

05 FEB 17 PM 3:41

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State of Oregon, County of Klamath  
Recorded 02/17/2005 3:41 p m  
Vol M05 Pg 11041  
Linda Smith, County Clerk  
Fee \$ 2.00 # of Pgs 1

Recording requested by:  
First American Title Insurance Company

When recorded mail to:  
ForeclosureLink Inc.  
5006 Sunrise Blvd, #200  
Fair Oaks, CA 95628

1st 522602

Space above this line for recorder's use only

T.S. No. fc13827-5

Title Order No. 2555845

Loan No. 0103577243

## Rescission of Notice of Default And Election To Sell

Reference is made to that certain Trust Deed made by Harold L. Pearce Jr., as Trustor, in which Mortgage Electronic Registration Systems Inc. solely as nominee for GreenPoint Mortgage Funding, Inc., is named as Beneficiary and First American Title, as Trustee and **Recorded on 08/14/2001 in Volume M01 at Page 40856**, in Official Records of **Klamath County, Oregon**; covering the following described real property situated in said county and state, to-wit:

A parcel of land situated in Section 12, Township 23 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:  
Parcel 1 of Land Partition 30-00 filed August 30, 2000, Klamath County, Oregon also known as the NW 1/4 SW 1/4 of Section 12, Township 23 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

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 said Trust Deed was **Recorded on 02/07/2005, in book # M05, page # 8371**, in **Klamath County**; 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 hereby is 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 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 said notice so recorded.

IN WITNESS WHEREOF, the undersigned trustee has hereunto caused its corporate name to be signed and affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors

Dated: **February 15, 2005**

**First American Title Insurance Company, AS  
TRUSTEE**

By 

Name:

Title: **DENNIS CANLAS, Assistant Secretary**

State of CALIFORNIA  
County of ORANGE

On 2/15/05, before me, the undersigned, Notary Public in and for said state, personally appeared DENNIS CANLAS personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature 

**MARIA DE LA TORRE**

