

46717

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RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which James M. Barentine and Jean T. Barentine, Husband and wife was grantors, America's Wholesale Lender was beneficiary, said trust deed was recorded 10/31/94, in Volume M94, Page 33652, of the mortgage records of Klamath County, Oregon, and conveyed to the said trustee the following real property situated in said county:

Lot 1 in Block 4 North Klamath Falls Addition, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PROPERTY ADDRESS: 2430 Van Camp Street, Klamath Falls, Oregon 97601

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 obligation: secured by said trust deed was recorded on 04/29/96, in said mortgage records, in Book No. 97, Page 12937; 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 has 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 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: October 7, 1997

Lucy E. Kivel  
Lucy E. Kivel - Trustee

STATE OF OREGON,

ss

County of Multnomah

This instrument was acknowledged before me on October 7, 1997, by Lucy E. Kivel, Trustee.



OFFICIAL SEAL  
KELLY MC CARTHY  
NOTARY PUBLIC-OREGON  
COMMISSION NO. 041188  
MY COMMISSION EXPIRES JAN. 30, 1999

Kelly McCarthy  
Notary Public for Oregon  
My commission expires: 1-30-99

# RESCISSION OF NOTICE OF DEFAULT

RE: Trustee Deed from  
Barentine, James M. and Jean T.

Grantor  
to

Lucy E. Kivel / C/M #: 17183-401209  
Trustee

After recording return to:  
Melissa G. Tervet  
PRESTON GATES & ELLIS, LLP  
5000 Columbia Center, 701 Fifth Avenue  
Seattle, WA 98104-7078

STATE OF OREGON,  
County of Klamath ss.

Filed for record at request of:

Klamath County Title

on this 9th day of October A.D., 1997  
at 3:13 o'clock P. M. and duly recorded  
in Vol. M97 of Mortgages Page 33319

Bernetha G. Letsch, County Clerk

By Kathleen Rose

Fee. \$10.00

Deputy.