

Appl 4914

**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.

**2012-011939**

Klamath County, Oregon

10/29/2012 02:00:39 PM

Fee: \$52.00

**AFTER RECORDING RETURN TO:**

Shapiro & Sutherland, LLC

1499 SE Tech Center Place

Suite 255

Vancouver, WA 98683

S&S File No. 09-102637

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

☒ X

Other: Rescission of NOD

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

Thaden, Lynn & Daniel

728 North 9th Street, 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)

CHECK ONE: FULL

(If applicable) PARTIAL

| obligation imposed by the order

| or warrant. ORS 205.125(1)(c)

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

**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 \_\_\_\_\_."**

52pud

Aso 46914  
AFTER RECORDING RETURN TO:  
Shapiro & Sutherland, LLC  
1499 SE Tech Center Place, Suite 255  
Vancouver, WA 98683  
09-102637

## RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which Lynn Thaden and Daniel Thaden, husband and wife, was the grantor, First American Title Insurance Comp. was trustee and Mortgage Electronic Registration Systems, Inc., as nominee for Decision One Mortgage Company, LLC, its successors and assigns was the beneficiary, said trust deed was recorded May 3, 2006, as Instrument No. M06-08677, in the mortgage records of Klamath County, Oregon and conveyed to the said trustee the following real property:

See complete Legal Description attached and incorporated 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 7, 2009, as Instrument No. 2009-9328, 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: 10/26/2012

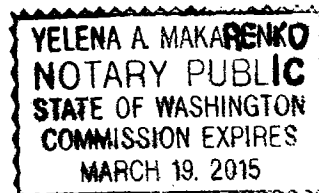
By: [Signature]  
Kelly D. Sutherland, Successor Trustee

STATE OF WASHINGTON                    )  
  )ss.  
COUNTY OF CLARK                    )

This instrument was acknowledged before me on this 20<sup>th</sup> day of October, 2012, by Kelly D. Sutherland, Successor Trustee.

Before me:

Yelena A. Makarenko  
Notary Public for Washington  
My Commission Expires: 03-19-15



## **EXHIBIT A**

### **LEGAL DESCRIPTION:**

Beginnning at a point on the Southerly line of 9th Street, 154 feet Northwesterly from the Southeasterly corner of Lot 1, Block 65 of Nichols Addition to the Town of Linkville (now City of Klamath Falls); thence Northwesterly along the Easterly line of said Lot 1 a distance of 40 feet, more or less, to a point 83 feet Southeasterly along said line, from the intersection of the Easterly line of Prospect Street, and the Westerly line of 9th Street; thence Southwesterly parallel with Grant Street (formerly Franklin Street) a distance of 86 feet; thence Southeasterly parallel with 9th Street, 40 feet, more or less, to a point Northwesterly a distance of 154 feet along the Westerly line of said Lot 1, from the Northerly line of Grant Street; thence Northeasterly, parallel with Grant Street a distance of 86 feet to the point of beginning