

74716

99 FEB 17 AIO RECISSION OF NOTICE OF DEFAULT

Aspen 04049133/F

Reference is made to that certain trust deed in which Martha E. Pigeon was grantor, Mountain Title Company** was trustee and

Trustees of the Hugh Martin Biggs and Christina Mary Biggs was beneficiary; said trust deed was Declaration of Trust* recorded June 23, 1993, in book/fee/tee/file No. M93 at page 14768 or as

fee/tee/file No. 63464 (indicate which), of the mortgage records of Klamath County, Oregon, and conveyed to the said trustee the following real property situated in said county:

Lot 380, Block 113, Mills Addition to the City of Klamath Falls, in the State of Oregon. Code 1 Map 3809-33AC-TL 6400

*Assigned by Book M99 Page 1734, recorded on January 19, 1999
**Assigned by Book M99 Page 4623, recorded on February 8, 1999

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 February 11, 1999, in said mortgage records, in book/fee/tee/file No. M99 at page 4973 or as trustee/tee/file No. 74527 (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: February 12, 1999.

Andrew A. Patterson
ANDREW A. PATTERSON/SUCCESSOR TRUSTEE

(If executed by a corporation, affix corporate seal)

Trustee

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

(ORS 93.490)

STATE OF OREGON, } ss.
County of }
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STATE OF OREGON, County of Klamath) ss.
February 12, 1999
Personally appeared ANDREW A. PATTERSON, and

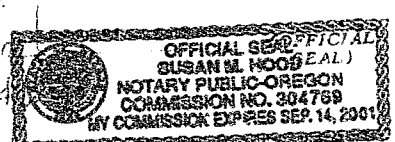
Personally appeared the above named
and acknowledged the foregoing instrument to be voluntary act and deed.

each for himself and not one for the other, did say that the former is the president and 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:
(OFFICIAL SEAL)

Notary Public for Oregon
My commission expires:

Before me:
Notary Public for Oregon
My commission expires: 9/14



RECISSION OF NOTICE OF DEFAULT

TO
AFTER RECORDING RETURN TO
ASPEN TITLE & ESCROW, INC
ATTN: FORECLOSURE DEPARTMENT

(DON'T USE THIS SPACE; RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

\$10.00

STATE OF OREGON,) ss.
County of Klamath)
I certify that the within instrument was received for record on the 17th day of February, 1999, at 10:01 o'clock A. M., and recorded in book/reel/volume No. M99 on page 5368 or as document/tee/file instrument/microfilm No. 74716 Record of Mortgages of said County. Witness my hand and seal of County affixed.

Linda Smith, County Clerk
By *Heddon Row* Deputy