

DOC # 753196  
11/02/2009 02:24PM Deputy: SG  
OFFICIAL RECORD  
Requested By:  
LSI TITLE AGENCY INC.  
Douglas County - NV  
Karen Ellison - Recorder  
Page: 1 of 2 Fee: 15.00  
BK-1109 PG-251 RPTT: 0.00



RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:  
Executive Trustee Services, LLC  
2255 North Ontario Street, Suite 400  
Burbank, California 91504-3120  
APN: 1420-07-616-029  
T.S. No. : GM-203794-C Loan No.: 0422682534

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

## 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 **EXECUTIVE TRUSTEE SERVICES, LLC** is duly appointed Trustee under a Deed of Trust dated **12/7/2004**, executed by **STEVE R. BIRNBERG AND JULIE A. BIRNBERG, HUSBAND AND WIFE**, as Trustor, to secure certain obligations in favor of **HEMCOMINGS FINANCIAL NETWORK, INC. A DELAWARE CORPORATION**, as Beneficiary, recorded **12/16/2004**, as Instrument No. **0632184**, in book **1204**, page **07849**, 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 **\$192,000.00**.

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 **6/22/2009** in the office of the Recorder of **Douglas County, Nevada**, Instrument No. **745682**, in Book **609**, Page **6806**, 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 nowise jeopardize or impair any right, remedy or privilege secured

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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: 10/5/2009

**Executive Trustee Services, LLC As Agent for Beneficiary**

By: \_\_\_\_\_

**Maricela Garcia, Limited Signing Officer**

State of California } SS.  
County of Los Angeles }

On 10/5/2009 before me, **Shanon De'Arman-Davis** Notary Public, personally appeared **Maricela Garcia**, 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.

Signature \_\_\_\_\_ (Seal)

**Shanon De'Arman-Davis**

