

71110

MTC 1396-6780

RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which CHARLES G. GRAHAM and DANA C. GRAHAM, was grantor, MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY was trustee and ANNE PARKER was beneficiary, said trust deed was recorded August 3, 1990, in book/reel/volume No. M90 at page 16571 or as fee/ file/instrument/microfilm/reception No. x.x.x.x.x.x (indicate which), of the mortgage records of Klamath County, Oregon, and conveyed to the said trustee the following real property situated in said county:

The West half of all of the following described property: The East 33 1/3 feet of Lot 414 and the West 30 feet of Lot 413, Block 101, MILLS ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at a point of the South line of Orchard Avenue, 16 2/3 feet East of the Northwest corner of said Lot 414 and running thence East along said line of Orchard Avenue a distance of 31 2/3 feet; thence South parallel to the East line of said Lot 414 a distance of 120 feet; thence West along the South line of said Lot 414, a distance of 31 2/3 feet; thence North parallel to the East line of said Lot a distance of 120 feet to the point of beginning.

The Beneficiaries interest was assigned to Henry J. Caldwell and Deborah L. Caldwell by instrument recorded in Vol. M92, Page 1145.

William L. Sisemore has been appointed Successor Trustee.

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 October 27, 1993, in said mortgage records, in book/reel/volume No. M93 at page 28265 or as fee/file/instrument/microfilm/reception No. x.x.x.x.x.x (indicate which); 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: November 1, 1993

William L. Sisemore, Successor Trustee

Trustee

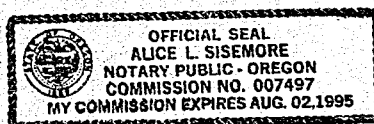
(If the signer of the above is a corporation, use the form of acknowledgment opposite and affix seal.)

STATE OF OREGON,

County of Klamath

This instrument was acknowledged before me on November 1, 1993, by William L. Sisemore

*William L. Sisemore*  
Notary Public for Oregon  
(SEAL) My commission expires: 8/2/95



### RESCISSION OF NOTICE OF DEFAULT

RE: Trust Deed from  
*Charles & Dana Graham*  
Grantor  
*Mountain Title*  
Trustee

AFTER RECORDING RETURN TO  
*Mountain Title Co.*  
*Call # 3070*  
*222 S. 6th Street*  
*K. Falls, OR 97601*

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

Fee \$10.00

STATE OF OREGON,

County of Klamath

I certify that the within instrument was received for record on Nov. 10th, 1993, at 11:19 o'clock A.M., and recorded in book/reel/volume No. M93 on page 29755 or as fee/file/instrument/microfilm/reception No. 71110, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

NAME

TITLE

By *Dorlene Muehlendore* Deputy