

67426

ASPEN F-30031

Vol. 148 Page 19320

RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which JERRY D. EARLES and JEAN E. EARLES was grantor, TRANSAMERICA TITLE COMPANY TRANSAMERICA FINANCIAL SERVICES recorded October 14, 1983, in book/reel/volume No. M-83 at page 17720 of the mortgage records of Klamath County, Oregon, and conveyed to the said trustee the following real property situated in said county:

Lot 4, Block 46, FIRST ADDITION TO THE CITY OF KLAMATH FALLS, 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 June 30, 1986, in said mortgage records, in book/reel/volume No. M-86 at page 11429 of said mortgage records, and thereafter 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 22, 1986.

ASPEN TITLE & ESCROW, INC.

By: Andrew A. Patterson Successor Trustee

(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 _____ ss.

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

(ORS 194.570)

STATE OF OREGON, County of Klamath

The foregoing instrument was acknowledged before me this October 22, 1986, by ANDREW A. PATTERSON, Assistant Secretary of

ASPEN TITLE & ESCROW, INC.

a corporation, on behalf of the corporation, Oregon

Notary Public for Oregon

My commission expires: 7/23/89

(SEAL)

Notary Public for Oregon

My commission expires:

RESCISSION OF NOTICE OF DEFAULT

RE: Trust Deed from Jerry D. Earles and Jean E. Earles to Aspen Title & Escrow, Inc. 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 ss.

I certify that the within instrument was received for record on October 23, 1986, at 12:09 o'clock P.M., and recorded in book/reel/volume No. M86 on page 19320 or as fee/file/instrument/microfilm/reception No. 67426, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

NAME

TITLE

By: Deputy

Fee: \$5.00