

AFTER RECORDING, MAIL TO:

William H. Sumerfield
P. O. Box 758
Hood River, OR 97031

REAL ESTATE EXCISE TAX

29708
SEP -5 2012

PAID exempt
Vickie Grolland, Deputy
SKAMANIA COUNTY TREASURER

Grantor(s):	KEK, LLC
Grantee(s):	David L. Allen, a married man as his separate estate <u>Carol A. Allen</u>
Abbreviated Legal:	Lots 12, 13, 14, 15, 16, 17, and 20, Boulder Ridge Estates <u>DLA</u>
Additional legal(s):	Page 1
Assessor's Tax Parcel Number(s):	03750140120000, 03750140130000, 03750140140000, 03750140150000, 03750140160000, 03750140170000, 037501402020000 <u>YM</u>

DEED IN LIEU OF FORECLOSURE

KEK, LLC, a Washington limited liability company, ("Grantor"), conveys to **David L. Allen, a married man as his separate estate** ("Grantee"), the following real property (the "Property"): Carol A. Allen - DLA

Lots 12, 13, 14, 15, 16, 17, and 20 of the Boulder Ridge Estates Subdivision, according to the recorded plat thereof, recorded in Auditor File No. 2009174613, in the County of Skamania, State of Washington,

SUBJECT TO: General Exceptions to title. Skamania County Assessor
Date 9-5-12 Parcel# See Above
YM

Together with all Grantor's right, title, and interest in any land sale contract or lease option agreement involving the Property and together with all personal property on or in the Property. Grantor is the owner of the Property free and clear of all encumbrances except for the Trust Deed described below.

Grantor executed and delivered to Grantee a Trust Deed, recorded on November 16, 2007, as Number 2007168275, Records of Skamania County, Washington, to secure payment of a Promissory Note in the sum of \$1,375,000. The Note and Trust Deed are in default and the Trust Deed is subject to foreclosure. In consideration of Grantee's acceptance of this deed in lieu of foreclosure (this "Deed") and waiver of the right to collect against Grantor on Note, Grantee may retain all payments previously made on the Note, with no duty to account therefore.

This Deed is intended as a conveyance absolute in legal effect, as well as in form, of the title to the Property to Grantee and this Deed is not intended as security of any kind. Grantor waives, surrenders, and relinquishes any equity of redemption and statutory rights of redemption that Grantor may have in connection with the Property and the Trust Deed.

Grantor warrants that during the time period that the Property was owned by Grantor, the Property was never used for the generation, manufacture, storage, treatment, disposal, release, or threatened release of any hazardous substance, as those terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended, 42 USC §9601 et seq., the Superfund Amendments and Reauthorization Act (SARA), other applicable state or federal laws, or regulations adopted pursuant to any of the foregoing. Grantor agrees to indemnify and hold Grantee harmless against any and all claims and losses resulting from a breach of this warranty.

This Deed does not effect a merger of the fee ownership and the lien of the Trust Deed described above. The fee and the lien shall hereafter remain separate and distinct. Grantee reserves its right to foreclose its Trust Deed at any time as to any party with any claim, interest, or lien on the Property.

Grantor has read and fully understands the above terms and is not acting under misapprehensions regarding the effect of this Deed, nor is Grantor under any duress, undue influence, or misrepresentations of Grantee, Grantee’s agents, lawyers, or any other person.

Grantee does not expressly or impliedly agree to assume or pay any contract balances, debts, liens, charges, or obligations that relate or attach to the Property.

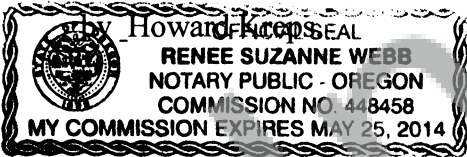
DATED this 29 day of August, 2012.

KEK, LLC, Grantor

Howard Kreps
By: Howard Kreps, Member

Aaron Kreps
By: Aaron Kreps, Member

STATE OF Oregon)
)ss.
County of Hood River)

This instrument was acknowledged before me this 29th day of Aug, 2012,
 Renee Webb
Notary Public for Oregon
My Commission Expires: 5-25-2014

STATE OF Oregon)
)ss.
County of Hood River)

This instrument was acknowledged before me this 29th day of Aug, 2012,
by Aaron Kreps.
Renee Webb
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