

**2023-007162**

Klamath County, Oregon

08/21/2023 03:44:02 PM

Fee: \$92.00

Recording Requested By:

When Recorded Mail to:

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

TS No. OR05000003-23-1

APN R532034

TO No 230047128-OR-MSI

## **RESCISSION OF NOTICE OF DEFAULT**

REFERENCE IS MADE to that certain Trust Deed in which CLARA R KUSATAKE was Grantor, AMERITITLE was Trustee and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), as designated nominee for SIERRA PACIFIC MORTGAGE COMPANY, INC., A CALIFORNIA CORPORATION NMLS: 1788, Beneficiary of the security instrument, its successors and assigns and was dated as of December 20, 2016 and recorded December 23, 2016 as Instrument No. 2016-013722 and that said Deed of Trust was modified by Modification Agreement and recorded January 27, 2020 as Instrument Number 2020-001025 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:

**LOT 13 IN BLOCK 2 AND THE EAST 3.5 FEET OF LOT 12 IN BLOCK 2 OF WEST HILLS HOMES, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK, KLAMATH COUNTY, OREGON**

**APN: R532034**

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:

**2400 REDWOOD DRIVE, KLAMATH FALLS, OR 97601**

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 **May 4, 2023** as Instrument No. **2023-003414** 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: August 17, 2023

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 8/17/23 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

