

04 MAR 17 PM 10:57

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After recording return to:

FIDELITY NATIONAL TITLE - NDS

Cal-Western Reconveyance Corporation

P.O. Box 22004

525 East Main Street

El Cajon CA 92022-9004

State of Oregon, County of Klamath

Recorded 03/17/2004 10:57 AM

Vol M04 Pg 15273-25

Linda Smith, County Clerk

Fee \$ 31.00 # of Pgs 3

3410413

(Recorder's Use)

Loan No. 0432143014

T.S. No. 1065413-09

A-58389

## RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain Trust Deed in which  
GERALD JOSEPH NELSON AND TERRY J. NELSON, HUSBAND AND WIFE  
AS TENANTS BY THE ENTIRETY, was Grantor,

AAMES FUNDING CORPORATION  
was Beneficiary

and said Trust Deed was recorded June 26, 2000, in book/reel Volume No. M00  
at page 23032 or as fee/file/instrument/microfilm/reception No.XX  
(indicate which), of the mortgage records of KLAMATH County, Oregon, and conveyed  
to the said trustee the following real property situated in said county:

A PORTION OF LOTS 10 AND 11, BLOCK 5, BUENA VISTA ADDITION TO THE  
CITY OF MORE COMPLETELY DESCRIBED IN ATTACHED EXHIBIT A.

A notice of grantor's default under said trust deed, containing the beneficiary's or trustee's  
election to sell the above described real property to satisfy grantor's obligations  
secured by said trust deed was recorded on December 29, 2003, in said mortgage records in book/  
reel/volume No. M03 at page 93627 or as fee/file.instrument/microfilm/reception  
No. XX (indicate which); thereafter by reason of certain payments on said obligations  
made as permitted by the provisions of Section 86.760, 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 FIDELITY NATIONAL TITLE INS COMPANY  
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 of 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 hereunto set its hand and seal; if the  
undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal  
to be affixed hereunto by its officers duly authorized thereunto by order of its Board of  
Directors.

21.00

## RESCISSION OF NOTICE OF DEFAULT

Loan No. 0432143014  
T.S. No. 1065413-09

FIDELITY NATIONAL TITLE INSURANCE COMPANY

A. Fragassi

Dated: March 13, 2004

STATE OF CALIFORNIA

COUNTY OF Orange } SS

On 3/16/04, before me the undersigned, a Notary Public in and for  
said state, personally appeared

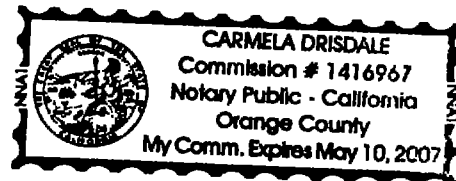
A. Fragassi

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 be 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.

(Notary Seal)

WITNESS my hand and official seal.

Signature

Carmela Drisdale  
Notary Public of California

## EXHIBIT "A"

TS#1065413-09

**A portion of Lots 10 and 11, Block 5, BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon, described as follows:**

**Beginning at the most Easterly corner of Lot 10 in Block 5 of BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, running thence Northwesterly along the Southerly line of Crater Street to the most Northerly corner of Lot 11 of said Block 5; thence Southwesterly along the line between Lots 11 and 12 of said Block 5, a distance of 75 feet; thence Southeasterly parallel to Crater Street, to the Northerly line of Wocus Street; thence Northeasterly along the said line of Wocus Street, 75 feet to the point of beginning..**