

66835

ASPEN F-29994

RESCISSION OF NOTICE OF DEFAULT

Vol. 1886 Page 18283

Reference is made to that certain trust deed in which WILBURN SMALLWOOD and DEANN SMALLWOOD was grantor, MOUNTAIN TITLE COMPANY was trustee and said trust deed was recorded December 11, 1981, in book/reel/volume No. M-81 at page 21263 or as fee/file/instrument/microfilm/gages of said County, Oregon, and conveyed to the said trustee the following real property situated in said county:

Lot 20, Block 4, Tract 1021, WILLIAMSON RIVER KNOLL, in the County of Klamath, State of Oregon, TOGETHER WITH an undivided 1/80th interest in and to the following described property: The Easterly 60 feet of that portion of Government Lots 40, 41, 44 and 45 lying South of the Williamson River Knoll Subdivision and North of the Williamson River.

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 1, 1986, in said mortgage records, in book/reel/volume No. M-86 at page 13576 or as fee/file/instrument/microfilm/gages of said County, Oregon; 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; and the undersigned trustee certifies that 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 6, 1986.

(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 _____

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

(SEAL)

My commission expires:

Notary Public for Oregon

(ORS 194.570)

STATE OF OREGON, County of Klamath

The foregoing instrument was acknowledged before me this October 6, 1986, by ANDREW A. PATTERSON, Assistant Secretary of

ASPEN TITLE & ESCROW, INC., a corporation, on behalf of the corporation, Linda Handwerker, Notary Public for Oregon

My commission expires: 7/23/89

RESCISSION OF NOTICE OF DEFAULT

RE: Trust Deed from Wilburn Smallwood and Deann Smallwood to Aspen Title & Escrow, Inc. Grantor

Successor Trustee

AFTER RECORDING RETURN TO
Aspen Title & Escrow, Inc.
600 Main Street
Klamath Falls, Oregon 97601

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

STATE OF OREGON, County of Klamath

I certify that the within instrument was received for record on October 7, 1986, at 11:32 o'clock A.M., and recorded in book/reel/volume No. 18283 or as fee/file/instrument/microfilm/gages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

NAME _____ TITLE Deputy

Fee/ \$5.00