

23935

RESCISSION OF NOTICE OF DEFAULT Vol. 183 Page 3258

Reference is made to that certain trust deed in which JAN BOSHUIZEN & ELEANOR R. BOSHUIZEN was grantor, TRANSAMERICA TITLE INSURANCE CO. was trustee and WARD COOK, INC. was beneficiary; said trust deed was recorded December 17, 1969, in ~~book~~ book volume No. M69 at page 10477 ~~SKATE~~ SKATE file/instrument/microfilm/reception No. 22991 (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 38, in Block 1, in FIRST ADDITION TO  
KELENE GARDENS, Klamath County, Oregon.

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 May 2, 1983, in said mortgage records, in ~~book~~ book volume No. M83 at page 6646 or as fee/file/instrument/microfilm/reception No. 22991 (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: May 24, 1983.

(If executed by a corporation,  
affix corporate seal)

Trustee

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

(ORS 93.490)

STATE OF OREGON,  
County of Multnomah } ss.  
May 24, 1983.  
Personally appeared the above named  
Charles J. Strader  
and acknowledged the foregoing instrument to be  
his voluntary act and deed.

Notary Public for Oregon  
My commission expires: 8/29/84

STATE OF OREGON, County of Klamath } ss.  
May 24, 1983.  
Personally appeared Charles J. Strader and Evelyn Biehn, 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 TRANSAMERICA TITLE INSURANCE CO., 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.

Notary Public for Oregon  
My commission expires:

(OFFICIAL  
SEAL)

### RESCISSION OF NOTICE OF DEFAULT

RE: Trust Deed from  
JAN BOSHUIZEN, ET UX

to  
TRANSAMERICA TITLE  
INSURANCE CO.

Grantor

Trustee

AFTER RECORDING RETURN TO  
Charles J. Strader, Esq.  
12th Floor  
Bank of California Tower  
Portland, OR 97205

(DON'T USE THIS  
SPACE. RESERVED  
FOR RECORDING  
LABEL IN COUNTIES  
WHERE USED.)

4.00 fee

STATE OF OREGON,  
County of Klamath } ss.

I certify that the within instrument was received for record on the 26 day of May, 1983, at 11:50 o'clock A. M., and recorded in book/reel/volume No. M83 on page 8258 or as fee/file/instrument/microfilm/reception No. 23935 Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk  
By Evelyn Biehn Deputy