

M06-06786

Klamath County, Oregon

04/07/2006 12:20:58 PM

Pages 3 Fee: \$31.00

AFTER RECORDING RETURN TO

EXECUTIVE TRUSTEE SERVICES, INC.
15455 SAN FERNANDO MISSION BLVD
SUITE #208
MISSION HILLS, CA 91345

TS#: EQ-85801-C
LOAN #: 8129303447

15760214

RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which DAVID L. NEESE AND KATHY L. NEESE, HUSBAND AND WIFE was grantor.

KEY TITLE CO. was trustee and "MERS" MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR LENDER GMAC MORTGAGE CORPORATION DBA DITECH.COM was beneficiary, said trust deed was recorded on 7/9/2004, in book/reel/volume No. M04 at page 44906 or as fee/file/instrument/microfilm/reception No. (indicate which), of the mortgage records of Klamath County, Oregon and conveyed to the said trustee the following real property situated in said county:

APN# 587458

Commonly Known As: 5491 LOMBARDY LANE
KLAMATH FALLS, OR 97603

SEE ATTACHED EXHIBIT "A"

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 2/10/2006, in said mortgage records, in book/reel/volume/no. at page or as fee/file/instrument/microfilm No. M06-02641 (indicate which); 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.

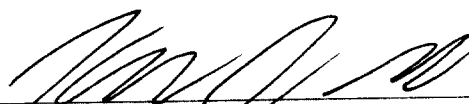
31.7 F

TS#: EQ-85801-C
LOAN #: 8129303447

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.

DATED: March 17, 2006

FIRST AMERICAN TITLE INSURANCE COMPANY

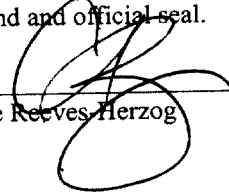


Karen J. Cooper, Assistant Secretary

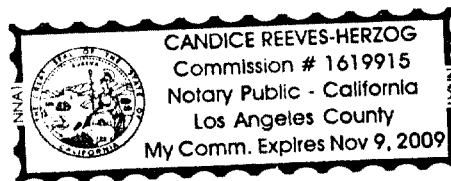
State of California) ss.
County of Los Angeles)

On March 17, 2006 before me, Candice Reeves-Herzog Notary Public, personally appeared Karen J. Cooper, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

Signature _____


Candice Reeves-Herzog

(Seal)



EQ-85801-C

EXHIBIT A

ALL THAT PORTION OF TRACT 2 OF 400 SUBDIVISION, LYING
SOUTHERLY AND WESTERLY OF THE RIGHT OF WAY OF THE NO. 1-B-1A,
DRAIN OF KLAMATH PROJECT, ACCORDING TO THE OFFICIAL PLAT
THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH
COUNTY, OREGON.

Permanent Parcel Number: R587458
DAVID L. NEESE AND KATHY L. NEESE,
HUSBAND AND WIFE

5491 LOMBARDY LANE, KLAMATH FALLS OR 97603
Loan Reference Number : 2376077/000655035289/NEESE
First American Order No: 5720886
Identifier: ELS