

56719

RESCISSION OF NOTICE OF DEFAULT

STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

Vol. 785

Page 20949

Reference is made to that certain trust deed in which Roger Walsh Costello and Kay
 Frances Costello
 was grantor, Mountain Title Company

U. S. Creditcorp, an Oregon corporation,
 recorded April 15

was trustee and

was beneficiary; said trust deed was
 microfilm

at page 6343

of the ~~INDEXED~~ records of

Klamath

, 19 77, in book M77

N/A

, reel number

N/A

(indicate which), and conveyed to the said trustee the following real property situated in said county:
 See Exhibit "A", which is attached hereto and by this
 reference made a part hereof.

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 29, 19 85, in said mortgage records, in book M85 at page 6208 or as file
 number 48230 (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, con-
 ditions or obligations thereof, but is and shall be deemed to be only an election without prejudice, not to cause a sale to be made pur-
 suant 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: December 18, 19 85

(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 Jackson } ss.
 December 18, 19 85.

Personally appeared the above named

FRANK R. ALLEY, III

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

Before me:

(OFFICIAL
SEAL)

Notary Public for Oregon

My commission expires:

March 27, 1987

(ORS 93.490)

STATE OF OREGON, County of

Personally appeared

) ss.

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

foregoing instrument is the corporate seal of said corporation and that said
 instrument was signed and sealed in behalf of said corporation by author-
 ity 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)RESCISSION OF NOTICE
OF DEFAULT

Frank R. Alley,

Successor Trustee

TO

Roger W. Costello, et ux,

Grantors

AFTER RECORDING RETURN TO

Frank R. Alley, III
 Heffernan, Fowler, Alley
 & McNair

P. O. Box 1746

Medford, OR 97501

STATE OF OREGON

County of

) ss.

I certify that the within instru-
 ment was received for record on the
 day of

at o'clock M., and recorded
 in book on page

or as file number
 Record of Mortgages of said County.

Witness my hand and seal of
 County affixed.

By

Title.

Deputy.

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

90 4 2 330 50

886

20950

6209

That portion of the NW $\frac{1}{2}$ OF NW $\frac{1}{2}$ of Section 10, Township 39 South Range 10 East of the Willamette Meridian, Klamath County, Oregon, described as follows: Beginning at the Southwest corner of said NW $\frac{1}{2}$ of NW $\frac{1}{2}$, thence North 0°08' West along the West line of said NW $\frac{1}{2}$ NW $\frac{1}{2}$ 333.94 feet; thence South 89°30'57" East 1292.43 feet to the East line of said NW $\frac{1}{2}$ of NW $\frac{1}{2}$; thence South 0°10'53" East 333.80 feet to the Southeast corner of said NW $\frac{1}{2}$ of NW $\frac{1}{2}$; thence North 89°31'22" West 1294.26 feet to the point of beginning.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record

This 20th day of April A.D. 19 85 at 3:08 o'clock P. M., and duly recorded in Vol. M85, of Mortgages on Page 6208

EVELYN BIEHN, County Clerk

By Ben Smith

Fec: \$3.00

Index: \$1.00

EXHIBIT "A"

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 27th day of December A.D., 19 85 at 4:06 o'clock P. M., and duly recorded in Vol. M85, of Mortgages on Page 20949

Evelyn Biehn County Clerk

By Bernetha H. Ketch

FEE \$9.00