

2010-010647

Klamath County, Oregon



00089917201000106470020026

09/08/2010 02:53:35 PM

Fee: \$42.00

AFTER RECORDING RETURN TO:

Shapiro & Sutherland, LLC
5501 N.E. 109th Court, Suite N
Vancouver, WA 98662
10-104745

ATE 67856

RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which Shirley A. Jackson and Robert A. Jackson, was the grantor, Jeffrey M. Ruben was trustee and Mortgage Electronic Registration Systems, Inc., as nominee for HomeAmerican Credit Inc. DBA Upland Mtg was the beneficiary, said trust deed was recorded October 4, 2004, in Book No. Vol. M04 at Page 66903, 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 July 12, 2010, in Book No. Book 2010 at Page 8373, 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:

9/7/2010

By:

Kelly D. Sutherland
Kelly D. Sutherland, Successor Trustee

STATE OF WASHINGTON)

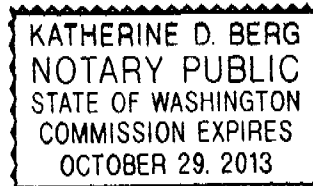
)ss.

COUNTY OF CLARK)

This instrument was acknowledged before me on September 7, 2010, by Kelly D. Sutherland, Successor Trustee.

Before me:

Katherine D. Berg
Notary Public for Washington
My Commission Expires: 10-29-2013



ATE 42

Exhibit "A"

A tract of land situated in Lot 4, JUNCTION ACRES, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at the Southwesterly corner of Parcel 2 of Major Land Partition No. 36-89 on the Southerly line of said Lot 4, North $71^{\circ} 16' 48''$ West, 353.51 feet from the Southeasterly corner of said Lot 4; thence North $71^{\circ} 16' 48''$ West, along said Southerly lot line, 131.23 feet; thence North $10^{\circ} 00' 00''$ East, 347.80 feet; thence South $82^{\circ} 39' 00''$ East, 112.57 feet to the Westerly line of said Parcel 2; thence South $07^{\circ} 21' 00''$ West 373.30 feet, with bearings based on Survey No. 4824 as filed with the Klamath County Surveyor.

CODE:009 MAP:3910-007AO TL:00501 KEY:R11061