

EE



RESCISSION OF NOTICE OF DEFAULT

STATE OF OREGON,

1 cc

2009-008761

Klamath County, Oregon

RE: Trust Deed from Ore-Cal Land Development LLC



00068427200900087610020029

SPACE RESE FOR RECORDER'S

06/24/2009 03:02:04 PM

Fee: \$26.00

To Grantor Pacific Trust Deed Servicing Co.

Trustee

After recording, return to (Name, Address, Zip):

PATRICK J. KELLY ATTORNEY AT LAW 717 N.W. 5th STREET GRANTS PASS, OR 97526

154 1337667

Reference is made to that certain trust deed in which Ore-Cal Land Development LLC was grantor, Pacific Trust Deed Servicing Company, Inc., an Oregon Corporation was trustee and Rogue River Mortgage, LLC was beneficiary. The trust deed was recorded on September 19, 2007, in book/roll/volume No. xxxxxxxxxxxxxxxx at page xxxxxxxxxxxxxxxx and/or as fee/file/instrument/microfilm/recap No. 2007-016509 (indicate which), Records of Klamath County, Oregon, and conveyed to the trustee the following real property situated in that county:

SEE EXHIBIT "A"

A notice of grantor's default under the 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 the trust deed was recorded on January 14, 2009, in those Records, in book/roll/volume No. xxxxxxxxxxxxxxxx at page xxxxxxxxxxxxxxxx and/or as fee/file/instrument/microfilm/recap No. 2009-000425 (indicate which). Thereafter, by reason of the default being cured as permitted by ORS 86.753, the default described in the notice of default has been removed, paid and overcome so that the trust deed should be reinstated.

NOW, THEREFORE, notice is hereby given that the undersigned trustee does hereby rescind, cancel and withdraw the notice of default and election to sell. The trust deed and all obligations secured thereby are hereby reinstated and shall be and remain in force and effect the same as if no acceleration had occurred and as if the notice of default had not been given. It is understood, however, that this rescission shall not be construed as waiving or affecting any breach or default - past, present or future - under the 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. It is and shall be deemed to be only an election without prejudice, not to cause a sale to be made pursuant to the 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, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

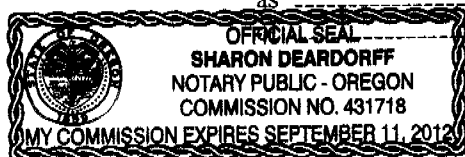
DATED June 12, 2009

Patrick J. Kelly PATRICK J. KELLY

Trustee

STATE OF OREGON, County of Josephine ) ss. This instrument was acknowledged before me on June 12, 2009 by Patrick J. Kelly

This instrument was acknowledged before me on by as



Sharon Deardorff Notary Public for Oregon My commission expires 9-11-2012

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## EXHIBIT "A"

Real property in the County of Klamath, State of Oregon, described as follows:

ALL OF VACATED BLOCKS 122, 123, 133, 134, 135, 136, 137, 138 AND 139.

THAT PORTION OF VACATED BLOCK 119 OF BUENA VISTA ADDITION TO THE CITY OF KLAMATH FALLS, OREGON DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF LOT 2, BLOCK 119 WHICH IS SOUTHWESTERLY A DISTANCE OF 270.00 FEET FROM THE NORTHEAST CORNER OF SAID BLOCK 119; THENCE SOUTHWESTERLY TO THE SOUTHEASTERLY CORNER OF LOT 2; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK, 137.17 FEET TO THE SOUTHWEST CORNER OF LOT 1; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF SAID BLOCK A DISTANCE OF 145.16 FEET, MORE OR LESS, TO A POINT OF THE NORTHWESTERLY LINE OF LOT 4; SAID POINT ALSO BEING SOUTHWESTERLY 155.0 FEET FROM THE MOST NORTHERLY CORNER OF SAID BLOCK 119; THENCE SOUTHEASTERLY IN A STRAIGHT LINE A DISTANCE OF 210.0 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

LOTS 1, 2, 3, 4, 5 AND 6 IN VACATED BLOCK 120.

A PARCEL OF LAND LYING IN VACATED BLOCK 125, BUENA VISTA ADDITION KLAMATH FALLS, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF SAID BLOCK 125; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY LINE OF SAID BLOCK 125, A DISTANCE OF 85 FEET; THENCE SOUTHERLY IN A STRAIGHT LINE 260 FEET, MORE OR LESS, TO A POINT ON THE SOUTHEASTERLY LINE OF SAID BLOCK 125, SAID POINT OF BEING 110 FEET SOUTHWESTERLY OF THE MOST EASTERLY CORNER OF SAID BLOCK 125; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SAID BLOCK 125, A DISTANCE OF 65 FEET TO THE MOST SOUTHERLY CORNER OF SAID BLOCK 125; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK 125, A DISTANCE OF 320 FEET, MORE OR LESS, TO THE MOST WESTERLY CORNER OF SAID BLOCK 125; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF SAID BLOCK 125 A DISTANCE OF 168.4 FEET TO THE PLACE OF BEGINNING.

ALL LOCATED IN BUENA VISTA ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

ALSO TOGETHER WITH THAT PORTION OF VACATED STREETS BY ORDINANCE NO. 06-14 WHICH RECORDED JULY 11, 2006 IN VOLUME M06, VOLUME 13985, RECORDS OF KLAMATH COUNTY, OREGON.

Tax Parcel Number: R299199, R787777 and R787786