Foreclosure No: **84845-ICF** 

## NOTICE OF BREACH AND DEFAULT AND OF ELECTION TO CAUSE SALE OF REAL PROPERTY UNDER DEED OF TRUST

IN MATTER OF DEED OF TRUST made by JERRY L. SMITH and DOROTHY J. SMITH, husband and wife Trustor WESTERN TITLE COMPANY, INC., a Nevada corporation, Trustee, dated March 3rd, 2000, recorded on March 3<sup>rd</sup>, 2000, as Document No 0487405 Book 0300 page 741, of Official Records. in the office of the County Recorder of DOUGLAS County, Nevada, securing among other obligations, Note(s) for \$100,951.76, in favor of WAYNE TOLBERT and MARY K. TOLBERT, husband and wife as Joint Tenants herein called Beneficiary

NOTICE IS HEREBY GIVEN that breach of an obligation for which said Deed of Trust is security has occurred in that there has been default as follow;

\* NON-PAYMENT OF THAT CERTAIN MONTHLY INSTALLMENT WHICH BECAME DUE ON PLUS ADVANCES, IF ANY, MADE ON PRIOR ENCUMBRANCES, SPECIAL ASSESSMENTS, REAL ESTATE TAXES, FIRE INSURANCE PREMIUMS, ATTORNEY FEES, FORECLOSURE FEES AND LATE CHARGES, IF ANY.

There is now owing and unpaid on said note the sum of \$ 100.583.30 Principal and interest thereon from March 1, 2001

By reason of said breach and default, it is hereby declared that the whole of said unpaid amount of said note and all other sums secured by said Deed of Trust is immediately due and payable, and notice is hereby given of the election of the undersigned to cause

Thereunder to sell the property described therein in the manner provided in said Deed of Trust, and notice is further hereby given that the undersigned hereto executed and delivered to said TRUSTEE a written declaration of said breach and default and a written demand for the sale of said property.

## **NOTICE**

YOU MAY HAVE THE RIGHT TO CURE THE DEFAULT HEREIN AND REINSTATE THE OBLIGATION SECURED BY SUCH DEED OF TRUST ABOVE DESCRIBED. SECTION 107.080 NRS PERMITS CERTAIN DEFAULTS TO BE CURED UPON THE PAYMENT OF THE AMOUNTS REQUIRED BY THAT SECTION WITHOUT REQUIRING PAYMENT OF THAT PORTION OF PRINCIPAL AND INTEREST WHICH WOULD NOT BE DUE HAS NO DEFAULT OCCURED. WHERE REINSTATEMENT IS POSSIBLE, IF THE DEFAULT IS NOT CURED WITHIN 35 DAYS FOLLOWING THE RECORDING AND MAILING TO TRUSTOR OR TRUSTOR'S SUCCESSOR IN INTEREST OF THIS NOTICE, THE RIGHT OF REINSTATEMENT WILL TERMINATE AND THE PROPERTY MAY THEREAFTER BE SOLD.

**Property Address:** 

967 Opalite Drive, Carson City

Lot 89, in Block B, of HIGHLAND ESTATE UNIT NO. 2, according to the map thereof, filed in the office of the County Recorder of Douglas County, State of Nevada, on January 27, 1978, in Book 178, Page 1633, as Document No. 17090.

To determine if reinstatement is possible and the amount, if any, necessary to cure default, contact the TRUSTEE.

STATE OF NEVADA COUNTY OF CARSO

Doug

on 6-15-01

WAYNE Tolbert and MARY K. Tolbert

personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged that

executed the instrument.

**JOANNA ATHA** Notary Public - State of Nevada Appointment Recorded in County of Douglas My Appointment Expires Aug. 30, 2004 00-64508-5

My Appointment Expires Aug. 30, 2004 Appointment Recorded in County of Douglas Notary Public - State of Nevada **AHTA ANNAOL** 

WAYNE TOUBERT

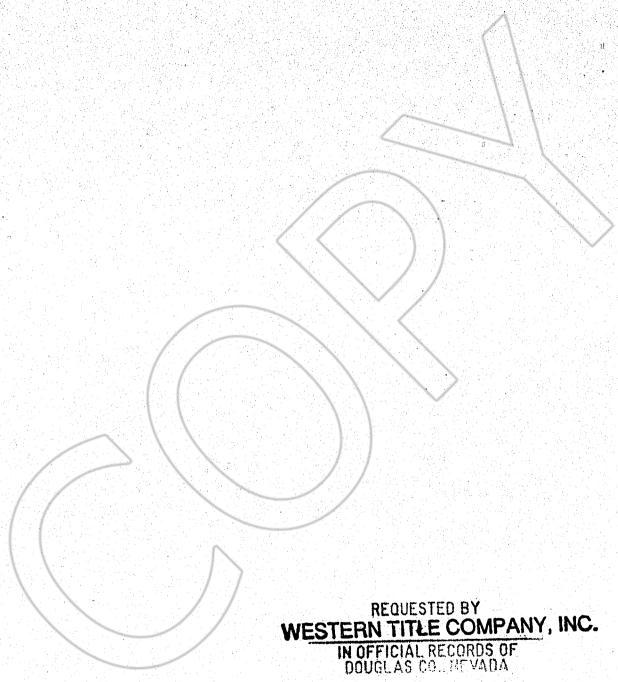
MARY K. TØJÆERT

0516733

9-80979-00

Wayne Tolliert

BK 060 | PG 4865



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**05**16733 BK0601PG4866 LINDA SLATER
RECORDER

SO PAID DEPUTY