

RESCISSION OF ELECTION TO DECLARE DEFAULT

Order No. 10-001281F

31-097-16

WHEREAS, JONATHON W. FITZGERALD AND OVERTON D. FITZGERALD, husband and wife did execute and deliver a Deed of Trust wherein the undersigned is the present beneficiary and said Deed of Trust was recorded in Douglas County, Nevada on September 17, 1986 as Document No. 141122.

WHEREAS, the undersigned beneficiary caused a Notice of Default and Election to Sell under Deed of Trust to be recorded on January 22, 1990, in Book 190, Official Records, as Page 3167, as Document No. 218612, Douglas County, Nevada, records.

WHEREAS, the undersigned, as holder of the obligation secured by said Deed of Trust now desires to rescind, cancel and withdraw said Notice of Default and Election to Sell.

NOW, THEREFORE, notice is hereby given that the undersigned beneficiary does hereby rescind, cancel and withdraw said Notice of Default and Election to Sell, provided, however, that this rescission shall not be construed as waiving, curing, extending to, or affecting any default, either past, present or future, under said Deed of Trust, or as impairing any right or remedy thereunder, and it is and shall be deemed to be, only an election without prejudice not to cause a sale to be made pursuant to said Notice of Default and Election to Sell, and it shall not in any way alter or change any of the rights, remedies or privileges secured to Beneficiary and/or Trustee under said Deed of Trust, nor modify, nor alter in any respect any of the terms, covenants, conditions or obligations therein contained.

Dated: May 18, 1990

HARICH TAHOE DEVELOPMENTS

BRIAN WALKERLEY, Controller

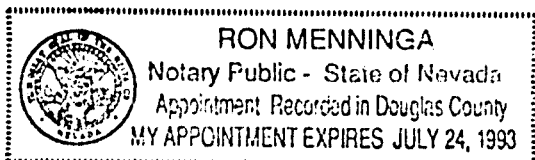
STATE OF NEVADA )  
 ) SS  
COUNTY OF DOUGLAS )

On May 18, 1990 before me the undersigned, a Notary Public in and for said State, personally appeared BRIAN WALKERLEY

known to me to be the person whose name subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS my hand and official seal.

Ron Menninga  
Notary Public



REQUESTED BY  
**STEWART TITLE of DOUGLAS COUNTY**  
IN OFFICIAL RECORDS OF  
DOUGLAS COUNTY, NEVADA

'90 MAY 18 P2:13

SUZANNE BEAUDREAU  
RECORDER

226381

\$5.00 PAID K10 DEPUTY  
BOOK 590 PAGE 3001