

REQUESTED BY  
**Stewart Title of Douglas County**

IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

2004 FEB 25 AM 10:48

WERNER CHRISTEN  
RECORDER

\$ 15.00 PAID R DEPUTY

**RECORDING REQUESTED BY:**

**FIDELITY NATIONAL FORECLOSURE SOLUTIONS**  
**AND WHEN RECORDED MAIL TO**

Fidelity National Foreclosure Solutions  
19732 MacArthur Blvd., Suite 100  
Irvine, California 92612

APN: 1220-15-110-085

T.S. No.: FID-03-04431-PB

Loan No.: 0000646178

3890303  
030504405

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**NOTICE OF RESCISSION OF NOTICE OF DEFAULT**

**NOTICE IS HEREBY GIVEN:** That **FIDELITY NATIONAL FORECLOSURE SOLUTIONS INC.** is duly appointed Trustee under a Deed of Trust dated **6/24/2002**, executed by **JAMES W UTTERBACK AND DENISE R UTTERBACK, HUSBAND AND WIFE, AS JOINT TENANTS**, as Trustor, to secure certain obligations in favor of **NEW CENTURY MORTGAGE CORPORATION**, as Beneficiary, recorded **6/28/2002**, as Instrument No. **0545994**, in book , page , of Official Records in the Office of the Recorder of **Douglas County, Nevada** describing land therein as more fully described on the above referenced deed of trust.

said obligations including one note for the sum of **\$148,750.00**.

Whereas, the present beneficiary under that certain Deed of Trust herein above described, heretofore delivered to the Trustee thereunder written Declaration of Default and Demand for Sale; and Whereas, Notice was heretofore given of breach of obligations for which said Deed of Trust is security and of election to cause to be sold the property therein described; and Whereas, a Notice of Default was recorded on the day and in the book and page set forth below:

Notice was recorded on **12/9/2003** in the office of the Recorder of **Douglas County, Nevada**, Instrument No. **0599062**, in Book **1203**, Page **3882**, of Official Records.

**NOW; THEREFORE, NOTICE IS HEREBY GIVEN** that the present Beneficiary and/or the Trustee, 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 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 said Declaration and Notice, and shall 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 said Deed of Trust and all obligations secured thereby are hereby reinstated and shall be and remain in force and effect the same as if said Declaration of Default and Notice of Breach had not been made and given.

Dated: February 03, 2004

FIDELITY NATIONAL FORECLOSURE SOLUTIONS  
INC.

By: Rachel Rivas  
Rachel Rivas

0605529

BK0204PG10431

State of California }ss  
County of Orange}

On February 03, 2004 before me, Nancy B. Spangler Notary Public, personally appeared Rachel Rivas personally known to me (or 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.

WITNESS my hand and official seal.

Signature  (Seal)  
Nancy B. Spangler



COPY

0605529

BK0204PG10432