

DOC # 787202  
07/29/2011 08:07AM Deputy: SG  
OFFICIAL RECORD  
Requested By:  
LSI Title Agency Inc.  
Douglas County - NV  
Karen Ellison - Recorder  
Page: 1 of 2 Fee: \$15.00  
BK-711 PG-5791 RPTT: 0.00



**RECORDING REQUESTED BY :**

**WHEN RECORDED MAIL TO :**  
National Default Servicing Corporation  
7720 N. 16<sup>th</sup> Street, Suite 300  
Phoenix, AZ 85020

NDSC File No. : 09-31063-LL-NV  
Order No. : 090083331

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**APN: 1318-23-610-011**

**NOTICE OF RESCISSION OF NOTICE OF DEFAULT  
AND ELECTION TO SELL UNDER DEED OF TRUST**

NOTICE IS HEREBY GIVEN : That **National Default Servicing Corporation, an Arizona Corporation**, is either the original Trustee, the duly appointed substituted Trustee or acting as agent for the Trustee or Beneficiary under a Deed of Trust dated **03/09/2004**, executed by **JOHN S. BENSON, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY**, as Trustor, to secure certain obligations in favor **MERS - NOMINEE FOR FREMONT INVESTMENT & LOAN**, as Beneficiary, recorded **03/31/2004**, as Instrument No. **0608935 BK 0304 PG 15763**, in book , page , of Official Records in the Office of the Recorder of **DOUGLAS** County, **NV** describing land therein as more fully described on the above referenced Deed of Trust.

Said obligations including one Note for the sum of **\$400,000.00**.

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 of Default was recorded on **02/05/2009** in the office of the recorder of **DOUGLAS** County, **NV**, Instrument No. **737189** Book , Page , of Official Records.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that 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 of 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



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Notice of Rescission of Notice of Default and Election to Sell Under Deed of Trust  
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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 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.

**National Default Servicing Corporation, an Arizona Corporation, as Agent for the Beneficiary of Record**

By: Derreck Rice  
Derreck Rice, Authorized Signor

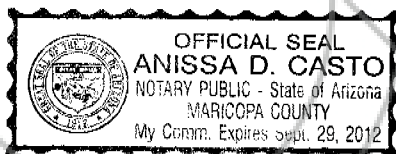
Dated: 7/20/11

State of: Arizona  
County of: Maricopa

On 7-20, 2011, before me, Anissa D. Casto, a Notary Public for said State, personally appeared Derreck Rice personally known to me be (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Arizona that the foregoing paragraph is true and correct.

WITNESS my hand and official seal,



Signature Anissa D. Casto