

04 SEP 2 AM 11:31

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RECORDING COVER SHEET

FOR CONVEYANCES PER ORS 205.234

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON
PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING.
ANY ERRORS IN THIS COVER SHEET DO NOT AFFECT THE
TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

State of Oregon, County of Klamath
Recorded 09/02/04 11:31a m
Vol M04 Pg 58859-60
Linda Smith, County Clerk
Fee \$ 26⁰⁰ # of Pgs 2

AFTER RECORDING RETURN TO:

Described in the attached instrument. Required by ORS 205.234(a)

TD Service Company
1820 East First St. #210
Santa Ana, CA 92705

NAME(S) OF THE TRANSACTIONS, described in the attached instrument and required by ORS
205.234(a)

Recission of Notice of Default

GRANTOR, as described in ORS 205.160

David A. Kubat

GRANTEE, as described in ORS 205.160

Rogelio Pena, a married person

265

AFTER RECORDING RETURN TO:

T.D. SERVICE COMPANY
1820 EAST FIRST STREET #210
SANTA ANA, CA 92705

T.D. #: OL-11540
LOAN #: 4800038824
TITLE #: 2330277

58860

RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which **ROGELIO PENA A MARRIED PERSON** was grantor,
FIRST AMERICAN TITLE was trustee and
U.S. BANK NATIONAL ASSOCIATION was
beneficiary, said trust deed was recorded on 12-08-2000, in book/reel/volume No. M00
at page 44131 or as fee/file/instrument/microfilm/reception No. --
(indicate which), of the mortgage of records of **KLAMATH** County, Oregon, and conveyed to
the said trustee the following real property situated in said county:

LOT 24, BLOCK 125, MILLS ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL
PLAT THEREOF ON FILE, IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

MORE COMMONLY KNOWN AS: 2457 ORCHARD WAY, KLAMATH FALLS, OREGON 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 obligation secured by said trust deed was recorded
on JUNE 21, 2004, in said mortgage records, in book/reel/volume No. 04 at
page 39655 or as fee/file/instrument/microfilm No. -- (indicate which);
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 is hereby 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 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 his 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.

DATED: AUGUST 31, 2004

David A. Kubat, QSBA #84265

State of WASHINGTON)
County of KING)ss

On AUGUST 31, 2004 before me, Dennis E. Roberts, personally appeared DAVID A. KUBAT 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 me 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.
WITNESS my hand and official seal.

Dennis E. Roberts
Signature

