

2008-000421

Klamath County, Oregon



00038304200800004210010013

01/10/2008 11:29:54 AM

Fee: \$21.00

AFTER RECORDING RETURN TO:
BENNETT, CHARLES F. & MICHELLE
3616 Boardman Avenue
Klamath Falls, OR 97603

AT2: 65153

RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which Charles F. Bennett and Michelle M. Bennett was the grantor, Cal-Western Reconveyance Corporation was trustee and Mortgage Electronic Registration Systems, Inc., as nominee for Fidelity Mortgage, a division of Delta Funding Corporation was the beneficiary, said trust deed was recorded April 14, 2006, in Book No. None at Page None, Document/Instrument/Recorder's Fee No. Microfilm M06-07364 the mortgage records of Klamath County, Oregon and conveyed to the said trustee the following real property:

The West 102 feet of Lot 1, Block 4, Altamont Acres, according to the official plat thereof on file in the Office of the County Clerk of Klamath County, Oregon. EXCEPTING THEREFROM the West 5 feet of said tract conveyed to Klamath County of road purposes by Deed recorded October 21, 1963, in Book 348, at Page 589, Deed Records.

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 August 27, 2007 in Document/Instrument/Recorder's Fee No. 2007-15156, in mortgage records; thereafter by reason of the default being cured as permitted by the provisions of Section 86.753, Oregon Revised Statute, 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 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.

Dated:

1/04/2008

By:

Kelly D. Sutherland, Successor Trustee

STATE OF WASHINGTON)

)ss.

COUNTY OF CLARK)

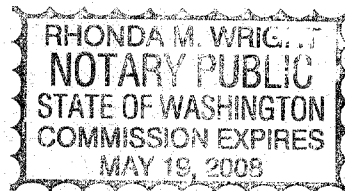
This instrument was acknowledged before me on January 4, 2008, by Kelly D. Sutherland, Successor Trustee.

Before me:

Rhonda M. Wright

Notary Public for Washington

My Commission Expires: 5/19/2008



S&S #: 07-30099

#21-A