

mtc 88939

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.

2012-013460

Klamath County, Oregon

12/04/2012 04:02:52 PM

Fee: \$47.00

AFTER RECORDING RETURN TO:

Shapiro & Sutherland, LLC

1499 SE Tech Center Place

Suite 255

Vancouver, WA 98683

S&S File No. 10-105623

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

Pena, Sylvia & Eriberto

2229 Wantland Ave, Klamath Falls, OR 97601

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

Household Finance Corporation II
HSBC Consumer Lending Mortgage
Servicing
636 Grand Regency Blvd
Brandon, Florida 33510

Kelly D. Sutherland, Successor Trustee
1499 SE Tech Center Place, Suite 255
Vancouver, WA 98683

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 _____."

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AFTER RECORDING RETURN TO:
Shapiro & Sutherland, LLC
1499 SE Tech Center Place, Suite 255
Vancouver, WA 98683
10-105623

RESCISSION OF NOTICE OF DEFAULT

Reference is made to that certain trust deed in which Eriberto Pena and Sylvia Pena, as tenants by the entirety, was the grantor, Regional Trustee Services was trustee and Household Finance Corporation II was the beneficiary, said trust deed was recorded November 8, 2006, in Book No. 2006 at Page 022340, in the mortgage records of Klamath County, Oregon and conveyed to the said trustee the following real property:

Lot 12, Block 213 of Mills Second 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 November 5, 2010, in Book No. 2010 at Page 012995, 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: 12/3/2012

By: [Signature]

Kelly D. Sutherland, Successor Trustee

STATE OF WASHINGTON)

)ss.

COUNTY OF CLARK)

This instrument was acknowledged before me on this 3rd day of December, 2012, by Kelly D. Sutherland, Successor Trustee.

Before me:

Yelena A. Makarenko
Notary Public for Washington

My Commission Expires: 03-19-15

