

2023-000963

Klamath County, Oregon

02/10/2023 03:45:01 PM

Fee: \$97.00

Recording Requested By: .

When Recorded Mail to:

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

TS No. OR08000013-22-1

APN 249332

TO No 220071052-OR-MSO

RESCISSION OF NOTICE OF DEFAULT

REFERENCE IS MADE to that certain Trust Deed in which KATHY J KENT was Grantor, ASPEN TITLE & ESCROW, INC was Trustee and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC ("MERS"), as designated nominee for BCK CAPITAL INC., Beneficiary of the security instrument, its successors and assigns and was dated as of April 1, 2009 and recorded April 10, 2009 as Instrument No. 2009-005038 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:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

APN: 249332

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:

31213 HWY 97 N, CHILOQUIN, OR 97624-9723

NOW THEREFORE, notice is hereby given that the Beneficiary and/or the Trustee, **Nathan F. Smith, Esq., OSB #120112**, 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Said **Notice of Default** to be rescinded, cancelled and withdrawn hereunder was recorded on **October 20, 2022** as Instrument No. **2022-012541** of official records in the Office of the Recorder of **Klamath County,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: February 2, 2023
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By:  Nathan F. Smith, Esq., OSB #120112
Successor Trustee

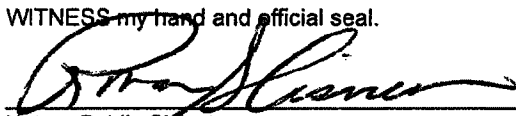
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

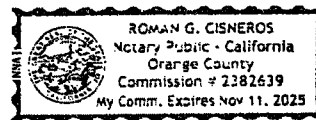
STATE OF CALIFORNIA
COUNTY OF ORANGE

On 02/03/23 before me, ROMAN G. CISNEROS, 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 executed the same in his authorized capacity, and that by his 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



SEE EXHIBIT A -Legal Description

A parcel of land situated in Government Lot 24 in Section 28, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the East line of said Lot 24, which is North a distance of 1800.0 feet from the Southeast corner of said Section 28; thence North $89^{\circ}49'$ West a distance of 649.0 feet to a point; thence South $08^{\circ}42'54''$ East a distance of 487.8 feet, more or less, to the Northwest corner of parcel conveyed by James E. Rogers, et ux, to Richard S. Horton, et ux by Volume M78, page 18102, Microfilm Records of Klamath County, Oregon; thence South $89^{\circ}31'16''$ East along the North line of last mentioned parcel a distance of 573.57 feet to a 1/2 inch iron pin on the East line of said Section 28; thence North along said East line a distance of 480.15 feet, more or less, to the point of beginning.

Together With an easement along the following described parcel:

A 60 foot strip of land situated in Lots 17 and 24, Section 28, Township 35 South, Range 7 East of the Willamette Meridian, described as follows: Beginning at a point on the East line of said Lot 24 which is 1800.0 feet North from the Southeast corner of said Section 28; thence North $89^{\circ}49'$ West 649.0 feet; thence North $8^{\circ}41'$ West a distance of 789.0 feet; thence South $89^{\circ}43'$ East a distance of 60.7 feet; thence South $8^{\circ}41'$ East a distance of 758.65 feet to a point; thence South $89^{\circ}49'$ East a distance of 597.4 feet to the East line of said Lot 24; thence South along said East line a distance of 60.0 feet to the point of beginning.