

**DOC# 0214409**

01/11/2010

01:00PM

**Official Record**

Recording Requested By  
FIRST AMERICAN NATIONAL D

**Eureka County - NV**

**Mike Rebaleati - Recorder**

Fee: \$16.00

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RPTT: \$0.00

Recorded By FS

Book- 0497 Page- 0001

APN#: 002-047-08

RECORDING REQUESTED BY:  
FIRST AMERICAN TITLE COMPANY

WHEN RECORDED MAIL TO:  
FIDELITY NATIONAL TITLE INSURANCE COMPANY  
17592 E. 17<sup>TH</sup> STREET SUITE 300  
TUSTIN, CA 92780

PROPERTY ADDRESS:  
816 8<sup>TH</sup> STREET  
CRESCENT VALLEY, NV 89821

ORDER #3760831-DM

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The Undersigned Hereby Affirms That There Is No Social Security Number  
Contained In This Document.

**NOTICE OF RESCISSION**  
of Notice of Breach and Default and of Election to Cause Sale of Real  
Property Under Deed of Trust

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**TITLE OF DOCUMENT**

WHEN RECORDED MAIL TO AND  
RECORDING REQUESTED BY:

Fidelity National Title Insurance Company  
17592 E. 17th Street, Suite 300  
Tustin, CA 92780

The undersigned hereby affirms that there is no Social Security number contained in this document.  
Trustee Sale No. 08-00251-6 NV Client Reference No. 24412924-3  
APN: 002-047-08

**NOTICE OF RESCISSION**  
**of Notice of Breach and Default and of Election to Cause Sale of Real**  
**Property Under Deed of Trust**

**WHEREAS:** Default was declared under that certain Deed of Trust executed by RON C. SMITH AND CALIENE SMITH, as Trustor, GREEN TREE FINANCIAL CORPORATION as Beneficiary, which Deed of Trust was recorded on October 9, 1996, as Instrument No. 164700, in Book 301, in 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 Breach and Default and of Election to Cause Sale of Real Property Under Deed of Trust, which was recorded on **06-11-2008** as Instrument No. BK 473 PG 268 of Official Records in the office of the County Recorder of said County and State, and **\* Inst. # 0211927**

**NOW THEREFORE:** Notice is hereby given that the beneficiary under the Deed of Trust does hereby rescind, cancel and withdraw said Notice of Breach and Default and of Election to Cause Sale of Real Property 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 Breach and Default and of Election to Cause Sale of Real Property Under Deed of Trust had not been recorded.

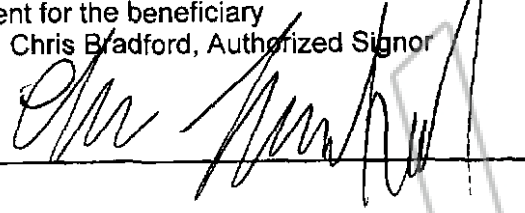


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Dated: January 6, 2010

Fidelity National Title Insurance Company, as  
agent for the beneficiary  
By: Chris Bradford, Authorized Signor



State of California  
County of Orange

On 1/6/2010 before me, Shena Marie LaRue Notary Public  
in and for said county, personally appeared Chris Bradford  
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  
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

(Seal)





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