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54701

## RESCISSION OF NOTICE OF DEFAULT

Vol 92 Page 28627

Reference is made to that certain trust deed in which LINDA S. NEWLAND was grantor, MOUNTAIN TITLE COMPANY was trustee and DAN C. ALLEN was beneficiary, said trust deed was recorded June 1, 1989, in book/reel volume No. M89 at page 9614 or as fee/file/instrument/microfilm/reception No. XXXXXXXXXXXXXXXXXX, of the mortgage records of Klamath County, Oregon, and conveyed to the said trustee the following real property situated in said county:

Lots 3, 4, 5, 27 and 28, Block 69, KLAMATH FALLS FOREST ESTATES  
HIGHWAY 66 UNIT PLAT NO. 3, 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 January 10, 1992, in said mortgage records, in book/reel volume No. M92 at page 630 or as fee/file/instrument/microfilm/reception No. XXXXXXXXXXXXXXXXXX; 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.

DATED: December 2, 1992

*[Signature]*

Successor

Trustee

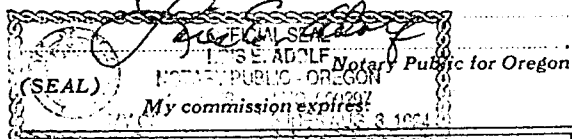
(If the signer of the above is a corporation, use the form of acknowledgment opposite and affix seal.)

STATE OF OREGON,

County of Klamath

ss.

This instrument was acknowledged before me on December 2, 1992, by Richard Fairclo, Successor Trustee



STATE OF OREGON,

County of \_\_\_\_\_

ss.

This instrument was acknowledged before me on \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_

Notary Public for Oregon

My commission expires: \_\_\_\_\_

(SEAL)

## RESCISSION OF NOTICE OF DEFAULT

RE: Trust Deed from LINDA S. NEWLAND

Grantor

to DAN C. ALLEN

Trustee

AFTER RECORDING RETURN TO

Richard Fairclo  
280 Main Street  
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 Dec. 3rd, 1992, at 10:32 o'clock AM., and recorded in book/reel/volume No. M92 on page 28627 or as fee/file/instrument/microfilm/reception No. 54701, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

NAME

TITLE

Fee \$10.00

By Christine J. Mullins Deputy