

Reference is made to that certain trust deed dated 6/5/98 in which Terry A. Marshall was grantor, FATCO, known as First American Title Insurance Company of Oregon was trustee and Home Mortgage USA, a Washington corporation was beneficiary and recorded 6/16/98, as Volume: M98, Page 20558 of the mortgage records of Klamath County, Oregon. The trust deed conveyed to the trustee the following real property situated in said county:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN

Commonly Known As: 14915 Clover Creek Road Klamath Falls, OR 97601

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 5/19/99, in the mortgage records of Klamath County, as Volume M99, Page 19940; thereafter by reason of the default being cured as permitted by the provisions of 86.753, ORS 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.

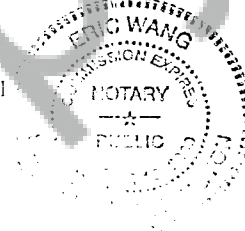
Dated: June 24, 1999

David E. Fennell Trustee

STATE OF WASHINGTON )  
COUNTY OF KING )

This instrument was acknowledged before me on June 24, 1999, by David E. Fennell

Eric Wang  
Notary Public for Washington  
Residing at Maple Valley  
My Commission expires: 10/19/2000



# Rescission of Notice of Default

# State of Oregon

RE: Trust Deed from  
Terry A. Marshall Grantor  
TO  
David E. Fennell Trustee

After Recording Return to  
Routh Crabtree & Fennell  
PO Box 4143  
Bellevue WA 98009-4143  
Attn: Becky Baker  
RCF Number: 7081.20088

28463

A tract of land situated in the SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 31, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at a point on the North-South quarter Section line of Section 31, Township 39 South, Range 8 East of the Willamette Meridian, from which the long established Northwest corner of the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of said Section 31, bears South  $0^{\circ}21'40''$  East 66.96 feet; thence South  $43^{\circ}08'$  West 591.22 feet to the Northerly right of way of the Clover Creek Road; thence along said right of way North  $46^{\circ}52'$  West 200 feet; thence North  $43^{\circ}08'$  East 802.02 feet to the above mentioned quarter section line; thence South  $0^{\circ}21'40''$  East 290.58 feet to the point of beginning.

State of Oregon, County of Klamath  
Recorded 7/16/99, at 11:01 a.m.  
In Vol. M99 Page 28462

Linda Smith,  
County Clerk

Fees 15- KR