
MTC 211030 AM

2018-006606

Klamath County, Oregon

05/30/2018 04:09:00 PM

Fee: \$62.00

**Recorded Requested By
And When Recorded Mail To:
And Send Tax Statements To:**

**Carrington Mortgage Services, LLC
1600 South Douglass Road
Anaheim, CA 92806**

**DIL No: 2191-659A
APN: R885994**

WARRANTY DEED IN LIEU OF FORECLOSURE

FOR VALUE RECEIVED, VALENTIN A. BOTIZ AND HEATHER M. BOTIZ, AS TENANTS BY THE ENTIRETY, as Grantor, having an address of 2860 NW NORTHSTAR DR, SILVERDALE, WA 98383 do hereby Grant, Warrant, Sell and Convey unto WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST A, the Grantee, having an address of 1600 SOUTH DOUGLAS ROAD, ANAHEIM, CA 92806 the following described real estate free of encumbrances (except as set forth herein), to-wit:

UNIT 10646 (PREDDY AVENUE), TRACT 1365, FALCON HEIGHTS CONDOMINIUMS STAGE 2, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON. R885994

[TRUE AND ACTUAL CONSIDERATION ORS 93.030 \$120,464.60]

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 May 28, 2008 as Instrument No. 2008-007748, records of KLAMATH County, OREGON. This Deed completely satisfies said Deed of Trust and Note secured thereby, and any effect thereof in all respects.

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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: April 22, 2018

SIGNATURE OF GRANTOR(S):

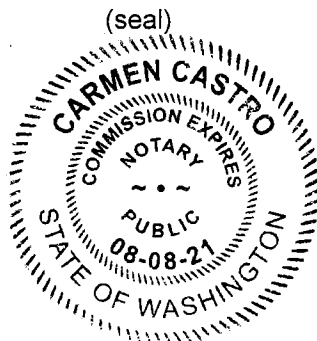
Valentin A. Botiz

Heather M. Botiz

State of Washington
County of Kitsap

This record was acknowledged before me on April 22nd, 2018
by Valentin A. Botiz and Heather M. Botiz

Carmen Castro
Notary Public - State of Washington
My commission expires: 8/8/21



Recorded Requested By

And When Recorded Mail To:
CARRINGTON MORTGAGE SERVICES, LLC
1600 SOUTH DOUGLASS ROAD
ANAHEIM, CA 92806

DIL No: 2191-659A

ESTOPPEL AFFIDAVIT

VALENTIN A. BOTIZ AND HEATHER M. BOTIZ, AS TENANTS BY THE ENTIRETY being first duly sworn, depose and say: That we are the identical parties who made, executed and delivered that certain Warranty Deed in Lieu of Foreclosure to **WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST A** dated April 22, 2008 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.

^{+B VB}
^{Botiz} That said Note and Deed of Trust were executed by **VALENTIN A. BOTIZ AND HEATHER M. BOTIZ, AS TENANTS BY THE ENTIRETY** as Grantors to **AMERITITLE** as original trustee for the benefit and security of **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR GATEWAY BUSINESS BANK, DBA MISSION HILLS MORTGAGE BANKERS, A CALIFORNIA CORPORATION**, as beneficiary, recorded on **May 28, 2008** as Instrument No. **2008-007748**, records of **KLAMATH County, OREGON**. ^{Botiz +BVB}

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.

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.

DIL # 2191-659A

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 intention as Grantors to convey, and by said Deed. We 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, its 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: April 22, 2018



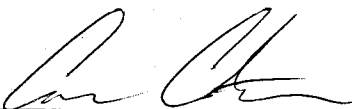
VALENTIN A. BOTIZ



HEATHER M. BOTIZ

State of Washington
County of Kitsap

This record was acknowledged before me on April 22nd, 2018
by Valentin A. Botiz and Heather M. Botiz



Notary Public - State of Washington
Carmen Castro
My commission expires: 8/8/21

(seal)

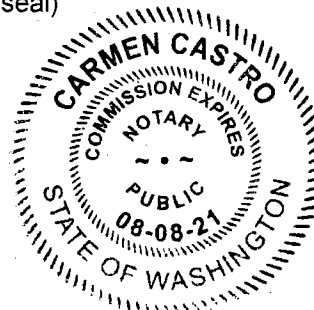


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