL CERTIFICATE**  
**(Deed in Lieu of Foreclosure)**

State of Oregon, County of Klamath:

I, Daniel Montes, being first duly sworn, depose and say that:

- (1) I am the grantor (herein "Grantor") that made, executed, and delivered that certain Warranty Deed-in-Lieu of Foreclosure (herein "the Deed") to U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust, (herein "the Grantee") dated 7/18/17, conveying the following described property (herein "the Property"), to wit:

LOT 4, BLOCK 30, HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS,  
ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE  
COUNTY CLERK, KLAMATH COUNTY, OREGON.

Commonly known as 1018 Eldorado Ave, Klamath Falls, OR 97601.

- (2) I make this Affidavit for and on behalf of Grantor pursuant to appropriate resolution that duly authorized the Deed.
- (3) The Deed is intended to be and is an absolute conveyance of the title to the Property to the Grantee and was not and is not now intended as a mortgage, trust deed, or security instrument of any kind. It was the intention of Grantor in said deed to convey to the Grantee all of Grantor's right, title and interest absolutely in and to the Property. Grantor relinquished to the Grantee any equity of redemption and any statutory right of redemption concerning the Property. Possession of the Property has been surrendered to the Grantee. In the execution and delivery of the Deed, Grantor was not acting under any misapprehension as to the effect thereof and Grantor acted freely and voluntarily and was not acting under coercion or duress. The consideration for the Deed was and is forbearance of an action on the debt against Grantor or of a deficiency judgment against Grantor, with respect to the debt secured by that certain deed of trust (herein "the Deed of Trust") dated April 26, 2007, recorded on May 3, 2007 as Instrument No. 2007-008047 of the records of above referenced county in Oregon. At the time of making the Deed, Grantor was in default of the terms and provisions of the Deed of Trust. At the time of making the Deed, Grantor believed, and its duly empowered officers, directors and representatives believed, and now believe, that the aforesaid consideration represents fair value for the Property.
- (4) This Affidavit and Estoppel Certificate is made for the protection and benefit of the Grantee, its successors and assigns, and all other parties hereafter dealing with, or who may acquire an interest in, the Property, and particularly for the benefit of any title insurer that insures the title to the Property directly or indirectly in reliance on the facts and representations contained in this Affidavit and Estoppel Certificate.
- (5) The undersigned 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 facts and representations contained in this Affidavit and Estoppel Certificate.
- (6) The undersigned affiant has executed this Affidavit and Estoppel Certificate as an individual, and also for and on behalf of the Grantor.

Dated: \_\_\_\_\_

7/18/17

Daniel Montes  
DANIEL MONTES

### Certificate of Acknowledgement of Notary Public

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of Oregon  
County of Klamath } S.S

On July 18 2017 before me, Sandra Coffman, Notary Public  
(insert name and title of the officer)

personally appeared Daniel Montes JR  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Oregon that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Sandra Coffman (Seal)

