

47860

MTC 42901-KR

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## RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which Darold A. Landmark was grantor, Aspen Title & Escrow, Inc., was trustee and Lawless Roofing, Inc., Defined Benefit Pension Plan and Trust, was beneficiary, said trust deed was recorded October 6, 1995, book/reel/volume no. M95 at page 26998, of the mortgage 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 subject real property to satisfy grantor's obligations secured by said trust deed was recorded on September 26, 1997, in said mortgage records, in book/reel/volume no. M97 at page 31458; 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 of 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.

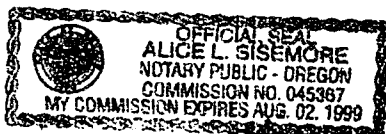
Dated: October 30, 1997.

William L. Sisemore  
William L. Sisemore, Successor Trustee

STATE OF OREGON )  
 ) SS  
County of Klamath )

This instrument was acknowledged before me on October 30, 1997, by William L. Sisemore.

Alice L. Sisemore  
Notary Public for Oregon  
My Commission Expires: 08/02/99



After recording, return to:  
DAROLD LANDMARK  
P.O. Box 128  
Beatty, OR 97621

STATE OF OREGON )  
County of Klamath ) SS  
I certify that the within instrument was received for record on October 30, 1997, at 3:41 P.M., and recorded in in book/reel/volume no. M97 on page 35937 or as fee/file/instrument/microfilm/reception no. 47860, Record of Mortgages of said County  
Witness my hand and seal of County Affixed.

Bernetha G. Letsch, Co. Clerk  
Name Title

BY Kathleen Ross  
Deputy

Fee: \$10.00