

**AFTER RECORDING RETURN TO:**

Anderson & Monson, P.C.  
10700 S.W. Beaverton-Hillsdale Hwy. #460  
Beaverton, Oregon 97005

mtc 49440

**RESCISSION OF NOTICE OF DEFAULT**

The trust deed to be foreclosed pursuant to Oregon law is referred to as follows (the "Trust Deed"):

Grantor:	Darrell A. Micka and Phyllis M. Micka - Tenants by the entirety
Trustee:	AmeriTitle
Beneficiary:	American General Finance, Inc.
Date:	October 28, 1998
Recording Date:	October 30, 1998
Recording Reference:	Vol. M98 Page 39912
County of Recording:	Klamath County

The Trust Deed covers the following described real property in the County of Klamath and State of Oregon, ("the Property"):

See Exhibit "A" attached hereto

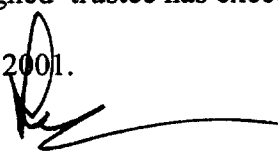
A notice of grantor's default under the Trust Deed, containing the Beneficiary's election to sell all or part of the Property to satisfy Grantor's obligations secured by the Trust Deed was recorded on January 21, 2000, Vol. M00, Page 2315, in the mortgage records of Klamath County, Oregon. The default described in the notice of default has not been removed, paid, cured or overcome and Grantor remains in default on the Trust Deed, however, Beneficiary has elected not to conduct the Trust Deed foreclosure sale based upon the January 21, 2000 notice of default.

NOW THEREFORE, notice is hereby given that the undersigned trustee does hereby rescind, cancel and withdraw the notice of default and election to sell which was recorded January 21, 2000 Vol. M00, Page 2315, in the mortgage records of Klamath County, Oregon. The Trust Deed and all obligations secured thereby remain in full force and effect. 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 of Beneficiary 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. Beneficiary reserves the right to commence a new nonjudicial foreclosure at any time.

IN WITNESS WHEREOF, the undersigned trustee has executed this document.

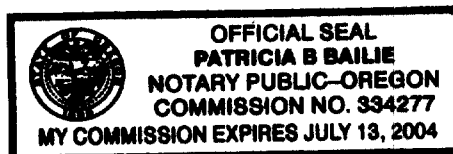
DATED this 30 day of January, 2001.

  
\_\_\_\_\_  
Richard T. Anderson, Jr., Successor Trustee

STATE OF OREGON           )  
  ) ss.  
County of Washington    )

This instrument was acknowledged before me on January 30, 2001, by Richard T. Anderson, Jr., Successor Trustee, as his voluntary act and deed.

  
\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**PARCEL 1:**

Beginning at the SW corner of NE1/4 SE1/4 of Section 31, Township 40 South, Range 12 East of the Willamette Meridian; thence East 280 feet; thence 20 degrees North of East a distance of 330 feet to the West side of Poe Valley Market Road; thence Northerly along the West side of said Poe Valley Market Road to the West line of said NE1/4 SE1/4, Section 31, Township 40 South, Range 12 East, Willamette Meridian; thence Southerly along the West line of said NE1/4 SE1/4 in said Section, Township and Range to the point of beginning.

**PARCEL 2:**

The SE1/4 NW1/4, NE1/4 SW1/4, and those portions of the NE1/4 NW1/4, SW1/4 NE1/4 and NW1/4 SE1/4 lying Southwesterly of the County Road. All in Section 31, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

State of Oregon, County of Klamath  
Recorded 02/01/01, at 3:18 p. m.  
In Vol. M01 Page 4201  
Linda Smith,  
County Clerk Fee \$ 3/00