

9420

## RESCISSION OF NOTICE OF DEFAULT

Vol. M95 Page 31801



Reference is made to that certain trust deed in which Alfred F. Green and Carolyn H. Green, husband and wife, was grantor, Aspen Title & Escrow, Inc. was trustee and Dillion Ross Phillips and Patricia Rose Phillips, husband and wife with Full Rights of Survivorship was beneficiary, said trust deed was recorded October 29, 1995, in book/reel/volume No. M93 at page 28562 or as fee/file/instrument/microfilm/reception No. 70526 (indicate which), of the mortgage records of Klamath County, Oregon, and conveyed to the said trustee the following real property situated in said county:

See Exhibit A attached hereto and by this reference incorporated herein

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 July 5, 1995, in said mortgage records, in book/reel/volume No. M95 at page 17421 or as fee/file/instrument/microfilm/reception No. 2405 (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 16, 1995

*Neal G. Buchanan*

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 November 16, 1995, by Neal G. Buchanan



(SEAL) MY COMMISSION EXPIRES APRIL 11, 1997

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 Alfred F. Green and Carolyn H. Green, husband and wife Grantor

to Aspen Title and Escrow, Inc. Neal G. Buchanan, Successor Trustee

AFTER RECORDING RETURN TO

Neal G. Buchanan  
601 Main Street, Suite 215  
Klamath Falls, OR 97601

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

STATE OF OREGON,

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

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 fee/file/instrument/microfilm/reception No. \_\_\_\_\_, Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By \_\_\_\_\_ Deputy

11-21-95A10:00 RCVD

15 W 2 K

## PARCEL 1:

Beginning at a point in Section 36, 656.1 feet North of point 766.1 feet West of the corner common to Townships 39 and 40 South, Ranges 7 and 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon; thence West, a distance of 208.7 feet to a point; thence North a distance of 104.35 feet to a point; thence East a distance of 208.7 feet to a point; thence South a distance of 104.35 feet to the point of beginning.

## PARCEL 2:

A track of land in the SE 1/4 SE 1/4 Section 36, Township 39 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, as follows:

Beginning at a point 656.1 feet North of a point 766.1 feet West of the corner of Townships 39 and 40 South, Ranges 7 and 8 East of the Willamette Meridian; thence North 104.35 feet to the Southeast corner of property herein conveyed being the true point of beginning; thence West 208.7 feet; thence North 104.35 feet; thence East 208.7 feet; thence South 104.35 feet to the point of beginning.

CODE 21 MAP 3907-36DO TL 2100  
CODE 21 MAP 3907-36DO TL 2200  
CODE 21 MAP 3907-36DO TL 2300

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Neal G. Buchanan the 21st day  
of November A.D., 19 95 at 10:00 o'clock A M., and duly recorded in Vol. M95  
of Mortgages on Page 31801

FEE \$15.00

Bernetha G. Letsch, County Clerk  
By Annette Mueller

EXHIBIT A