

2010-001539

Klamath County, Oregon

AFTER RECORDING RETURN TO:  
Shapiro & Sutherland, LLC  
5501 N.E. 109th Court, Suite N  
Vancouver, WA 98662  
09-103473



01/29/2010 03:14:48 PM

Fee: \$42.00

ATE 67367

## RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which Richard J. Price and Laurel D. Price, as tenants by the entirety, was the grantor, Land America was trustee and Mortgage Electronic Registration Systems, Inc., as nominee for Aegis Funding d/b/a Aegis Home Equity was the beneficiary, said trust deed was recorded November 15, 2006, as Instrument No. 2006-022852, in the mortgage records of Klamath County, Oregon and conveyed to the said trustee the following real property:

See complete Legal Description attached hereto as Exhibit "A"

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 December 1, 2009, as Instrument No. 2009-15196, in the mortgage records; thereafter by reason of the default being cured as permitted by the provisions of Section 86.753, Oregon Revised Statute, 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 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: 1/26/2010

By: [Signature]

Kelly D. Sutherland, Successor Trustee

STATE OF WASHINGTON )

)ss.

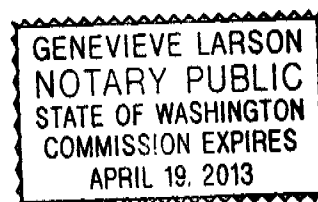
COUNTY OF CLARK )

This instrument was acknowledged before me on January 26, 2010, by Kelly D. Sutherland, Successor Trustee.

Before me:

Genevieve Larson  
Notary Public for Washington

My Commission Expires: 4/19/2013



ATE 42

80906

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

A portion of Lot 16 of BAILEY TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, being more particularly described as follows:

Beginning at the Northwest corner of said Lot 16; thence North  $89^{\circ} 52'$  East along the Northerly line of said Lot a distance of 154.275 feet; thence in a Southerly direction on a line which is parallel with the West line of said Lot a distance of 66.5 feet; thence Westerly along a line which is parallel with the North line of said Lot a distance of 154.275 feet to the West line of said Lot; thence Northerly along the said West line of said lot a distance of 66.5 feet to the point of beginning.

Tax Account No: 3909-002DC-02500-000

Key No: 522553