

2008-008740

Klamath County, Oregon



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06/17/2008 10:07:11 AM

Fee: \$26.00

FORM No. 886—TRUSTEE'S RESCISSION OF NOTICE OF DEFAULT—Oregon Trust Deed Series.

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RESCISSION OF NOTICE OF DEFAULT

JESS WILLARD and RUBY WILLARD as TRUSTEE OF
THE WILLARD FAMILY TRUST

Reference is made to that certain trust deed in which ~~was grantor, ASPEN TITLE & ESCROW, INC.~~ was trustee and ~~ORVAL J. EKSTROM and ELEANOR V. EKSTROM, Husband and Wife with full rights of survivorship~~ was beneficiary, said trust deed was recorded ~~May 9, 2003~~, in book/reel/volume No. ~~M03~~ at page ~~30970~~ 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:

SEE EXHIBIT "A" ATTACHED HERETO AND INCLUDED BY THIS REFERENCE HERETO AS
IF FULLY SET FORTH

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 ~~May 26, 2004~~, in said mortgage records, in ~~book/reel/volume No. M04~~ at page ~~33818~~ or as fee/file/instrument/microfilm/reception 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 hereby is 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.

IN WITNESS WHEREOF, the undersigned trustee has executed this document; if the undersigned is a corporation, it has caused its name to be signed and seal affixed by an officer duly authorized thereto by order of its Board of Directors.

DATED: 6/16, 2008.

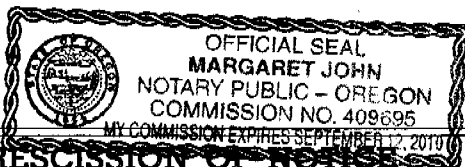

TIMOTHY A. BAILEY, ATTORNEY AT LAW
SUCCESSOR TRUSTEE

Trustee

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on _____, _____, by _____

This instrument was acknowledged before me on June 16, 2008
by Timothy A. Bailey
as Attorney at Law, Successor Trustee
of _____

RESCISSION OF NOTICE
OF DEFAULT

RE: Trust Deed from
Jess Willard and Ruby Willard as Trustees
of the Willard Family Trust Grantor
to
ASPEN TITLE & Escrow, Inc. Trustee

AFTER RECORDING RETURN TO

Neal G. Buchanan
Attorney at Law
435 Oak Avenue
Klamath Falls, OR 97601

(DON'T USE THIS
SPACE: RESERVED
FOR RECORDING
LABEL IN COUNTIES
WHERE USED.)

STATE OF OREGON,
County of _____ } ss.

I certify that the within instrument was
received for record on _____,
_____, at _____ o'clock _____ M., and recorded in
book/reel/volume No. _____ on page _____
or as fee/file/instrument/microfilm/
reception No. _____, Record of Mort-
gages of said County.

Witness my hand and seal of County af-
fixed.

NAME

TITLE

By _____ Deputy

Returned @ Counter

The S 1/2 N 1/2 NE 1/4, the S 1/2 NE 1/4, the SE 1/4 NW 1/4, the NE 1/4 SW 1/4, the N 1/2 SE 1/4, the SE 1/4 SE 1/4 of Section 33, Township 35 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

ALSO a portion of Section 34, Township 35 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the Southwest corner of the N 1/2 SW 1/4 NW 1/4 of Section 34, Township 35 South, Range 10 East of the Willamette Meridian; thence Southerly along the West line of Section 34 to the Southwest corner of the SW 1/4; thence Easterly along the South line of Section 34 to the Southeast corner of the SW 1/4; thence Northerly along the East line of the SW 1/4 to the Northeast corner to the S 1/2 NE 1/4 SW 1/4; thence diagonally Northwesterly to the point of beginning.

"EXHIBIT A"