

24444

ASPEN 35838

RESCISSION OF NOTICE OF DEFAULT Vol. 491 Page

373

Reference is made to that certain trust deed in which JOHNNY D. MILLER AND JEAN M. MILLER,
 was grantor, WILLIAM L. SISMORE, Successor Trustee: Aspen Title & Escrow, Inc. was trustee and
CERTIFIED MORTGAGE CO., ASSIGNED TO BILL B. HARP AND ROSELYN* was beneficiary, said trust deed was
 recorded July 13, 1984, in book/reel/volume No. M-84 at page 11840 ~~xxx 11840/~~
~~XX~~
 County, Oregon, and conveyed to the said trustee the following real property situated in said county:
*M. Harp, husband and wife

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

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 December 6, 1990, in said mortgage records, in book/reel/volume No. M-90 at page 24213* ~~on master title/instrument/microfilm/reception No. XXX~~; thereafter by reason of the default being cured as permitted by the provisions of Section 86.753, 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 executed this document; if the undersigned is a corporation, it has caused its name to be signed and seal affixed by an officer duly authorized thereto by order of its Board of Directors. * and re-recorded on December 14, 1990 in M-90 at page 24877

DATED: January 7, 1991

ASPEN TITLE & ESCROW, INC.

BY: Andrew A. Patterson
 Successor Trustee

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

STATE OF OREGON,

County of _____

This instrument was acknowledged before me on _____, 19____, by _____

Notary Public for Oregon

(SEAL)

My commission expires:

STATE OF OREGON,

County of Klamath

This instrument was acknowledged before me on January 7, 1991, by ANDREW A. PATTERSON as Assistant Secretary of ASPEN TITLE & ESCROW, INC.

Notary Public for Oregon

My commission expires: 7/23/93

RESCISSION OF NOTICE OF DEFAULT

RE: Trust Deed from
Johnny D. Miller
Jean M. Miller Grantor
 to
Aspen Title & Escrow, Inc.
Successor Trustee

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

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

STATE OF OREGON,

County of _____

I certify that the within instrument was received for record on _____, 19____, at _____ o'clock M., and recorded in book/reel/volume No. _____ on page _____ or as tee/file/instrument/microfilm/reception No. _____, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____ Deputy

That portion of Lot 11, Block 57, SECOND HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, described as follows:

Beginning at the Northeasterly corner of Lot 11 of said Block 57; thence Southwesterly along the Northerly line of said Lot 11, 94.2 feet to a point marking the Southeasterly corner of Lot 10 of said Block 57; thence Southeasterly at right angles 50 feet, more or less to the Southerly line of said Lot 11; thence Northeasterly along the Southerly line of said Lot 11 to Eldorado Avenue; thence Northerly along Eldorado Avenue 56 feet more or less to the point of beginning.

CODE 1 MAP 3809-28CC TL 5900

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 7th day
of Jan. A.D., 19 91 at 3:34 o'clock P.M., and duly recorded in Vol. M91,
of Mortgages on Page 373.

FEE \$13.00

Evelyn Biehn County Clerk

By Pauline Mueller