

05 JAN 13 AM 10:46

Aspen 101512

Vol M05 Page 02733

State of Oregon, County of Klamath  
Recorded 01/13/05 10:46 a m  
Vol M05 Pg 02733  
Linda Smith, County Clerk  
Fee \$ 21.00 # of Pgs 1

Rescission of Notice of Default	
Re: Trust Deed from Patrick W. Kelly and Cynthia A. Kelly, as tenants by the entirety	Grantor
To Northwest Trustee Services, Inc.	Trustee
After Recording Return to Attn: Chris Ashcraft Northwest Trustee Services, Inc. P.O. Box 997 Bellevue, WA 98009-0997	

Reference is made to that certain trust deed dated 01/10/00 in which Patrick W. Kelly and Cynthia A. Kelly, as tenants by the entirety was grantor, Amerititle was trustee and Gateway Financial Services was beneficiary and recorded 02/15/00, as Vol. M00 Page 4809 of the mortgage records of Klamath County, Oregon. The trust deed conveyed to the trustee the following real property situated in said county:

A tract of land situated in the SE1/4 SE1/4 NE1/4 of Section 9, Township 39 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at a point on the North line of that tract of land conveyed to Klamath County School District described in Volume M69, Page 455, Microfilm Records of Klamath County, Oregon and the West line of Carroll Avenue, from which the East 1/4 corner of said Section 9 bears South 14 degrees 46' 22" East 117.30 feet; thence North 89 degrees 40' 10" West along the North line of said tract of land, 122.44 feet; thence North 02 degrees 01' 13" East along the fence line, 212.21 feet; thence South 74 degrees 39' 31" East along the fence line, 119.41 feet, to the West line of Carroll Avenue; thence South 00 degrees 03' 44" West 181.19 feet to the Point of Beginning.

Commonly Known As: 2510 Carrol Avenue Bonanza, OR 97623

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 07/22/04, in the mortgage records of Klamath County, as M-04 Page 48069.

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: January 3, 2005

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 Sanman 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: 1/3/05

DOLORES L. SAN NICOLAS  
STATE OF WASHINGTON  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 2-16-05

NOTARY PUBLIC in and for the State of  
Washington, residing at Jeff  
My commission expires 2-16-05

2100  
A