

RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which Rodney D. Miller and Kelly A. Miller, husband and wife, were grantors, Aspen Title & Escrow, Inc., was trustee and Vernon G. Ludwig and Ofelia Ludwig, husband and wife, were beneficiaries, said trust deed was recorded March 15, 1996, in Volume M-96, page 7054, of the records of Klamath County, Oregon, and conveyed to the said trustee the following real property situated in said county:

Lot 5, Block 7, STEWART, in the County of Klamath, State of Oregon.

A notice of grantor's default under said trust deed, containing the beneficiary'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 May 14, 1998, in said records, in Volume M-98, page 16472; thereafter by reason of certain payments of said obligations made as permitted by the provisions of Section 86.760, 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, to not cause a sale to be made pursuant to said notice so recorded.

IN WITNESS WHEREOF, the undersigned successor trustee has hereunto set his hand and seal.

DATED: 11/2/98

AFTER RECORDING RETURN TO:

NEAL G. BUCHANAN
ATTORNEY AT LAW
435 OAK
KLAMATH FALLS, OR 97601-6007
(541) 882-6507


JACK DAVIS, Attorney at Law,
Successor Trustee

LAW OFFICES OF
DAVIS, GILSTRAP, HEARN & WELTY
A Professional Corporation
516 EAST MAIN STREET
ASHLAND, OREGON 97520
(541) 482-3111 FAX (541) 489-4455

40596

STATE OF OREGON)
 County of Jackson)

and The foregoing instrument was acknowledged before me this
 day of November, by Jack Davis, Successor Trustee.



Joan Christopher
 Notary Public for Oregon
 My Commission Expires: 9/17/02

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Neal G. Buchanan the 5th day
 of November A.D. 19 98 at 2:03 o'clock P.M., and duly recorded in Vol. M98
 of Mortgages on Page 40595.

FEE \$15.00

By Bernetha G. Letsch, County Clerk

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