

DOC # 740736
04/02/2009 03:46PM Deputy: GB
OFFICIAL RECORD
Requested By:
WESTERN TITLE INC RIDGE
Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 3 Fee: 16.00
BK-409 PG-588 RPTT: 0.00



APN# : 1220-09-710-004

Recording Requested By:
Western Title Company, Inc.
Escrow No.: 024884-FCL

When Recorded Mail To:
Western Title Co., LLC
PO Box 3059
Reno, NV
89505

Mail Tax Statements to: (deeds only)
same as above

(space above for Recorder's use only)

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the social security number of any person or persons.
(Per NRS 239B.030)

Signature

Joy M. Taghiof

Foreclosure Officer

Notice of Default and Election to Sell

**** This document is being re-recorded to allow additional time for mailing ****

This page added to provide additional information required by NRS 111.312
(additional recording fee applies)

OFFICIAL RECORD
Requested By:
SCARPELLO & HUSS

APN: 1220-09-710-004

RECORDING REQUESTED BY AND AFTER
RECORDATION RETURN BY MAIL TO:

Douglas County - NV
Karen Ellison - Recorder

Page: 1 Of 2 Fee: 15.00
BK-0109 PG- 6460 RPTT: 0.00

✓ Fred Scarpello
SCARPELLO & HUSS, LTD.
600 E. William Street, Suite 300
Carson City, NV 89701

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned hereby affirms that this document submitted for recording does not contain the social security number of any person or persons.


FRED SCARPELLO, ESQ.

NOTICE OF DEFAULT AND ELECTION TO SELL

TO WHOM IN MAY CONCERN:

WHEREAS, on Decembet 13, 2006, KIM POSNIEN CONSTRUCTION AND DEVELOPMENT COMPANY, a Nevada corporation, executed a Deed of Trust wherein STEWART TITLE OF NEVADA HOLDINGS, INC, a Nevada corporation is Trustee for FRED SCARPELLO, a married man as his sole and separate property, Beneficiary, as security for the payment of a Promissory Note made, executed and delivered on December 13, 2006, which said Deed of Trust was recorded December 20, 2006, as Document Number 0691237, Official Records, Douglas County, Nevada; and

WHEREAS, a breach of the obligation for which said transfer in trust as security was made has occurred in that default has been made in the failure to pay the due date of a monthly installment payment due under the Promissory Note on October 20, 2008, November 20, 2008 and December 20, 2008, and the amount of the principal and interest due on July 20, 2008, and in the failure to perform any other terms, covenants or conditions contained in the Deed of Trust securing the Promissory Note and to be performed by Trustor,



whether such failure to perform occurred prior to or subsequent to the date hereof, together with penalties and advances that have been incurred or made or will be incurred or made during the period of default;

NOTICE IS HEREBY GIVEN that the undersigned has elected to consider all of the unpaid amounts of the principal and interest to be due in consequence of said defaults, together with attorney's fees and costs that have been incurred and will hereafter accrue, all in accordance with the terms of said Promissory Note and Deed of Trust, and the undersigned has elected to sell or cause to be sold the real property described in said Deed of Trust to satisfy said obligations.

To obtain further information with respect to this Notice of Default and Election to Sell, contact SCARPELLO & HUSS, LTD., 600 E. William Street, Suite 300, Carson City, Nevada 89701, Telephone No. (775) 882-4577, between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

DATED: January 30, 2009.




FRED SCARPELLO

STATE OF NEVADA)
 :
CARSON CITY)

This instrument was acknowledged before me on January 30, 2009, by FRED SCARPELLO.

Karen A Easton

NOTARY PUBLIC

 KAREN A. EASTON
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 00-64573-3
MY APPT. EXPIRES SEPT. 6, 2012