

359442

2008-006448

Klamath County, Oregon

AFTER RECORDING RETURN TO

Executive Trustee Services, LLC
2255 North Ontario Street, Suite 400
Burbank, California 91504-3120



00045419200800064480020024

05/05/2008 03:10:57 PM

Fee: \$26.00

TS#: OR-131134-C

LOAN #:7441699246

1st 1175638

RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which HEBERTO GUTIERREZ AN ESTATE IN FEE SIMPLE was grantor.

AMERITITLE was trustee and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. SOLELY AS NOMINEE FOR LENDER EAGLE HOME MORTGAGE, INC. was beneficiary, said trust deed was recorded on 5/24/2006, in book/reel/volume No.

at page or as fee/file/instrument/microfilm/reception No. M06-10515

(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# **R444451**

Commonly Known As: 1531 AVALON STREET

KLAMATH FALLS, OREGON 97603

LOT 4 IN BLOCK 1 OF SUNNYLAND, A SUBDIVISION OF THE SOUTH 10 ACRES OF TRACT 31 OF ENTERPRISE TRACTS, 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 2/1/2008, in said mortgage records, in book/reel/volume/no. at page or as fee/file/instrument/microfilm No **2008-1348** (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 a 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.


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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: 5/1/2008

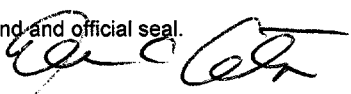
FIRST AMERICAN TITLE INSURANCE COMPANY


Karen Balsano
Assistant Secretary

State of California) ss.
County of Los Angeles)

On 5/1/2008 before me, Dee C. Ortega Notary Public, personally appeared Karen Balsano, who 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.
I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)
Dee C. Ortega

