

51028

MTC 41871  
RESCISSION OF NOTICE OF DEFAULT

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Reference is made to that certain trust deed dated 1/5/93 in which Charles M. LaBuwi was grantor, U.S. Bank of Washington, National Association was trustee and U.S. Bancorp Mortgage Company was beneficiary and recorded 1/29/93, as 56964 of the mortgage records of Klamath County, Oregon. The trust deed conveyed to the trustee the following real property situated in said county:

Lots 7 and 8 in Block 38, Hillside Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.  
Commonly Known As: 2040 Del Moro Street Klamath Falls, OR 97601-1807

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 the trust deed was recorded 7/24/97, in the mortgage records of Klamath County, as 41559 vol.M97, Pg.23271; thereafter by reason of the default being cured as permitted by the provisions of ORS 86.753, the default described in the notice of default has been removed, paid and overcome so that the trust deed should be reinstated.

NOW, THEREFORE, notice hereby is given that the undersigned trustee does hereby rescind, cancel and withdraw the notice of default and election to sell; the trust deed and all obligations secured thereby are reinstated and shall be and remain in force and effect the same as if no acceleration had occurred and as if the 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 the 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 the notice so recorded.

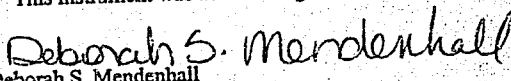
IN WITNESS WHEREOF, the undersigned trustee has executed this document; if the undersigned is a corporation, it has caused its name to be signed and seal affixed by an officer duly authorized thereto by order of its Board of Directors.

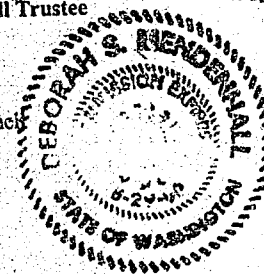
Dated: December 29, 1997

  
David E. Fennell Trustee

STATE OF WASHINGTON )  
COUNTY OF KING )

This instrument was acknowledged before me on December 29, 1997, by David E. Fennell

  
Deborah S. Mendenhall  
Notary Public for Washington  
Residing at Seattle  
My Commission expires: 08/29/00



### Rescission of Notice of Default

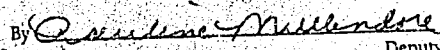
RE: Trust Deed from  
Charles M. Grantor  
LaBuwi  
to  
David E. Fennell Trustee

After Recording Return to  
Routh Crabtree & Fennell  
PO Box 4143  
Bellevue WA 98009-4143  
Attn: Deborah S. Mendenhall  
RCF Number: 7000.20791

State of Oregon  
STATE OF OREGON,  
County of Klamath ss.  
Filed for record at request of:

Amerititle  
on this 2nd day of Jan A.D., 1998  
at 2:39 o'clock P M. and duly recorded  
in Vol. M98 of Mortgages Page 78

Bernetha G. Letsch, County Clerk

By   
Fec. \$10.00 Deputy.