

1st 326499
Rescission of Notice of Default

State of Oregon, County of Klamath
 Recorded 06/09/2004 3:30 p m
 Vol M04 Pg 37145-37146
 Linda Smith, County Clerk
 Fee \$ 216.00 # of Pgs 2

Re: Trust Deed from
 Thomas D. Fitzgerald, an estate in fee simple Grantor
 To
 Northwest Trustee Services, Trustee
 Inc.

After Recording Return to
 Attn: Winston Khan
 Northwest Trustee Services, Inc.
 P.O. Box 997
 Bellevue, WA 98009-0997

Reference is made to that certain trust deed dated 11/12/97 in which Thomas D. Fitzgerald, an estate in fee simple was grantor, Commonwealth Land Title was trustee and Advanta National Bank USA was beneficiary and recorded 11/17/97, as Volume M97, Page 37698 of the mortgage records of Klamath County, Oregon. The trust deed conveyed to the trustee the following real property situated in said county:

Lot 2 in Block 1 Tract 1002, La Wanda Hills, according to the Official Plat thereof on file in the office of the County Clerk of Klamath County, Oregon. Excepting therefrom that portion conveyed to the State of Oregon, by and through its Department of Transportation, Highway Division, recorded March 29, 1989 in Volume M89 Page 5219, Deed Records of Klamath County, Oregon.

Commonly Known As: 5711 Blue Mountain Drive Klamath Falls, OR 97601

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 02/11/04, in the mortgage records of Klamath County, as M04, Page 6299.

NOW, THEREFORE, notice hereby is given that the undersigned trustee does hereby rescind, cancel and withdraw the notice of default and election to sell. 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: June 1, 2004


 Northwest Trustee Services, Inc., Trustee

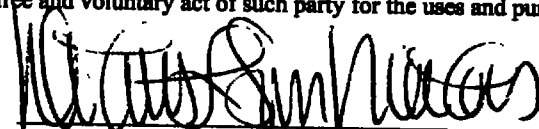
Northwest Trustee Services, Inc. is successor by merger to Northwest Trustee Services, PLLC (formerly known as Northwest Trustee Services, LLC)

STATE OF WASHINGTON)
) ss.
 COUNTY OF KING)

I certify that I know or have satisfactory evidence that Jeff Skumun is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as an Assistant Vice President of Northwest Trustee Services, Inc. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 6-1-04

DOLORES L. SAN NICOLAS
 STATE OF WASHINGTON
 NOTARY ---- PUBLIC
 MY COMMISSION EXP. RES 2-16-05


 NOTARY PUBLIC in and for the State of
 Washington, residing at Bellevue
 My commission expires 2-16-05

26F

I certify that I know or have satisfactory evidence that Jeff Stenman is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as an Assistant Vice President of Northwest Trustee Services, Inc. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 5-28-04

DOLORES L. SAN NICOLAS
STATE OF WASHINGTON
NOTARY --- PUBLIC
MY COMMISSION EXPIRES 2-16-05

File Number: 7261.22085

[Signature]
NOTARY PUBLIC in and for the State of
Washington, residing at [Signature]
My commission expires 2-16-05