

79439 0 4-20-94P01:49 RCVD RESCISSION OF NOTICE OF DEFAULT

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Reference is made to that certain trust deed in which ORIN GORDON KIRK was grantor, KLAMATH COUNTY TITLE COMPANY was trustee and DONALD T. LAWLESS AND MARLENE LAWLESS, Husband and wife was beneficiary, said trust deed was recorded August 26, 1992, in book/reel/volume No. M92 at page 19376 or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_ (indicate which), of the mortgage records of \_\_\_\_\_ County, Oregon, and conveyed to the said trustee the following real property situated in said county:

SW1/4SW1/4, W1/2SE1/4SW1/4 in Section 1, Township 34 South, Range 7 1/2 East of the Willamette Meridian. SAVING AND EXCEPTING any portion lying within any roads or highways.

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 November 16, 1993, in said mortgage records, in book/reel/volume No. M93 at page 30303 or as fee/instrument/microfilm/reception No. \_\_\_\_\_ (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: April 13, 1994

Richard Fairclo

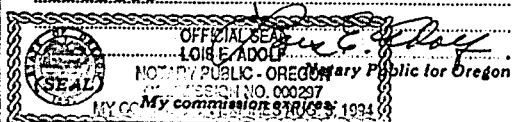
Successor Trustee

(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 April 13, 1994, by Richard Fairclo, Successor Trustee



STATE OF OREGON,

County of \_\_\_\_\_ } ss.

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

Notary Public for Oregon

My commission expires:

(SEAL)

### RESCISSION OF NOTICE OF DEFAULT

RE: Trust Deed from ORIN GORDON KIRK

Grantor

to KLAMATH COUNTY TITLE CO.

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 April 20th, 1994, at 1:49 o'clock P.M., and recorded in book/reel/volume No. M94 on page 11795 or as fee/file/instrument/microfilm/reception No. 79439, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

Evalyn Biehn, county Clerk

NAME

TITLE

By Paula Mueland Deputy

Fee \$10.00