

05 MAY 25 AM 11:43

Vol M05 Page 38374

State of Oregon, County of Klamath

Recorded 05/25/05 11:49a m

Vol M05 Pg 38374-25

Linda Smith, County Clerk

Fee \$ 26<sup>00</sup> # of Pgs 2

AFTER RECORDING RETURN TO

Quality Loan Service Corp.  
319 Elm Street, 2nd Floor  
San Diego, CA 92101-3006

*1st 184389*

TS#: F-31605-OR-JB

LOAN #: 8408395

### RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which CHRISTINE R. BAXENDALE was grantor LUCY E. KIVEL, ESQ. was trustee and TMS MORTGAGE INC., D.B.A THE MONEY STORE was beneficiary. Said trust deed was recorded on 10/4/1999, in book M99 at page 39371 or as instrument No. 39371, of the mortgage records of Klamath County, Oregon and conveyed to the said trustee the following real property situated in said county:

A PIECE OR PARCEL OF LAND SITUATE IN THE NE 1/4 NW 1/4 OF SECTION 5, TOWNSHIP 41 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF KLAMATH, STATE OF OREGON, AND MORE COMPLETELY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

APN: R252997

Commonly Known As: 19336 ANDERSON ROAD  
MERRIL, OR 97633

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 5/23/2003, in said mortgage records, in book xx at page xx or as instrument No. M03-35208; 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.

*ME*

38375

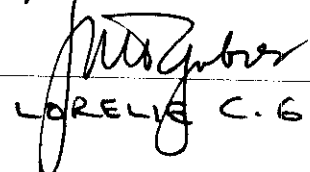
DATED: May 23, 2005

State of CA } ss.  
County of ORANGE }

  
FIRST AMERICAN INSURANCE

**DENNIS CANLAS, Assistant Secretary**

This instrument was acknowledged before me on 5/24/05, by DENNIS CANLAS

Signature: 

Notary Name: LORELIE C. GOBRES

