

DOC # 0636123
02/04/2005 04:24 PM Deputy: KLJ

OFFICIAL RECORD

Requested By:

FIRST AMERICAN TITLE

Douglas County - NV
Werner Christen - Recorder

Page: 1 Of 2 Fee: 15.00
BK-0205 PG- 2080 RPTT: 0.00



Requested and Prepared by:
FIRST AMERICAN TITLE INSURANCE COMPANY

When Recorded Mail To:
LOANSTAR MORTGAGEE SERVICES, L.L.C.
P.O. BOX 9013
ADDISON, TEXAS 75001-9013

2529683

APN No.: 1319-30-520-008
TS No.: 20049070801606
Loan No.: 0182409474

Space above this line for Recorder's use only

NEVADA

**NOTICE OF RESCISSION OF DECLARATION OF DEFAULT
AND DEMAND FOR SALE AND OF NOTICE OF BREACH
AND ELECTION TO CAUSE SALE**

NOTICE IS HEREBY GIVEN: That **LOANSTAR MORTGAGEE SERVICES, L.L.C.** is duly appointed Trustee under a Deed of Trust dated **08/30/2002**, executed by **FRANK J. FONTANA, AN UNMARRIED MAN**, as Trustor, to secure certain obligations in favor of **M & T MORTGAGE CORPORATION**, as Beneficiary, recorded **09/06/2002** as Instrument No. **0551559**, in book **0902**, page **1529**, and re-recorded of Official Records in the Office of the Recorder of **DOUGLAS** County, Nevada describing land therein as: **AS MORE FULLY DESCRIBED IN THE ABOVE MENTIONED DEED OF TRUST** said obligations including one note for the sum of **\$91,650.00**.

Whereas, the present beneficiary under that certain Deed of Trust hereinabove 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 **01/04/2005** in the office of the Recorder of **DOUGLAS** County, Nevada, Instrument No. **0633653**, in Book _____, Page _____, of Official Records.

APN: 1319-30-520-008
T.S. No.: 20049070801606
Loan No.: 0182409474

**NOTICE OF RESCISSION OF DECLARATION OF
DEFAULT AND DEMAND FOR SALE AND OF NOTICE
OF BREACH AND ELECTION TO CAUSE SALE**

NEVADA

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that the present Beneficiary, 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 nowise 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: January 31, 2005

**LOANSTAR MORTGAGEE SERVICES, L.L.C.,
AS AGENT FOR THE BENEFICIARY**

By: DeeAnn Gregory
DeeAnn Gregory
Foreclosure Officer

State of TX } SS.
County of DALLAS }

On FEB 01 2005 before me, the undersigned Notary Public, personally appeared **DeeAnn Gregory** 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: Bruce Cocklin
Notary Public In and for said County and State

(Seal)

