

OA

41966

ASPEN F-27897

RESCISSION OF NOTICE OF DEFAULT

Vol. 1784 Page 17281



Reference is made to that certain trust deed in which GARY W. KLEVER and MARY F. KLEVER, Husband & Wife was grantor, TRANSAMERICA TITLE INSURANCE COMPANY, A California Corporation was trustee and WELLS FARGO REALTY, INC., A California Corporation was beneficiary, said trust deed was recorded January 24, 1979, in book/reel/volume No. M-79 at page 9956 or as fee/file/instrument/microfilm/reception No. 41966, of the mortgage records of Klamath County, Oregon, and conveyed to the said trustee the following real property situated in said county:

Lot 35, Block 41, Tract No. 1184, OREGON SHORES UNIT #2, FIRST ADDITION, in the County of Klamath, State of 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 August 24, 1984, in said mortgage records, in book/reel/volume No. M-84 at page 14714 or as fee/file/instrument/microfilm/reception No. 41966; thereafter by reason of certain payments on said obligations made as permitted by the provisions of Section 86.760, 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: October 8, 1984

ASPEN TITLE & ESCROW, INC.

(If executed by a corporation, affix corporate seal)

By: *[Signature]*
Successor Trustee

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

(ORS 194.570)

STATE OF OREGON,)
County of) ss.

STATE OF OREGON, County of Klamath) ss.

The foregoing instrument was acknowledged before me this _____, 19____, by _____

The foregoing instrument was acknowledged before me this October 8, 1984, by ANDREW A. PATTERSON

Assistant secretary of ASPEN TITLE & ESCROW, INC.

a N OREGON corporation, on behalf of the corporation

[Signature]
Notary Public for Oregon

(SEAL)

My commission expires:

My commission expires: 7/23/85

RESCISSION OF NOTICE OF DEFAULT

RE: Trust Deed from Gary W. Klever Mary F. Klever Grantor

to Transamerica Title Insurance Company Trustee

AFTER RECORDING RETURN TO

Aspen Title & Escrow, INC.

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

STATE OF OREGON, Klamath) ss.

I certify that the within instrument was received for record on the 8th of October, 1984 at 3:35 o'clock P.M., and recorded in book/reel/volume No. M84 on page 17281 or as fee/file/instrument/microfilm/reception No. 41966, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk
NAME TITLE

Fee: \$4.00

By: *[Signature]* Deputy