

REQUESTED BY  
**Stewart Title of Douglas County**

IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

Fidelity National Foreclosure Solutions

19732 MacArthur Blvd., Suite 100

Irvine, California 92612

**FIDELITY NATIONAL TITLE - NDS**

APN: 1220-15-110-085

TS No.: FID-03-04431-PB

Loan No.: 0090646178

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2003 DEC -9 PM 3: 28

WERNER CHRISTEN  
RECORDER

\$ 1500 PAID K 8 DEPUTY

SPACE ABOVE THIS LINE FOR RECORDER'S USE

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

**NOTICE IS HEREBY GIVEN THAT: FIDELITY NATIONAL FORECLOSURE SOLUTIONS INC.** is the duly appointed Trustee under a Deed of Trust dated 6/24/2002, executed by **JAMES W UTTERBACK AND DENISE R UTTERBACK, HUSBAND AND WIFE, AS JOINT TENANTS**, as Trustor in favor of **NEW CENTURY MORTGAGE CORPORATION**, recorded 6/28/2002, under instrument no. 0545994, in book 607, page 9915 of Official Records in the office of the County recorder of Douglas, County, Nevada securing, among other obligations.

ONE (1) for the Original sum of **\$148,750.00**, that the beneficial interest under such Deed of Trust and the obligations secured hereby are presently held by the undersigned; that a breach of and default in the obligations for which such Deed of Trust is security has occurred or that payment has not been made of:

**INSTALLMENT OF PRINCIPAL AND INTEREST PLUS IMPOUNDS AND / OR ADVANCES WHICH BECAME DUE ON 9/1/2003 PLUS AMOUNTS THAT ARE DUE OR MAY BECOME DUE FOR THE FOLLOWING: LATE CHARGES, DELINQUENT PROPERTY TAXES, INSURANCE PREMIUMS, ADVANCES MADE ON SENIOR LIENS, TAXES AND/OR INSURANCE, TRUSTEES FEES, AND ANY ATTORNEY FEES AND COURT COSTS ARISING FROM OR ASSOCIATED WITH BENEFICIARIES EFFORT TO PROTECT AND PRESERVE ITS SECURITY MUST BE CURED AS A CONDITION OF REINSTATEMENT.**

That by reason thereof the present Beneficiary under such deed of Trust has executed and delivered to said duly appointed Trustee a written Declaration of Default and Demand for Sale and has deposited with said duly appointed Trustee such Deed of Trust and all documents evidencing obligations secured thereby and has declared and does hereby declare all sums secured thereby immediately due and payable and has elected and does hereby elect to cause the trust property to be sold to satisfy the obligations secured thereby.

### NOTICE

You may have the right to cure the default hereon and reinstate the one obligation secured by such Deed of Trust above described. Section NRS 107.080 permits certain defaults to be cured upon the Payment of the amounts required by that statutory section without requiring payment of that portion of principal and interest which would not be due had no default occurred. Where reinstatement is possible, if the default is not cured within 35 days following recording and mailing of this Notice to Trustor or Trustors successor in interest, the right of reinstatement will terminate

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and the property may thereafter be sold. The Trustor may have the right to bring a court action to assert the nonexistence of a default or any other defense of Trustor to acceleration and Sale.

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**T.S. No.: FID-03-04431-PB**  
**Loan No.: 0000646178**

**To determine if reinstatement is possible and the amount, if any, to cure the default, contact:**

THE PROVIDENT BANK  
C/O Fidelity National Foreclosure Solutions  
19732 MacArthur Blvd., Suite 100  
Irvine, California 92612

Phone: (949) 474-4505

Dated: December 08, 2003

**FIDELITY NATIONAL FORECLOSURE SOLUTIONS INC., AS AGENT FOR THE BENEFICIARY BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, AS IT'S AGENT**

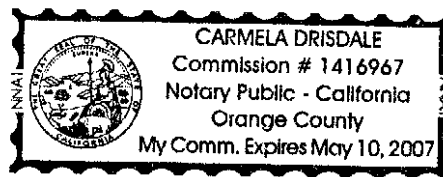
By: *Gerri Sheppard*  
**AUTHORIZED SIGNATURE**  
GERRI SHEPPARD

State of California }ss  
County of Orange }

On December 08, 2003 before me, *Carmela Drisdale* Notary Public, personally appeared *Gerri Sheppard* 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 *Carmela Drisdale* (Seal)



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