

**2022-007454**

**Klamath County, Oregon**

06/15/2022 01:10:01 PM

Fee: \$97.00

Recording Requested By:

~~First American Mortgage Solutions~~

When Recorded Mail to:

Nathan F. Smith, Esq.  
c/o Trustee Corps  
17100 Gillette Ave  
Irvine, CA 92614

TS No. OR08000111-19-1S

APN 206896/3408-03500-00900

TO No 8759048

## **RESCISSION OF NOTICE OF DEFAULT**

REFERENCE IS MADE to that certain Trust Deed in which BRANDON FOWLER, ANNA FOWLER was Grantor, AMERITITLE was Trustee and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), as designated nominee for M&T MORTGAGE CORPORATION, Beneficiary of the security instrument, its successors and assigns and was dated as of April 12, 2006 and recorded April 12, 2006 as Instrument No. M06-07126 and that said Deed of Trust was modified by Modification Agreement and recorded August 18, 2011 as Instrument Number 2011-009510 of the official records in the Office of the Recorder of Klamath County, Oregon, and conveyed to the said Trustee the following real property situated in said county:

**THE N 1/2 OF THE NW 1/4 OF THE SW 1/4 OF SECTION 35, TOWNSHIP 34 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON. EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE SPRAGUE RIVER ROAD RIGHT OF WAY. SAVING AND EXCEPTING THEREFROM THAT PORTION DEEDED TO CHILOQUIN AGENCY LAKE RURAL FIRE DISTRICT RECORDED FEBRUARY 24, 2000 IN VOLUME M00, PAGE 5653, RECORDS OF KLAMATH COUNTY, OREGON.**

APN: 206896/3408-03500-00900

Although the undersigned Trustee disclaims any liability for any incorrectness herein, the street address or other common designation, if any, of the real property described herein is purported to be:

**9114 SPRAGUE RIVER ROAD, CHILOQUIN, OR 97624**

NOW THEREFORE, notice is hereby given that the Beneficiary and/or the Trustee, **Nathan F. Smith, Esq.**, does hereby rescind, cancel and withdraw said Declaration of Default and Demand for Sale and said Notice of Breach and Election to Cause Sale; it being understood, however, that this rescission shall not in any manner 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, but is, and shall be deemed to be, only an election, without prejudice, not to cause a sale to be made pursuant to said Declaration and Notice, and in no way jeopardize or impair any right, remedy or privilege secured to the Beneficiary and/or the Trustee, under said Trust Deed, nor modify nor alter in any respect any of the terms, covenants, conditions or obligations thereof, and said Trust Deed and all obligations secured thereby are hereby reinstated and shall be said and remain in force the same as if said Declaration and Notice has not been made and given.

Said **Notice of Default** to be rescinded, cancelled and withdrawn hereunder was recorded on **March 4, 2022** as Instrument No. **2022-002736** of official records in the Office of the Recorder of **Klamath County, Oregon**.

IN WITNESS WHEREOF, the undersigned Trustee has hereunto set its hand and seal; if the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its Board of Directors.

Dated: June 6, 2022

By: Nathan F. Smith, Esq.  
Successor Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF ORANGE

On June 8, 2022 before me, DANIEL JOSE CARRANZA, Notary Public, personally appeared NATHAN F. SMITH, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of CALIFORNIA that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public Signature

