

1st 1799038

After recording, return to:
ROBERT A. SMEJKAL
PO Box 1758
Eugene, OR 97440

2012-011877
Klamath County, Oregon
10/25/2012 03:22:49 PM
Fee: \$47.00

Grantor:
STACIE L. ALBERTS
875 Fairway View Drive
Eugene, OR 97401

To Trustee:
ROBERT A. SMEJKAL
PO Box 1758
Eugene, OR 97440

Beneficiaries:
RICHARD T. HAUN
ROGENE C. MANAS
PO Box 182
Waltersville, OR 97489

RESCISSION OF NOTICE OF DEFAULT

REFERENCE IS MADE to that certain Trust Deed in which STACIE L. ALBERTS was Grantor, ROBERT A. SMEJKAL, Attorney at Law, was Trustee, and RICHARD T. HAUN and ROGENE C. MANAS, husband and wife or survivor, were Beneficiaries. The Trust Deed was dated July 2, 2008, and recorded July 2, 2008, as Recorder's No. 2008-9662, in the Records of Klamath County, Oregon, and conveyed to the Trustee the real property situated in Klamath County, Oregon, and more particularly described as follows:

"A portion of the SW1/4 of Section 17, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, more particularly described as follows: All of that portion of the SW1/4 of Section 17, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon situated on the Southwesterly side of the Southwesterly line of Highway right of way of Oregon State Highway 58, ~~EXCEPT~~ a rectangular portion commencing at a point where the North-South center line of said Section 17 intersects the Southwesterly line of the highway right of way of Oregon State Highway 58; thence along the Southwesterly line of said right of way in a generally Northwesterly direction a distance of 850 feet to a point which is the true point of beginning; thence at right angles to said highway right of way in a generally Southwesterly direction 250 feet to a point; thence at right angles to said last course in a generally Northwesterly direction a distance of 175 feet to a point; thence at right angles to said last course and in a generally Northwesterly direction a distance of 250 feet, more or less, to the said Southwesterly right of way line of said Oregon State Highway 58; thence along said Southwesterly line of said right of way in a generally Southeasterly direction a distance of 175 feet, more or less, to the point of beginning."

A Notice of Default and Election to Sell setting forth Grantor's default under the Trust Deed containing the Beneficiaries or the Trustee's election to sell all or part of the above described real property to satisfy Grantor's obligations secured by the Trust Deed was recorded December 5, 2011, as Recorder's No. 2011-13447 in those records. The Trustee hereby declares that the default described in the Notice of Default and Election to Sell has not been cured or paid. Notwithstanding this fact, the Trust Deed should be reinstated.

NOW, THEREFORE, notice is hereby given that the undersigned Trustee does hereby rescind, cancel and withdraw the notice of default and election to sell. The Trust Deed and all obligations secured thereby are hereby reinstated and shall be and remain in force and effect the same as if no acceleration had occurred and as if the notice of default had not been given. It is understood, however, that this rescission shall not be construed as waiving or affecting any breach or default - past, present or future - under the 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. It is and shall be deemed to be only an election without prejudice, not to cause a sale to be made pursuant to the notice so recorded.

IT WITNESS WHEREOF, the undersigned Trustee has executed this document.

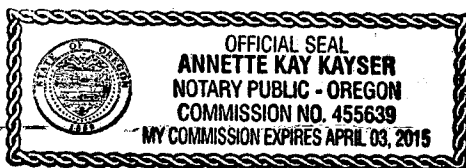
DATED this 23rd day of October, 2012.




Robert A. Smejkal, Trustee

STATE OF OREGON, County of Lane) ss.

This instrument was acknowledged before me on October 23, 2012, by Robert A. Smejkal, Trustee.





NOTARY PUBLIC FOR OREGON