

State of Oregon, County of Klamath  
 Recorded 12/20/04 12:05 p m  
 Vol M04 Pg 86681  
 Linda Smith, County Clerk  
 Fee \$ 2100 # of Pgs 1

### Rescission of Notice of Default

Re: Trust Deed from  
 James W. Cunningham and James J Cunningham Grantor  
 To  
 Northwest Trustee Services, Trustee  
 Inc.

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

15 475696

Reference is made to that certain trust deed dated 07/25/03 in which James W. Cunningham and James J Cunningham was grantor, David Fennell was trustee and Union Federal Bank of Indianapolis was beneficiary and recorded 08/01/03, as Volume M03, Page 54842 and re-recorded on 11/22/04 in Volume M04, Page 80482 of the mortgage records of Klamath County, Oregon. The trust deed conveyed to the trustee the following real property situated in said county:

That portion of the N 1/2 SE 1/4 of Section 27, Township 38 South, Range 11 1/2 East of the Willamette Meridian, Klamath County, Oregon, lying Northwesterly of the Oregon California Eastern Railroad right of way.

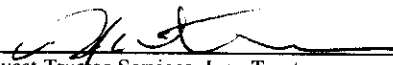
Commonly Known As: 22901 Highway 140 East Dairy, OR 97625

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 11/29/04, in the mortgage records of Klamath County, as Volume M04, Page 81674.

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: December 13, 2004

  
 Northwest Trustee Services, Inc., Trustee

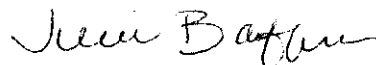
Northwest Trustee Services, Inc. is successor by merger to Northwest Trustee Services, PLLC (formerly known as Northwest Trustee Services, LLC)

STATE OF WASHINGTON )  
 ) ss.  
 COUNTY OF KING)

I certify that I know or have satisfactory evidence that Jeff 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: 12/13/04

JULIE BOUFFLEUR  
 STATE OF WASHINGTON  
 NOTARY ---- PUBLIC  
 MY COMMISSION EXPIRES 2-23-05

  
 NOTARY PUBLIC in and for the State of  
 Washington, residing at Seattle  
 My commission expires 2/23/05

File Number: 7116.20070