

04 DEC 17 PM 12:41

RFG10

12/15/2004 2:03 PM PAGE 1/3 RightFax

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466328
AFTER RECORDING RETURN TO:

First American Title Insurance Company
400 COUNTRYWIDE WAY SV-35
SIMI VALLEY, CA 93065
TS No. 04 -12540
Doc ID #000304825602005N
TSG No. 2456518

State of Oregon, County of Klamath
Recorded 12/17/04 12:41 P m
Vol M04 Pg 86350-52
Linda Smith, County Clerk
Fee \$ 3/00 # of Pgs 3

RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain Trust Deed in which MICHAEL A PRESLEY AND MELISSA PRESLEY, HUSBAND AND WIFE was grantor, LUCY E. KIVEL, ATTORNEY was Trustee and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. was beneficiary, said Trust Deed recorded on 10/21/2003, in book/reel/volume No. M03 at page 78142 of the mortgage of records of Klamath County, Oregon and conveyed to the said Trustee the following real property situated in said county:

SEE ATTACHED

Commonly Known As: 11812 MALLORY 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 or part of the above described real property to satisfy grantor's secured by said Trust Deed was recorded on 10/14/2004, in said mortgage records or as fee/file/instrument/microfilm No. M04-69855; thereafter by reason of the default being cured as permitted by the provision 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.

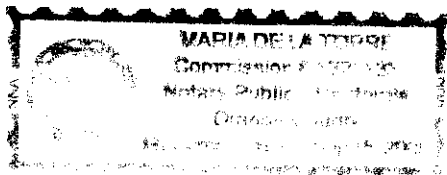
IN WITNESS WHEREOF, the undersigned Trustee has hereunto set his hand and seal: if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

DATED: 12/16/09

State of CA
County of ORANGE ss.

DENNIS CANLAS, Assistant Secretary

On 12/16/09, before me, Wanda Delatorre, personally appeared DENNIS CANLAS, 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.

Notary Public in and for the State of _____
Residing at _____
My Commission Expires: _____

Exhibit "A"

Real property in the County of Klamath, State of Oregon, described as follows:

A tract of land situated in the N 1/2 SE 1/4 of Section 9, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the East quarter corner of said Section 9; thence South 0°08' West a distance of 608.25 feet; thence North 89°52' West a distance of 1323.7 feet; thence North 0°08' East a distance of 577.07 feet to an iron pin on the true point of beginning of this description; thence South 89°55' East a distance of 211.3 feet to an iron pin; thence South 0°08' West a distance of 164.9 feet to an iron pin; thence North 89°55' West a distance of 211.3 feet to an iron pin; thence North 0°08' East a distance of 164.9 feet, more or less, to the true point of beginning.