

RESCISSION OF NOTICE OF DEFAULT Vol. MAS Page 10175

98817

Tanya D. King, Conservator of the estate of James King as to an undivided 70% and Tanya D. King, Conservator of the estate of Dawn King as to an

Reference is made to that certain trust deed in which undivided 30%

was grantor, Bend Title Company was trustee and Denene M. Irion was beneficiary, said trust deed was recorded March 29, 1994, in book/reel/volume No. M94 at page 9132 or as fee/file/instrument/microfilm/reception No. (Indicate which), of the mortgage records of Klamath County, Oregon, and conveyed to the said trustee the following real property situated in said county:

A parcel of land situate in the NW 1/4 of Section 31, Township 24 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at the point of an iron stake 857.6 feet East of the Northwest corner of Section 31, Township 24 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, Southerly 1645 feet on the West side of Highway 97 to the point of beginning; thence Southerly along said Highway 97, 335 feet 8 inches to a point; thence North 366 feet to a point; thence Easterly 183 feet 7 inches to the point of beginning at right angles with Highway 97, all in said Section 31, Township 24 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Except that portion as described in a certain deed between Clifford W. Schmidt and Mary M. Schmidt, Grantors, to Walter G. Schmidt and Clara A. Schmidt, Grantees, dated November 30, 1966, and recorded January 9, 1967, in Volume M67, at page 176, Deed Records 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 December 8, 1994, in said mortgage records, in book/reel/volume No. M94 at page 37403 or as fee/file/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 20, 1995.

(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 April 20th, 1995, by William L. Sisemore.

Michelle M. Pridemore
Notary Public for Oregon

(SEAL)

My commission expires 12-23-98



RESCISSION OF NOTICE OF DEFAULT

RE: Trust Deed from

Grantor

to

Trustee

AFTER RECORDING RETURN TO

Bruce J. Brothers
Attorney at Law
P.O. Box 871
Bend, Oregon 97709

(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 April 21st, 1995, at 2:55 o'clock P.M., and recorded in book/reel/volume No. M95 on page 10175 or as fee/file/instrument/microfilm/reception No. 98817, Record of Mortgages of said County.

Witness my hand and seal of County at fixed.

Bernetha G. Letsch, County Clerk
NAME TITLE

By [Signature] Deputy