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2006-017098

Klamath County, Oregon



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08/24/2006 03:46:15 PM

Fee: \$26.00

AFTER RECORDING RETURN TO

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

TS#: HC-87438-C  
LOAN #:0431230127

### RESCISSION OF NOTICE OF DEFAULT

1st 799 289

Reference is made to that certain trust deed in which MARK L. FLURY AND RHONDA L. FLURY, AS TENANTS BY THE ENTIRETY was grantor.

AMERITITLE was trustee and COMUNITY LENDING, INCORPORATED, A CALIFORNIA CORPORATION was beneficiary, said trust deed was recorded on 2/22/1999, in book/reel/volume No. M99 at page 5912 or as fee/file/instrument/microfilm/reception No. 74941 (indicate which), of the mortgage records of Klamath County, Oregon and conveyed FIRST AMERICAN TITLE INSURANCE COMPANY, as trustee the following real property situated in said county:

APN# R447047

Commonly Known As: 5500 HAVENCREST DRIVE  
KLAMATH FALLS, OR 97603

LOT 5, BLOCK 6, TRACT NO. 1152, NORTH HILLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

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 4/6/2006, in said mortgage records, in book/reel/volume/no. at page or as fee/file/instrument/microfilm No. M06-06675 (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 FIRST AMERICAN TITLE INSURANCE COMPANY 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.

26-F



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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: August 16, 2006

FIRST AMERICAN TITLE INSURANCE COMPANY



Karen J. Cooper, Assistant Secretary

State of California ) ss.  
County of Los Angeles)

On August 16, 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 \_\_\_\_\_ (Seal)  
Candice Reeves-Herzog

