

04 JUL 15 PM 8:05

Vol M04 Page 46359

State of Oregon, County of Klamath  
Recorded 07/15/2004 3:05 p m  
Vol M04 Pg 46359-60  
Linda Smith, County Clerk  
Fee \$ 26.00 # of Pgs 2

Recording requested by:  
First American Title Insurance Company

When recorded mail to:  
ForeclosureLink Inc.  
5006 Sunrise Blvd, #200  
Fair Oaks, CA 95628

T.S. No. fc13182-5 2221723 Space above this line for recorder's use only  
Title Order No. 2221723 Loan No. 1003229687

## Rescission of Notice of Default And Election To Sell

Reference is made to that certain Trust Deed made by Melvin Lee Chiloquin, as Trustor, in which IndyMac Bank, F.S.B., is named as Beneficiary and Amerititle, as Trustee and **Recorded on 04/29/2003 in Vol M03, Page 27884, Book/Reel xxx, Page xxx**, in Official Records of Klamath County, Oregon; covering the following described real property situated in said county and state, to-wit:

See Exhibit A Attached for Legal Description.

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 04/14/2004, in book # M04, page # 21911, Volume xx, Page xxx**, in Klamath County; 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 hereunto caused its corporate name to be signed and affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors

Dated: **July 12, 2004**

**First American Title Insurance Company, AS  
TRUSTEE**

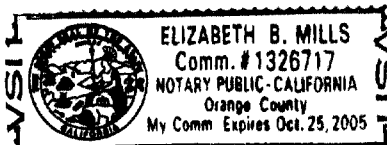
By [Signature]  
Name: Maria De la Torre  
Title: Assist. Sec.

State of Calif  
County of Orange

On 7/14/04, before me, the undersigned, Notary Public in and for said state, personally appeared Maria De la Torre, Assist. Sec. personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature [Signature]



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Tract 10, GARDEN TRACTS, according to the official plat thereof on file in the office of the county Clerk of Klamath County, Oregon, EXCEPTING THEREFROM the Southerly 2 feet of the Easterly 100 feet.

ALSO EXCEPTING THEREFROM: Beginning at a point on the West line of Etna Street, said point being North 2 feet from the Southeast corner of said Tract 10, thence continuing North along said West line 73 feet thence West 75 feet, thence South 73 feet to a point lying North 2 feet from the South line of said Tract 10, thence East 75 feet to the point of beginning, with bearings based on Minor partition 81-19, as filed in the office of the County Engineer of Klamath County, Oregon.