

TN

57983

Aspen 04047441/F Vol. 1998 Page 16008  
RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which Michael E. & Sherry A. DeBarbieri was grantor, Aspen Title & Escrow, INC was trustee and Warren C. Haynes & Grace C. Haynes\* was beneficiary; said trust deed was recorded September 29, 1987, in book/XXXXXXXX No. M87 at page 17653 or as XXXXXXXX fee/XXXXXXXXXXXXXXXXXXXX No. 79874 (indicate which), of the mortgage records of Klamath County, Oregon, and conveyed to the said trustee the following real property situated in said county: The S $\frac{1}{2}$  of Lots 4 and 5, Block 43, First Addition to the City of Klamath, State of Oregon. Code 1 Map 3809-32BA-TL 2000

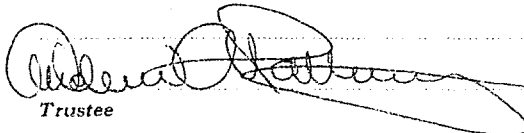
\*Assignment of Trust Deed recorded on November 6, 1996 to Aspen Title & Escrow, INC. 401K Retirement Trust Account by volume number M96 page 35198 fee number 27982.

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 March 19th, 1998, in said mortgage records, in book/XXXXXXXX No. M98 at page 8745 or as XXXXXXXX fee/XXXXXXXXXXXXXXXXXXXX No. 54870 (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, 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: May 11, 1998.

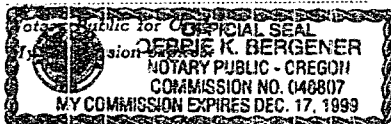
  
Trustee

(If executed by a corporation,  
affix corporate seal)(If the signer of the above is a corporation,  
use the form of acknowledgment opposite.)

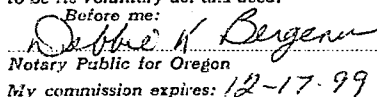
(ORS 93.490)

STATE OF OREGON, }  
County of \_\_\_\_\_ } ss.  
\_\_\_\_\_, 19\_\_\_\_  
Personally appeared the above named \_\_\_\_\_  
and acknowledged the foregoing instrument to be \_\_\_\_\_  
voluntary act and deed.

Before me:

(OFFICIAL  
SEAL)

STATE OF OREGON, County of Klamath ) ss.  
May 11, 1998  
Personally appeared ANDREW A. PATTERSON 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 ASPEN TITLE & ESCROW, INC, 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 authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:  
  
Notary Public for Oregon  
My commission expires: 12-17-99

(OFFICIAL  
SEAL)RESCISSION OF NOTICE  
OF DEFAULT

TO

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

AFTER RECORDING RETURN TO

Mr. & Mrs. Michael DeBarbieri  
521 North 5th Street  
Klamath Falls, Oregon 97601

Fee: \$10.00

STATE OF OREGON, } ss.  
County of Klamath  
I certify that the within instrument was received for record on the 11th day of May, 1998, at 3:39 o'clock P.M., and recorded in book/reel/volume No. M98 on page 16008 or as document/fee/file/instrument/microfilm No. 57983, 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