

2009-001667

Klamath County, Oregon

AFTER RECORDING RETURN TO:

Patrick M. Terry
PO Box 547
North Bend, OR 97459



02/10/2009 11:31:47 AM

Fee: \$26.00

RESCISSION OF NOTICE OF DEFAULT

1st 1208645
Reference is made to that certain Trust Deed in which Dana Hicks was Grantor, AmeriTitle, Inc., was Trustee, and Rodney A. Dalton, Trustee for the Rodney A. Dalton Pension Trust, was Beneficiary.

Said trust deed was recorded on September 11, 2007, as Volume 2007, Page 015942, of the mortgage records of Klamath County, Oregon, and conveyed to the said trustee the following real property situated in said county:

A portion of the SW 1/4 NE 1/4 of Section 30, Township 24 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the corner common to Sections 19, 20, 29 and 30, Township 24 South, Range 9 East of the Willamette Meridian, and running South 87° 41 1/2' West 1,722.76 feet, more or less, to a point on the Westerly right of way line of the Dalles-California Highway; thence South 15° 34' West 450.0 feet along said Westerly right of way line; thence North 74° 26' West 80 feet; thence South 15° 34' West 1,021.26 feet to the TRUE POINT OF BEGINNING; thence South 74° 26' East 80 feet; thence North 15° 34' East 70 feet; thence North 74° 26' West 80 feet; thence South 15° 34' West 70 feet, to the true point of beginning.

The street or other common designation if any, of the real property described above is purported to be: 137314 Hwy 97 N, Crescent, Oregon 97733

The undersigned Trustee disclaims any liability for an incorrectness of the above street or other common designation.

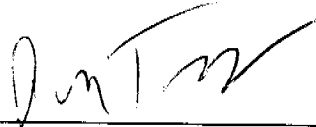
A notice of grantor's default under said trust deed, containing the beneficiary's or trustee's election to sell all or part of the above described real property to satisfy grantor's obligation secured by said trust deed was Recorded on September 11, 2008, in said mortgage records, as Volume 2008, Page 012674 of official records in the office of the Recorder of Klamath County, Oregon; 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 of 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.

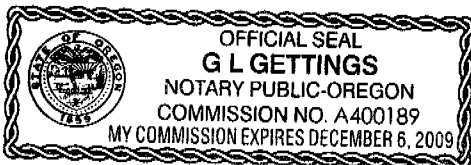
DATED this 5th day of February, 2009.



PATRICK M. TERRY, OSB#02573

STATE OF OREGON)
) ss.
County of Coos)

On February 5, 2009, before me, the undersigned, a Notary Public in and for the State of Oregon, duly commissioned and sworn, personally appeared Patrick M. Terry, known to me to be the individual described in and who executed the within and foregoing instrument, and acknowledged to me that he signed and sealed the said instrument as his free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.




NOTARY PUBLIC FOR OREGON
My commission expires 12-6-09