

2024-010972

Klamath County, Oregon

12/19/2024 10:29:04 AM

Fee: \$127.00

Prepared by: Joseph Fearey, Oregon Bar No. 161115, Cordell Law LLC, 5315 N Clark Street #173, Chicago, IL 60640, (866) 363-3337.

The preparer of this instrument has neither been requested to nor has the preparer conducted a title search or an inspection of the real property transferred hereby. No representations or warranties as to accuracy of the description, the status of title or condition of the real property have been made by the preparer.

Mail Tax Statements To:

NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER

8950 CYPRESS WATERS BLVD, COPPELL, TX 75019

After Recording, Send to:

SERVICELINK, LLC

11802 Ridge Parkway, Suite 100

Broomfield, CO 80021

Attention: Denver DIL Title

DOCUMENT DATE: 11/21/2024

Exempt under 3.04.030J.2

File No: 240367239

Account No. 570741 Map No. 3909-014AC-03600

DEED IN LIEU OF FORECLOSURE

KNOWN ALL MEN BY THESE PRESENTS, that **ALBERTO VALENZUELA** a married person, of **5222 MORRISSEY DR, LAS VEGAS, NV 89115**, (hereinafter "GRANTOR"), for \$1.00 (One Dollar and Zero Cents) and the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto **NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER**, whose tax mailing address is **8950 CYPRESS WATERS BLVD, COPPELL, TX 75019**, (hereinafter "GRANTEE"), and unto Grantee's successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, situated in **Klamath County, Oregon**, described as follows:

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION

SEE EXHIBIT "B" FOR ESTOPPEL AFFIDAVIT

Property Address: 4980 GATEWOOD DR, KLAMATH FALLS, OR 97603

Property Address is: **4980 GATEWOOD DR, KLAMATH FALLS, OR 97603**

BEING THE SAME PROPERTY TRANSFERRED TO GRANTOR BY THAT INSTRUMENT RECORDED AT: Instrument No. 2022-010032.

To have and to hold the same unto the said Grantee and Grantee's successors and assigns forever.

This Deed in Lieu of Foreclosure ("Deed") is absolute in effect and conveys fee simple title of the premises above described to the grantee and does not operate as a security instrument of any kind.

Grantor hereby assigns and transfers to Grantee any equity of redemption and statutory rights of redemption concerning the real property and the security instrument described below.

Grantor is not acting under any misapprehension as to the legal effect of this Deed, nor under duress, undue influence or misrepresentation of Grantee, its agent, attorney or any other person. Grantor declares that this conveyance is freely and fairly made in accord with the Estoppel Affidavit attached hereto as Exhibit B.

Consideration. This Deed relates to real property secured by the following security instrument:

SEE EXHIBIT "C" FOR DESCRIPTION OF SECURITY INSTRUMENT

No Merger. Grantor agrees and acknowledges that its entry into this Deed and the other documents contemplated hereby shall not result in a merger of Assignee's interest under the Security Instrument with Grantee's interest under the Deed. The terms, covenants, representations, and warranties of this Agreement shall not merge into the Deed but shall survive the close of the transaction contemplated hereby.

In construction this Deed and where the context so requires, the singular included the plural and the plural includes the singular and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

Representations and Warranties. Grantor represents, warrants, and acknowledges that:

(a) it is in default of its obligations under the Security Instrument and the Note and that the unpaid principal balance thereof together with interest thereupon is immediately due and payable to **NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER** without offset, defense, or counterclaim;

(b) the Note and the Deed of Trust or Mortgage are valid and binding agreements

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enforceable in accordance with their terms;

Advice of Counsel. Grantor hereby agrees, represents, and warrants that it has had advice of competent counsel of its own choosing, or has willingly forgone advice of counsel, in negotiations for and the preparation of this Deed, that it has read this Deed or has had the same read to it by its counsel, that it has had this Deed fully explained by such counsel, and that it is fully aware of its contents and legal effect.

RIGHT TO FORECLOSE

GRANTOR AGREES AND ACKNOWLEDGES THAT NOTHING CONTAINED HEREIN SHALL AFFECT, AND GRANTEE HEREBY EXPRESSLY RESERVES, THE RIGHT TO FORECLOSE THE "MORTGAGE", "DEED TO SECURE DEBT" OR "DEED OF TRUST" BY JUDICIAL OR, TO THE EXTENT PERMITTED BY APPLICABLE LAW, NONJUDICIAL FORECLOSURE AND, IN CONNECTION WITH ANY SUCH FORECLOSURE, GRANTOR AND/OR GUARANTOR MAY, IN GRANTEE'S SOLE DISCRETION, BE NAMED AS A PARTY DEFENDANT, AND TO THE EXTENT PERMITTED BY APPLICABLE LAW, GRANTOR SHALL AGREE TO ANY CONSENT TO JUDGMENT (OR SIMILAR PROCESS) AVAILABLE TO GRANTEE, AND GRANTEE WILL BE PERMITTED TO SEEK, OBTAIN, AND SATISFY A JUDGMENT IN ANY SUCH FORECLOSURE PROCEEDINGS, PROVIDED, HOWEVER, THAT GRANTOR AND GUARANTOR SHALL NOT BE PERSONALLY LIABLE FOR SATISFACTION OF SUCH JUDGMENT. IF GRANTEE PURSUES ITS RIGHTS UNDER THIS SECTION, IT MAY DETRIMENTALLY AFFECT GRANTOR'S CREDIT RATING.

