

2001 FEB -7 PM 2:30

RESCISSION OF NOTICE OF DEFAULT

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Reference is made to that certain trust deed dated 04/23/98 in which William C. Havlina and Sharon K. Havlina, husband and wife, as tenants by the entirety was grantor, First American Title Insurance Company of Oregon was trustee and Meritage Mortgage Corporation, an Oregon corporation was beneficiary and recorded 05/01/98, as No. 57426, Book M-98, Page 14686 of the mortgage records of Klamath County, Oregon. The trust deed conveyed to the trustee the following real property situated in said county:

Lot 8 in Block 2 of Casa Manana, according to the Official Plat thereof on file in the Office of the County Clerk of Klamath County, Oregon.

Commonly Known As: 5709 Alva Avenue Klamath Falls, OR 97603

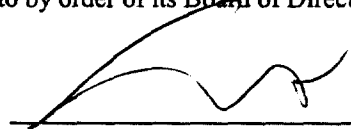
A notice of grantor's default under said trust deed, containing the beneficiary's or trustee's election to sell all or part of the above described real property to satisfy grantor's obligations secured by the trust deed was recorded 09/21/00, in the mortgage records of Klamath County, as ~~34742~~ <sup>34742</sup>; 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.

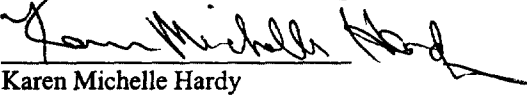
Dated: January 24, 2001

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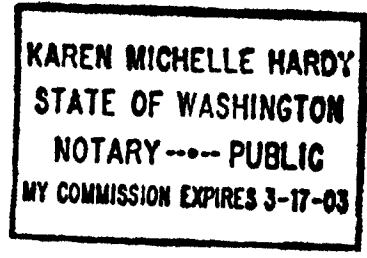
  
David E. Fennell Trustee

STATE OF WASHINGTON )  
COUNTY OF KING )

This instrument was acknowledged before me on January 24, 2001, by David E. Fennell



Karen Michelle Hardy  
Notary Public for Washington  
Residing at King County  
My Commission expires: March 17, 2003



Rescission of Notice of Default	
RE: Trust Deed from William C. Havlina and Sharon K. Havlina, husband and wife, as tenants by the entirety	Grantor
to	
David E. Fennell	Trustee

State of Oregon

State of Oregon, County of Klamath  
Recorded 02/07/01, at 2:30 p. m.  
In Vol. M01 Page 4929  
Linda Smith,  
County Clerk Fee \$ 21.00

After Recording Return to  
Northwest Trustee Services, LLC  
PO Box 4143  
Bellevue WA 98009-4143  
Attn: Shannon Blood  
NTS Number: 7261.20474

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