

UTC 88723

2011-000144  
Klamath County, Oregon

AFTER RECORDING RETURN TO:  
Shapiro & Sutherland, LLC  
5501 N.E. 109th Court, Suite N  
Vancouver, WA 98662  
08-100042



00094926201100001440010017

01/05/2011 03:27:48 PM

Fee: \$37.00

## RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which Kenneth B. Smith and Judy C. Smith, husband and wife was the grantor, First American Title was trustee and First Franklin Financial Corporation was the beneficiary, said trust deed was recorded July 30, 2001, Volume M01 at Page 37857, as , in the mortgage records of Klamath County, Oregon and conveyed to the said trustee the following real property:

Lot 393 in Block 113 of Mills Addition, 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 October 8, 2010, 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: 1/4/2011

By 

Kelly D. Sutherland, Successor Trustee

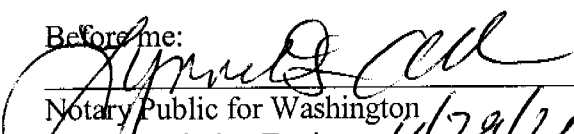
STATE OF WASHINGTON )

)ss.

COUNTY OF CLARK )

This instrument was acknowledged before me on this 4<sup>th</sup> day of January, 2011, by Kelly D. Sutherland, Successor Trustee.

Before me:

  
Notary Public for Washington

My Commission Expires: 11/29/2011

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

37HmJ