

NOTICE OF RESCISSION

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

828162

TRUST NO. 1032904-03 LOAN NO. 2003323074 REF: RUSSELL E. AVERY

Whereas, the undersigned, as Trustee under that certain Deed of Trust hereinafter described, heretofore delivered to said Trustee; and Whereas, Notice was heretofore given by the undersigned, as such Trustee, of breach of the obligations for which said Deed of Trust is security and of election to cause to be sold the property therein described, which Notice was recorded on July 12, 2001

In LINCOLN County NEVADA, as File 116633 in book 156, page 353 of Official Records;

Now, Therefore, Notice is Hereby Given that the undersigned, as such Trustee, does hereby rescind, cancel and withdraw said Notice of Default and Election to Sell under Deed of Trust; 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 Notice, and shall in no way jeopardize, or impair any right, remedy or privilege secured to the Beneficiary and/or the Trustee, under said Deed of Trust, 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 is said Notice of Default had not been made and given. Said Deed of Trust above referred to was executed by RUSSELL E. AVERY AND MAUREEN J. AVERY, HUSBAND AND WIFE

Trustor,
CAL-WESTERN RECONVEYANCE CORPORATION, a California Corporation as duly appointed Trustee,

and recorded as instrument 111587 on September 9, 1998 in book 137 page 183 of official Records and covering the following described property in LINCOLN county, NEVADA

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE COUNTY OF LINCOLN, STATE OF NEVADA, MORE COMPLETELY DESCRIBED IN ATTACHED EXHIBIT A.

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

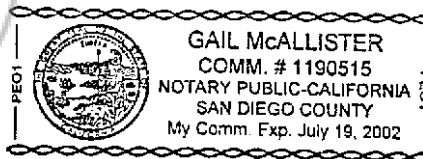
Dated June 5, 2002
CAL-WESTERN RECONVEYANCE CORPORATION

On JUN 05 2002 before me,
the undersigned, a Notary Public in and for said state personally appeared

Signature/By: Wendy V. Perry
Wendy V. Perry, A.V.P.

Wendy V. Perry, A.V.P.
Personally known to me (or proved 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 Gail McAllister

Space Below This Line For Recorder's

Use _____

Recording Requested By
First American Title Co.

And When Recorded Mail To
BANK OF AMERICA
CROSSPOINT BUSINESS PARK
475 CROSSPOINT PARKWAY
GETZVILLE NY 14068

T.S. # 1032904-03

EXHIBIT "A"

THE LAND REFERRED TO IN THIS GUARANTEE IS SITUATED IN THE STATE OF NEVADA, COUNTY OF LINCOLN, AND IS DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE COUNTY OF LINCOLN, STATE OF NEVADA, DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 10, TOWNSHIP 1 NORTH RANGE 59 EAST, M.D.B. & M. DESCRIBED AS FOLLOWS:

PARCEL 3 OF THAT CERTAIN PARCEL MAP RECORDED DECEMBER 17, 1993 IN THE OFFICE OF THE COUNTY RECORDER OF LINCOLN, NEVADA IN BOOK A OF PLATS, PAGE 401 AS FILE NO. 101245, LINCOLN COUNTY, NEVADA RECORDS.

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FILED FOR RECORDING
AT THE REQUEST OF

First American Title

2002 JUN 14 PM 4 27

LINCOLN COUNTY RECORDED
FEE \$5.00 DEPTMS
LESLIE BOUCHIER

BOOK 164 PAGE 398