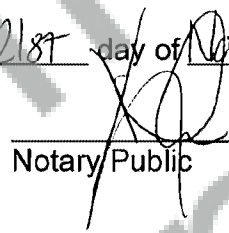
Executed by the undersigned on 11-21, 2024:

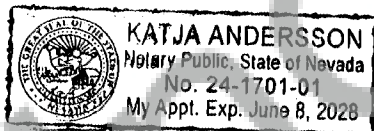

ALBERTO VALENZUELA

STATE OF Nevada
COUNTY OF Clark

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY THAT **ALBERTO VALENZUELA** personally known to me, or has produced LA DL, as identification, to be the same person(s) whose names are subscribed to the foregoing instrument, as having executed the same, appeared before me this day in person and acknowledged that (he/she/they) signed, sealed, and delivered the said instrument as (his/her/their) free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 21st day of November 2024.


Notary Public



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EXHIBIT "B"
ESTOPPEL AFFIDAVIT

STATE OF Nevada
COUNTY OF Clark

ALBERTO VALENZUELA, being first duly sworn, depose and say: That they are the identical parties who made, executed, and delivered that certain Deed in Lieu of Foreclosure to **NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER**, conveying the following described real estate, to-wit:

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION

That the aforesaid deed was intended to be and was an absolute conveyance of the title to said premises to **NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER**, and was not and is not now intended as a security instrument of any kind; that it was the intention of affiants as grantors in said deed to convey, and by said deed these affiants did convey to **NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER**, therein all their right, title, and interest absolutely in and to said premises; that possession of said premises has been surrendered to **NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER**;

That in the execution and delivery of said deed affiants 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 aforesaid deed was not given as a preference against any other creditor or the deponents or either of them; that at the time it was given there was no other person or persons, firms or corporations, other than **NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER**, who have interest, either directly or indirectly, in said premises; that these deponents are solvent and have not other creditors whose rights would be prejudiced by such conveyance, and that deponents are not obligated upon any bond or mortgage or other security whereby any lien has been created or exists against the premises described in said deed.

That the consideration for said deed was and is payment to affiants of the sum of \$1.00 by **NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER**, agreement to forebear taking

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any action against affiants to collect on the obligations secured by the mortgage described below, other than by foreclosure of that mortgage and to not seek, obtain or permit a deficiency judgment against affiants in such foreclosure action. The security instrument referred to herein as described as follows:

SEE EXHIBIT "C" FOR DESCRIPTION OF SECURITY INSTRUMENT

At the time of making said Deed In Lieu Of Foreclosure, affiants believed and now believe that the aforesaid consideration therefore represents the fair value of the property so deeded.

This affidavit is made for the protection and benefit of **NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER**, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described.

I understand and agree that I have waived or released any and all claims, known or unknown, that I have or might have against Grantee; and/or ServiceLink, LLC, and/or their accountants, agents, attorneys, directors, employees, managers, members, officers, servants, and/or shareholders.

That affiants, and each of them will testify, declare, depose, or certify before any competent tribunal, officer, or person, in any case now pending or which may hereafter be instituted, to the truth of the particular facts hereinabove set forth.

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WE (THE BORROWERS/GRANTORS) UNDERSTAND THAT WE HAD A RIGHT TO OBTAIN LEGAL ADVICE BEFORE SIGNING THE AFORESAID DEED AND HAVE EITHER DONE SO OR HAVE ELECTED TO PROCEED WITHOUT LEGAL ADVICE.

Executed by the undersigned on 11-21, 2024.


ALBERTO VALENZUELA

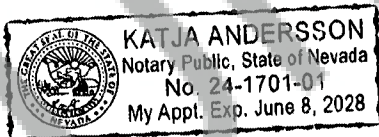
STATE OF Nevada
COUNTY OF Clark

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY THAT **ALBERTO VALENZUELA** personally known to me, or has produced CA DIL, as identification, to be the same person(s) whose names are subscribed to the foregoing instrument, as having executed the same, appeared before me this day in person and acknowledged that (he/she/they) signed, sealed, and delivered the said instrument as (his/her/their) free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 21st day of November 2024.



Notary Public



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GRANTOR(S) AFFIDAVIT

State of Nevada
County of Clark

ALBERTO VALENZUELA, named in the attached Deed in Lieu of Foreclosure, being first duly sworn upon oath, each for himself or herself and not one for the other, deposes and says:

That he or she has read the attached Deed in Lieu of Foreclosure and knows the contents thereof, and that every statement contained in the terms, warranties and covenants therein set forth is true of his or her own knowledge.

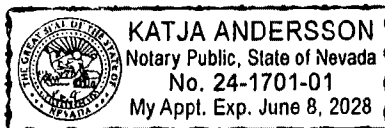
[Signature]
ALBERTO VALENZUELA

STATE OF Nevada
COUNTY OF Clark

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY THAT **ALBERTO VALENZUELA**, personally known to me, or has produced CA DIL, as identification, to be the same person(s) whose names are subscribed to the foregoing instrument, as having executed the same, appeared before me this day in person and acknowledged that (he/she/they) signed, sealed, and delivered the said instrument as (his/her/their) free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 21st day of November 2024.

[Signature]
Notary Public



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EXHIBIT A – LEGAL DESCRIPTION

Lot 3 in Block 4, Tract 1035 - Gatewood, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Unofficial
Copy

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EXHIBIT C – DESCRIPTION OF SECURITY INSTRUMENT

A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:

Amount: \$341,880.00

Trustor/Grantor: Alberto Valenzuela, married man

Trustee: First American Title Insurance Company

Beneficiary: Mortgage Electronic Registration Systems, Inc. (MERS), solely as nominee for Mortgage Research Center, LLC, dba Veterans United Home Loans

Dated: August 16, 2022

Recorded: August 17, 2022

Instrument No.: 2022-010033

Assigned to Nationstar Mortgage LLC d/b/a Mr. Cooper by Assignment recorded concurrently herewith

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