

04 DEC 3 AM 10:26

Vol M04 Page 83089

State of Oregon, County of Klamath
Recorded 12/03/04 10:26 a m
Vol M04 Pg 83089-90
Linda Smith, County Clerk
Fee \$ 26⁰⁰ # of Pgs 2

AFTER RECORDING RETURN TO

TED C. KIDNER
2355 HOPE STREET
KLAMATH FALLS, OR 97603

FIDELITY NATIONAL TITLE - NDS

TS#: F-30383-OR-AP

LOAN #: 47139945

3410034

Aspen 12/8/04
RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which TED C. KIDNER, AN UNMARRIED MAN was grantor MOUNTAIN TITLE COMPANY OF KLAMMOTH COUNTY was trustee and NORTH AMERICAN MORTGAGE COMPANY was beneficiary. Said trust deed was recorded on 6/15/1995, in book/reel/volume No. M95 at page 15804 or as fee/file/instrument/microfilm/reception No. ** (indicate which), of the mortgage records of Klamath County, Oregon and conveyed to the said trustee the following real property situated in said county:

THE NORTH 60 FEET OF THE SOUTH 295 FEET OF LOT 6, GIENGER HOME TRACTS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

APN: 3909-2CA-1700

Commonly Known As: 2355 HOPE STREET
KLAMATH FALLS, OR 97603

A notice of grantor's default under said trust deed, containing the beneficiary's or trustee's election to sell all of part of the above described real property to satisfy grantor's secured by said trust deed was recorded on 11/1/2004, in said mortgage records, in book/reel/volume/no. M04 at page 74714 or as fee/file/instrument/microfilm No. xxx (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 affect 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 implying or affecting an breach or default (past, present or future) under said trust deed or 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.

26⁰⁰

83090

DATED: November 30, 2004

A. Fragassi
FIDELITY NATIONAL TITLE - TUSTIN

State of California } ss.
County of Orange }

This instrument was acknowledged before me on 12-2-04, by A. Fragassi
VP

Signature: Carmela Drisdale
Notary Name:

