

54939

RESCISSION OF NOTICE OF DEFAULT

Vol. M85 Page 17663

Reference is made to that certain trust deed in which EVERETT J. FINE and HELEN A. FINE, his wife, was grantor, William Ganong, Jr. was trustee and First Federal Savings and Loan Association of Klamath Falls, Oregon was beneficiary, said trust deed was recorded October 13, 1976, in book/reel/volume No. M76 at page 16140 ~~recorder's~~ instrument of the mortgage records of Klamath County, Oregon, and conveyed to the said trustee the following real property situated in said county:

Lot 40, ELMWOOD PARK, according to the official plat thereof on file in the office of the County Clerk of 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 September 17, 1985, in said mortgage records, in book/reel/volume No. M85 at page 15135 ~~recorder's~~ instrument; 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 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 29, 1985

William L. Sisemore

(If executed by a corporation, affix corporate seal)

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

STATE OF OREGON,

County of Klamath } ss.

The foregoing instrument was acknowledged before me this 29th day of October, 1985, by William L. Sisemore

U.S.A.

Evelyn M. Fahey
Notary Public for Oregon

My commission expires: 2-5-89

(ORS 194.570)

Successor Trustee

STATE OF OREGON, County of _____) ss.

The foregoing instrument was acknowledged before me this _____, 19____, by _____, president, and by _____, secretary of _____

a _____ corporation, on behalf of the corporation.

Notary Public for Oregon

My commission expires:

(SEAL)

RESCISSION OF NOTICE OF DEFAULT

RE: Trust Deed from

Grantor

to

Trustee

AFTER RECORDING RETURN TO

William L. Sisemore
540 Main St.,
Klamath Falls, Or. 97601

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

STATE OF OREGON, County of Klamath } ss.

I certify that the within instrument was received for record on October 30, 1985, at 2:06 o'clock P.M., and recorded in book/reel/volume No. M85 at page 17663 or as fee/file/instrument/microfilm/reception No. 54939, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, Klamath County Clerk

NAME

TITLE

By Pam Smith Deputy

Fee: \$5.00