

'01 SEP 26 AM 10:30

RESCISSION OF NOTICE OF DEFAULT

Vol M01 Page 48977

Reference is made to that certain trust deed dated 01/23/97 in which James C. Webber was grantor, Amerititle was trustee and U.S. National Bank of Oregon dba U.S. Bancorp Home Loans was beneficiary and recorded 01/28/97, as Volume M 97, page 2537 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 herien


Commonly Known As: 10309 Boehm Street Midland, OR 97634

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 05/04/01, in the mortgage records of Klamath County, as Volume M 01, Page 20505; 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: September 17, 2001



DAVID E. FENNELL, Trustee

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that David E. Fennell is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: September 17, 2001

HEDA S. A. ACEVEDOU
STATE OF WASHINGTON
NOTARY ---- PUBLIC
MY COMMISSION EXPIRES 11-17-03


NOTARY PUBLIC in and for the State of
Washington, residing at Bellevue
My commission expires 11-17-03

Rescission of Notice of Default		State of Oregon
Re: Trust Deed from James C. Webber	Grantor	
To		
DAVID E. FENNELL	Trustee	
After Recording Return to Northwest Trustee Services, LLC P.O. Box 4143 Bellevue, WA 98009-4143 Attn: Becky Baker File Number: 7037.23893		

Exhibit A
Legal Description

Parcel 1:

Lots 12, 13 and 14, Block 1, Midland, in the County of Klamath, State of Oregon. Together with that portion of vacated Maple Street (Niven Street) which inurred thereto as evidenced by Order of Vacation 94-169, recorded May 9, 1994 in Volume M94, Page 18167, Microfilm Records f Klamath County, Oregon.

Parcel 2:

Vacated Lots 7 thru 16, inclusive, Block 3, Town of Midland, together with the vacated portion of the alley adjacent thereto, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Northeast corner of said vacated Lot 7; thence West 260 feet along the North boundary of said Block 3 to the Northwest corner of said vacated Lot 11; thence South along the West boundary of said Block 3, 276.00 feet to the Southwest corner of vacated Lot 12; thence East along the South boundary of said Block 3, 260 feet to the Southeast corner of vacated Lot 16; thence North 276.00 feet to the point of beginning.

CODE 162 MAP 3908-36DA TL 900

State of Oregon, County of Klamath
Recorded 09/26/01 at 10:30 a. m.
In Vol. M01 Page 48977
Linda Smith,
County Clerk Fee \$ 26⁰⁰