

TN

422

## RECISSION OF NOTICE OF DEFAULT

10060



Reference is made to that certain trust deed in which Edward D. Luoma and Eileen M. Luoma, husband and wife

was grantor, Transamerica Title Insurance Company was trustee and

John M. Yarbrough & Carol A. Yarbrough, husband and wife was beneficiary; said trust deed was

recorded November 30, 1978, in book/reel/volume No. M-78 at page 27002 or as document/

fee/file/instrument/microfilm No. 59140 (indicate which), of the mortgage records of Klamath County, Oregon, and conveyed to the said trustee the following real property situated in said county:

Lot 2, Block 2, First Addition Winema Gardens in Klamath  
County, State of Oregon

That said Transamerica Title Insurance Co. resigned as such Trustee and the Beneficiaries appointed Michael C. Miller as Successor Trustee.

A notice of grantor's default under said trust deed, containing the beneficiary's or trustee's election to sell all or part of the above described real property to satisfy grantor's obligations secured by said trust deed was recorded on April 3, 1981, in said mortgage records, in book/reel/volume No. M-81 at page 6031 or as document/fee/file/instrument/microfilm No. 97946 (indicate which); thereafter, by reason of certain payments on said obligations made as permitted by the provisions of Section 87.760, Oregon Revised Statutes, the default described in said notice of default has been removed, paid and overcome so that said trust deed should be reinstated.

NOW, THEREFORE, notice hereby is given that the undersigned trustee does hereby rescind, cancel and withdraw said notice of default and election to sell; said trust deed and all obligations secured thereby hereby are reinstated and shall be and remain in force and effect the same as if no acceleration had occurred and as if said notice of default had not been given; it being understood, however, that this rescission shall not be construed as waiving or affecting any breach or default—past, present or future—under said trust deed or as impairing any right or remedy thereunder, or as modifying or altering in any respect any of the terms, covenants, conditions or obligations thereof, but is and shall be deemed to be only an election without prejudice, not to cause a sale to be made pursuant to said notice so recorded.

IN WITNESS WHEREOF, the undersigned trustee has hereunto set his hand and seal; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

DATED: June 1, 1981.

Michael C. Miller

Michael C. Miller

Successor Trustee

Trustee

(If executed by a corporation,  
affix corporate seal)

(If the signer of the above is a corporation,  
use the form of acknowledgment opposite.)

(ORS 93.490)

STATE OF OREGON,

County of Klamath } ss.

June 1, 1981.

Personally appeared the above named  
Michael C. Miller

and acknowledged the foregoing instrument to be  
his voluntary act and deed.

(OFFICIAL  
SEAL)

Sam Nance

Notary Public for Oregon

My commission expires: 8-1-82

STATE OF OREGON, County of \_\_\_\_\_ ) ss.

\_\_\_\_\_, 19\_\_\_\_.

Personally appeared \_\_\_\_\_ and

\_\_\_\_\_, who, being duly sworn,  
each for himself and not one for the other, did say that the former is the

\_\_\_\_\_, president and that the latter is the

\_\_\_\_\_, secretary of \_\_\_\_\_, a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

Notary Public for Oregon

My commission expires:

(OFFICIAL  
SEAL)

# RECISSION OF NOTICE OF DEFAULT

TO

AFTER RECORDING RETURN TO

Frontier Title & Escrow Co.  
2848 F South 6th Street  
Klamath Falls, Oregon 97601

(DON'T USE THIS  
SPACE; RESERVED  
FOR RECORDING  
LABEL IN COUN-  
TIES WHERE  
USED.)

STATE OF OREGON, County of Klamath } ss.

I certify that the within instrument was received for record on the 5th day of June, 1981, at 10:13 o'clock A.M., and recorded in book/reel/volume No. M81 on page 10060 or as document/fee/file/instrument/microfilm No. 422, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn County Clerk

By Debra A. Janssen Deputy

Fee \$3.50