

Recording Requested By:

**RECORDING REQUESTED BY
FIRST AMERICAN TITLE COMPANY
AS AN ACCOMMODATION ONLY**

When Recorded Mail To:

**Fidelity National Title Company
4 Hutton Centre Avenue
Suite 100
Santa Ana, CA 92707**

T.S. No.: 08-00251-6
Loan No.: 24412924-3

376 0831 DM

DOC # 0211926

06/11/2008

02:12 PM

Official Record

Recording requested By
FIRST AMERICAN TITLE

**Eureka County - NV
Mike Rebaleati - Recorder**

Fee: \$15.00

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RPTT:

Recorded By: FS

Book- 0473 Page- 0266



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NOTICE OF RESCISSION
of Notice of Default and Election to Sell Under Deed of Trust

WHEREAS: Default was declared under that certain Deed of Trust in which RON C. SMITH AND CALIENE SMITH was the original trustor, and GREEN TREE FINANCIAL CORPORATION was the original beneficiary, which Deed of Trust was recorded on October 9, 1996, as Instrument No. 164700 Book 301 Page 233 of Official Records in the office of the Recorder of Eureka County, NV, and

WHEREAS: The beneficiary under the Deed of Trust heretofore made a Declaration of Default and Demand for Sale, stating that a breach of the obligations for which the Deed of Trust is security had occurred and that the beneficiary had elected to cause to be sold the property therein described, and

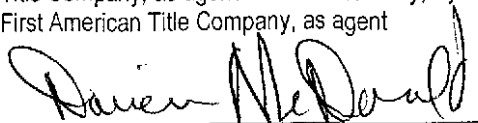
WHEREAS: The beneficiary instructed the trustee to record a Notice of Default and Election to Sell Under Deed of Trust, which was recorded on June 3, 2008, with reference BK 473 PG 172 of Official Records in the office of the County Recorder of said County and State, and

NOW THEREFORE: Notice is hereby given that the beneficiary under the Deed of Trust does hereby rescind, cancel and withdraw said Notice of Default and Election to Sell Under Deed of Trust, 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 the Deed of Trust, 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 the Deed of Trust and said Notice of Default and Election to Sell Under Deed of Trust, and shall in no way jeopardize or impair any right, remedy or privilege secured to the beneficiary and/or the trustee under said Deed of Trust, nor modify nor alter in any respect any of the terms, covenants, conditions or obligations thereof, and the Deed of Trust and all obligations secured thereby shall remain in force the same as if said Declaration of Default and Demand for Sale had not been made and as if said Notice of Default and Election to Sell Under Deed of Trust had not been recorded.

Whenever the context hereof so requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural.

Dated: June 10, 2008

Default Resolution Network a Division of Fidelity National
Title Company, as agent for the beneficiary, by:
First American Title Company, as agent



By: **DARIEN MCDONALD**

State of California } ss.
County of Orange } ss.

EREN DE LA TORRE

On June 10, 2008, before me, _____, a Notary Public in and for said county, personally appeared **DARIEN MCDONALD**, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) 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.

