2009-009531 Klamath County, Oregon



07/13/2009 03:45:25 PM

Fee: \$21.00

AFTER RECORDING RETURN TO: Shapiro & Sutherland, LLC 5501 N.E. 109th Court, Suite N Vancouver, WA 98662 09-102418

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RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which Beverly Ann McCluskey was the grantor, First American Title of Oregon was trustee and Mortgage Electronic Registration Systems, Inc., as nominee for BCK Capital Inc. was the beneficiary, said trust deed was recorded July 26, 2005, in Volume M05 at Page 57874, in the mortgage records of Klamath County, Oregon and conveyed to the said trustee the following real property:

Unit 10109 Wright Avenue, FALCON HEIGHTS CONDOMINIUM STAGE 3, 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 or part of the above described real property to satisfy grantor's obligations secured by said trust deed was recorded on June 8, 2009, as Instrument No. 2009-7885, in the mortgage records; thereafter by reason of bankruptcy filing by the grantor on May 7, 2009, case #09-62330-aer13, said notice of default is thereby void and of no effect, 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: 7/10/2009

Kelly D. Suthe land, Successor Trustee

STATE OF WASHINGTON

)ss.

COUNTY OF CLARK

This instrument was acknowledged before me on July 10, 2009, by Kelly D. Sutherland, Successor Trustee.

Public for Washington /29/2011

My Commission Expires: //

LYNNETTE S. ALLEN NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES NOVEMBER 29, 2011

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