

RECORDING REQUESTED BY:

T.D. SERVICE COMPANY

WHEN RECORDED MAIL TO:

T.D. SERVICE COMPANY  
1820 E. 4TH ST., SUITE 210  
SANTA ANA, CA 92705

LOAN NO.  
T.S. NO. 0-172  
UNIT CODE: F

Vol M00 Page 2478  
200 JAN 24 PM 3:30

State of Oregon, County of Klamath  
Recorded 1/24/00, at 3:30 p.m.  
In Vol. M00 Page 2478  
Linda Smith,  
County Clerk Fee\$ 21.00

## NOTICE OF RESCISSION OF A TRUSTEE'S DEED UPON SALE

THIS NOTICE OF RESCISSION IS MADE ON THIS 13TH DAY OF JANUARY, 2000 , WITH RESPECT TO THE FOLLOWING FACTS:

1. THAT DAVID A. KUBAT, OSBA #04265 IS THE TRUSTEE UNDER THAT CERTAIN DEED OF TRUST DATED MARCH 29,1996 RECORDED ON APRIL 3, 1996 , AS INSTRUMENT NO/ VOL NO. M 96, PAGE 9342 NAMING SHERYL A. TORRESAND THOMAS W. TORRES AS TRUSTOR, TRANSAMERICA FINANCIAL SERVICES AS BENEFICIARY, SECURING A PROMISSORY NOTE IN THE AMOUNT OF \$95,119.19
2. THE DEED OF TRUST ENCUMBERS THE REAL PROPERTY SITUATED IN THE COUNTY OF KLAMATH , STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:  
  
LOT 5, BLOCK 8, FIRST ADDITION TO CYPRESS VILLA, IN THE COUNTY OF KLAMATH, STATE OF OREGON.  
CODE 41 MAP 3909 12 CC TL 5100  
COMMONLY KNOWN AS 4461 DAY DRIVE, KLAMATH FALLS, OR 97603
3. THAT BY VIRTUE OF A DEFAULT UNDER THE TERMS OF THE DEED OF TRUST THE BENEFICIARY DID DECLARE A DEFAULT, AS SET FORTH IN A NOTICE OF DEFAULT AND ELECTION TO SELL, WHICH NOTICE WAS RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF KLAMATH COUNTY, CALIFORNIA, ON JANUARY 19, 1999 , AS INSTRUMENT NUMBER VOL M99 PAGE 1722
4. ON AUGUST 20, 1999, THE PROPERTY WAS PURPORTEDLY SOLD TO CALMCO INC., ATTORNEY IN FACT FOR LA SALLE NATIONAL BANK, BEING THE HIGHEST BIDDER AT SUCH SALE WHO BID THE AMOUNT OF \$ 103,979.57
5. THE EXPRESS PURPOSE FOR THIS NOTICE OF RESCISSION IS TO RETURN THE PRIORITY AND EXISTENCE OF ALL LIENHOLDERS TO THE STATUS QUO ANTE THAT EXISTED PRIOR TO THE TRUSTEE'S SALE.

NOW, THEREFORE, THE UNDERSIGNED HEREBY RESCINDS THE TRUSTEE'S SALE AND PURPORTED TRUSTEE'S DEED UPON SALE AND HEREBY ADVISES ALL PERSONS, WHOMEVER AND WHATSOEVER HAVING AN INTEREST IN THE PROPERTY THAT THE TRUSTEE'S DEED UPON SALE DATED AUGUST 20, 1999, FROM DAVID A. KUBAT, OSBA #84265 TO CALCO INC., ATTORNEY IN FACT FOR LA SALLE NATIONAL BANK , RECORDED AUGUST 27, 1999 , AS INSTRUMENT NUMBER . VOL M 99PAGE 34714, OFFICIAL RECORDS OF KLAMATH COUNTY IS HEREBY RESCINDED AND SHALL HAVE NO FURTHER FORCE OR EFFECT WHATSOEVER.

DAVID A.KUBAT, OSBA #84265

BY: 

State of Washington  
County of KING

On H300 before me, DENNIS E. ROBERTS personally appeared DAVID A. KUBAT personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

Signature  (seal)

