

RESCISSION OF NOTICE OF DEFAULT

Vol M03 Page 86910

RESCISSION OF NOTICE OF DEFAULT RE: Trust Deed From

Tony M. Klobucar and Christine F. Klobucar, Grantor

Scott D. MacArthur, Successor Trustee

State of Oregon, County of Klamath
Recorded 11/26/03 9:51 a m
Vol M03 Pg 86910-12
Linda Smith, County Clerk
Fee \$ 3.00 # of Pgs 3

After recording return to:

Scott D. MacArthur

MacArthur & Bennett, P.C.

280 Main Street

Klamath Falls, OR 97601

Reference is made to that certain trust deed in which Tony F. Klobucar & Christine F. Klobucar, was grantor, Aspen Title & Escrow, Inc., was trustee and John L. Perry and Donna S. Perry is the beneficiary, said trust deed was recorded November 13, 1989, in volume No. M89 at page 21837, of the mortgage records of Klamath County, Oregon, and conveyed to the said trustee the following real property situated in said county:

Exhibit "A"

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 said trust deed was recorded on September 25, 2003, in said mortgage records, in volume No. M03 at page 71451 thereafter by reason of the default being cured as permitted by the provisions of Section 86.753, Oregon Revised Statutes, the default described in said notice of default has been removed, paid and overcome so that said trust deed should be reinstated.

NOW, THEREFORE, notice hereby is given that the undersigned trustee does hereby rescind, cancel and withdraw said notice of default and election to sell; said trust deed and all obligations secured thereby hereby are reinstated and shall be and remain in force and effect the same as if no acceleration had occurred and as if said 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 said 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 said 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 or other person duly authorized

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thereto by order of its Board of Directors.

DATED: November 26, 2003.




Scott D. MacArthur, Successor Trustee

STATE OF OREGON, County of Klamath)ss.

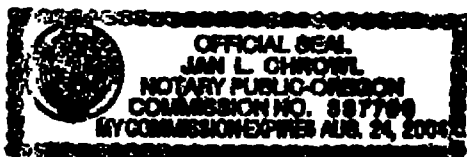
This instrument was acknowledged before me
on November 26, 2003, by Scott D. MacArthur

This instrument was acknowledged before me on

_____, 2003, by _____
as _____ of _____



Notary Public for Oregon
My commission expires _____



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Exhibit A

PARCEL 1:

Beginning at a point which is 30 feet North and 212 feet East from the Southwest corner of Lot 29, Section 14, Township 36 South, Range 12 East of the Willamette Meridian; thence due East along the State Highway, 132 feet; thence due North 132 feet; thence West 116 feet; thence North 198 feet; thence West 16 feet; thence South 330 feet to the point of beginning, Klamath County, Oregon.

EXCEPTING THEREFROM the following: A seven foot strip of land situated in said Lot 29, in the SW 1/4 of SW 1/4 of Section 14, Township 36 South, Range 12 East of the Willamette Meridian, more particularly described as follows:

Beginning at an iron pin located North a distance of 30.0 feet and East a distance of 344.0 feet from the iron pipe marking the Southwest corner of said Section 14; thence North a distance of 132.0 feet to an iron pin; thence West a distance of 7.0 feet to an iron pin; thence South a distance of 132.0 feet to an iron pin; thence East a distance of 7.0 feet, more or less, to the point of beginning.

PARCEL 2:

Beginning at the Southwest corner of the SW 1/4 SW 1/4 of Section 14, Township 36 South, Range 12 East of the Willamette Meridian; thence East 228 feet; thence North 162 feet to the place of beginning; thence North 198 feet; thence East 109.4 feet; thence South 198 feet; thence West 109.4 feet to the place of beginning in the SW 1/4 SW 1/4, Section 14, Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 3:

A parcel of land situated in Lot 29, Section 14, Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point 337.4 feet East and 162 feet North of the quarter corner common to Sections 15, 14, 22 and 23, Township 36 South, Range 12 East of the Willamette Meridian, which point is the Southeast corner of property described in Deed Volume 74 at Page 607 and the true point of beginning; thence East to the Southwest corner of property described in Deed Volume 76 at Page 408; thence North 208.75 feet to a point on the South line of property described in Deed Volume 116 at Page 175; thence West along the South line of said parcel described in Deed Volume 116 at Page 175 to the Southwest corner of said parcel; thence North 208 feet along the West line of said parcel to a point on the South line of parcel described in Deed Volume 117 at Page 375; thence West along the South line of said parcel described in Deed Volume 117 at Page 375 to the Southwest corner of said parcel; thence South 218.9 feet, more or less, to the Northwest corner of property described in Deed Volume 74 at Page 607; thence East 109.4 feet along the North line of said parcel described in Deed Volume 74 at Page 607 to the Northeast corner of said parcel; thence South along the East line of said parcel, 198 feet to the point of beginning.

PARCEL 4:

Beginning at a point which is 30 feet North and 30 feet East of the Southwest corner of Lot 29 in Section 14, Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon; thence due East 177 feet along the State Highway to the point of beginning; thence at right angles due North 330 feet; thence East 5 feet; thence South 330 feet; thence West to the point of beginning.