

12234

96-01-22P02:24 RCVD  
RESCISSION OF NOTICE OF DEFAULTVol. M96 Page 1813

Reference is made to that certain trust deed in which Thomas W. Torres and Sheryl A. Torres, h&w,  
Mountain Title Company of Klamath County was trustee and  
Henry J. Caldwell, Jr. and Deborah L. Caldwell, h&w, and  
Henry J. Caldwell and Geneva B. Caldwell, h&w was beneficiary; said trust deed was  
 recorded September 30, 1994, in book/reel/volume No. M94 at page 30732 or as document/  
 fee/file/instrument/microfilm 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:

Lot 5 in Block 8, FIRST ADDITION TO CYPRESS VILLA, 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  
September 18, 1995, in said mortgage records, in book/reel/volume No. M95 at page  
25182 or as document/fee/file/instrument/microfilm No. .... (indicate which); thereafter, by  
 reason of certain payments on said obligations made as permitted by the provisions of Section 87.760, 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, con-  
 ditions or obligations thereof, but is and shall be deemed to be only an election without prejudice, not to cause a sale to be made pur-  
 suant to said notice so recorded.

IN WITNESS WHEREOF, the undersigned trustee has hereunto set his hand and seal; if the undersigned  
 is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its  
 officers duly authorized thereunto by order of its Board of Directors.

DATED: January 18, 1996.

William M. Ganong

Successor Trustee

(If executed by a corporation,  
 affix corporate seal)

~~STAMPED~~

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

(ORS 93.490)

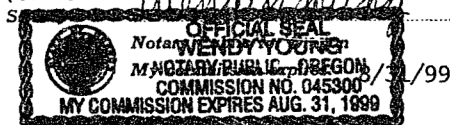
STATE OF OREGON, }  
 County of Klamath } ss.  
January 18, 1996  
 Personally appeared the above named  
William M. Ganong  
 and acknowledged the foregoing instrument to be  
 his voluntary act and deed.

STATE OF OREGON, County of ..... ) ss.  
 , 19 .....

Personally appeared ..... and  
 who, being duly sworn,  
 each for himself and not one for the other, did say that the former is the  
 president and that the latter is the  
 secretary of  
 a corporation, and that the seal affixed to the  
 foregoing instrument is the corporate seal of said corporation and that said  
 instrument was signed and sealed in behalf of said corporation by author-  
 ity of its board of directors; and each of them acknowledged said instrument  
 to be its voluntary act and deed.

Before me:

(OFFICIAL



Notary Public for Oregon

My commission expires:

(OFFICIAL  
 SEAL)

## RESCISSION OF NOTICE OF DEFAULT

TO

AFTER RECORDING RETURN TO

William M. Ganong  
 635 Main Street  
 Klamath Falls OR 97601

(DON'T USE THIS  
 SPACE: RESERVED  
 FOR RECORDING  
 LABEL IN COUN-  
 TIES WHERE  
 USED.)

STATE OF OREGON, }  
 County of Klamath } ss.

I certify that the within instru-  
 ment was received for record on the  
22nd day of Jan, 1996,  
 at 2:24 o'clock P M., and recorded  
 in book/reel/volume No. M96 on  
 page 1813 or as document fee file  
 instrument/microfilm No. 12234  
 Record of Mortgages of said County.

Witness my hand and seal of  
 County affixed.

Bernetha G. Letsch, Co. Clerk

By Lynette Hild Deputy

FEE: \$10.00