

Aspl 8173

2012-010625

Klamath County, Oregon



00124799201200106250020028

09/25/2012 03:13:38 PM

Fee: \$47.00

**RECORDING COVER SHEET**

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, ORS 205.234, and does NOT affect the instrument.

**AFTER RECORDING RETURN TO:**

Shapiro & Sutherland, LLC

1499 SE Tech Center Place

Suite 255

Vancouver, WA 98683

S&S File No. 10-105275

**1) TITLE(S) OF THE TRANSACTION(S) ORS 205.234(a)**



Other: Rescission of NOD

**2) DIRECT PARTY / GRANTOR(S) ORS 205.125(1)(b) and 205.160**

Amaya, Nelson C.

5322 & 5324 Mahan Ave, Klamath Falls, OR 97601

**3) INDIRECT PARTY / GRANTEE(S) ORS 205.125(1)(a) and 205.160**

**4) TRUE AND ACTUAL CONSIDERATION | 5) SEND TAX STATEMENTS TO:**

ORS 93.030(5) – Amount in dollars or other

\$ \_\_\_\_\_ Other \_\_\_\_\_

**6) SATISFACTION of ORDER or WARRANT | 7) The amount of the monetary**  
ORS 205.125(1)(e) | **obligation imposed by the order**  
CHECK ONE: FULL | **or warrant. ORS 205.125(1)(c)**  
(If applicable) PARTIAL |

\_\_\_\_\_ | \$ \_\_\_\_\_

**8) If this instrument is being Re-Recorded, complete the following statement, in accordance with**  
**ORS 205.244: "RERECORDED AT THE REQUEST OF \_\_\_\_\_ TO**  
**CORRECT \_\_\_\_\_ PREVIOUSLY RECORDED IN BOOK \_\_\_\_\_ AND**  
**PAGE \_\_\_\_\_, OR AS FEE NUMBER \_\_\_\_\_."**

47Dmt

AFTER RECORDING RETURN TO:  
Shapiro & Sutherland, LLC  
1499 SE Tech Center Place, Suite 255  
Vancouver, WA 98683  
10-105275

## RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which Nelson C. Amaya, was the grantor, AmeriTitle was trustee and Washington Mutual Bank, FA was the beneficiary, said trust deed was recorded March 14, 2007, in Book No. 2007 at Page 004378, in the mortgage records of Klamath County, Oregon and conveyed to the said trustee the following real property:

Lot 20, Block 27, WEST KLAMATH, 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 December 9, 2010, in Book No. 2010 at Page 014000, in the mortgage records; pursuant to instructions from the beneficiary, the Notice of Default is hereby rescinded, so that said trust deed should be reinstated.

NOW, THEREFORE, notice is hereby given that the undersigned trustee, KELLY D. SUTHERLAND, SHAPIRO & SUTHERLAND, LLC, 1499 SE Tech Center Place, Suite 255, Vancouver, WA 98683, 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: 9/23/2012

By: [Signature]  
Kelly D. Sutherland, Successor Trustee

STATE OF WASHINGTON     )  
  )ss.  
COUNTY OF CLARK        )

This instrument was acknowledged before me on this 23rd day of September, 2012, by Kelly D. Sutherland, Successor Trustee.

Before me:

[Signature]  
Notary Public for Washington  
My Commission Expires: 3-19-2015

