



03/16/2007 03:19:57 PM

Fee: \$31.00

1st - K-51409

COVER SHEET

ORS: 205.234

This cover sheet has been prepared by the persons presenting the attached instrument for recording. Any errors in this cover sheet **DO NOT** affect the transaction(s) contained in the instrument itself.

After recording, return to:
T.D. Service Company
2630 116th Avenue NE
Suite 200
Bellevue, WA 98004

Send Tax Statements to:
Same as on file.

The date of the instrument attached is 3/7/07.

- 1) **NAMES(S) OF THE INSTRUMENT(S)** required by ORS 205.234(a)
Rescission of Notice of Default

- 2) **PARTY(IES)/GRANTOR**, required by ORS 205.125(1)(b) and ORS 205.160:

Fearrien, Fred & Dennette

- 3) **PARTY(IES)/GRANTEE**, required by ORS 205.125(1)(b) and ORS 205.160

USDA Rural Development

- 4) **TRUE and ACTUAL CONSIDERATION** (if any), ORS 93.030

\$ n/a

- 6) **RE-RECORDED** to correct: _____

Notice of Default recorded as: M00-36333

31-F

599414
AFTER RECORDING RETURN TO:

T.D. Service Company
2630 116th Avenue NE, Ste. 200
Bellevue, WA 98004

TD #: 0L-1812
Loan #: 1406615
Title #: 599414/800 989 4240

RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which FRED DALE FEARRIEN AND DENNETTE LYNN FEARRIEN HUSBAND AND WIFE was grantor, RECD, USDA, ACTING THROUGH OREGON STATE was trustee and RURAL DEVELOPMENT, ACTING ON BEHALF OF THE RURAL HOUSING SERVICE, SUCCESSOR IN was beneficiary, said trust deed was recorded on 05/19/1988, in book/reel/volume No. M88 at page 7810 or as fee/file/instrument/microfilm/reception No. (indicate which), of the mortgage of records of KLAMATH County, Oregon, and conveyed to the said trustee the following real property situated in said county:

LOT 6 AND THE WEST 12.5 FEET OF LOT 7, BLOCK 43, GRANDVIEW ADDITION TO BONANZA, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.
MORE COMMONLY KNOWN AS: 2571 5TH AVE., BONANZA, OR 97623

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 secured by said trust deed was recorded on OCTOBER 02, 2000, in said mortgage records, in book/reel/volume/No. M00 at page 36333 or as fee/file/instrument/microfilm No. (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 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 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 by its officers duly authorized thereunto by order of its Board of Directors.

DATED: MARCH 06, 2007

see
David A. Kubat, OSBA #84265

please Attached
State of Washington
County of KING

} ss.

This instrument was acknowledged before me on MARCH 06, 2007, by David A. Kubat.

Notary Public in and for the State of Washington,
Residing at _____
My Commission Expires: _____

TD#:

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 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 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 by its officers duly authorized thereunto by order of its Board of Directors.

DATED: 3-7-07

DAVID A. KUBAT, OSBA #84265

By Mark
DAVID A. KUBAT, ATTORNEY AT LAW

STATE OF WASHINGTON)
COUNTY OF KING)SS

On 3-7-07 before me, DENNIS E. ROBERTS
personally appeared DAVID A. KUBAT, ATTORNEY AT LAW 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 Dennis E. Roberts (Seal)

