

**RESCISSION OF NOTICE OF DEFAULT**

Reference is made to that certain trust deed in which BART A. FLEMING and PAMELA K. FLEMING, Grantors, KLAMATH COUNTY TITLE COMPANY as the trustee, and THE JEANNETTE JACKSON TRUST, is the beneficiary under that certain trust deed dated November 5, 1991, and recorded November 6, 1991, in Volume No. M91 page 23228, Microfilm Records of Klamath County, Oregon.

The beneficial interest under said Trust Deed was assigned by instrument dated November 5, 1991, recorded November 6, 1991, in Volume M91, page 23228, Microfilm Records of Klamath County Oregon, from Bart A. Fleming and Pamela K. Fleming, husband and wife, to the Jeannette Jackson Trust, and conveyed to the said trustee the following real property situated in said county:

That portion of Section 31, Township 39 South, Range 10 East of the Willamette Meridian, more particularly described as follows:

Government Lot 6, less 9.4 acres more particularly described in Deed Volume M-77 on page 12718, records of Klamath County, Oregon.

Also that portion of the NW1/4 SW1/4 and Lot 5 of said Section 31 which bears North 1466.33 feet from the Southwest corner thereof; then N. 87°30'45" E. to the West meander line of Lost River.

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 September 8, 2005, in said mortgage records, in Volume No. M05 at page 63770; 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.**

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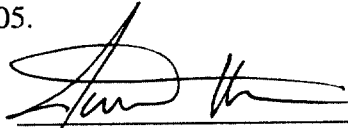
Page -1-

*ok* JUSTIN E. THRONE  
ATTORNEY AT LAW  
280 Main Street • Klamath Falls, Oregon 97601  
(541) 882-4436 Fax (541) 882-4437  
OSB 02003

*26*

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: October 19<sup>th</sup>, 2005.



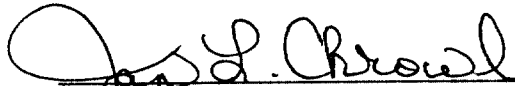
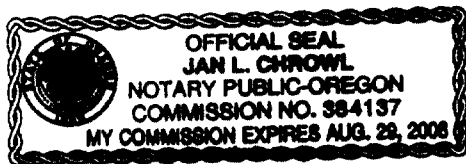
Trustee

STATE OF OREGON

County of Klamath

] ss.  
]

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of October, 2005, by Justin Throne, Successor Trustee.



Notary Public for Oregon

My Commission expires: 8-29-08

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