

DOC # 752103
10/09/2009 03:12PM Deputy: DW
OFFICIAL RECORD
Requested By:
FIRST AMERICAN NATIONAL
Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 4 Fee: 67.00
BK-1009 PG-2310 RPTT: 0.00

APN: 1220-17-612-020
RECORDING REQUESTED BY:
FIRST AMERICAN TITLE COMPANY

WHEN RECORDED MAIL TO:
Law Offices of Les Zieve
18377 Beach Blvd., Suite 210
Huntington Beach, California 92648



The undersigned hereby affirms that there is no Social Security number contained in this document.

PROPERTY ADDRESS:
1196 KINGSTON WAY
GARDNERVILLE, NV 89460

TS No. : 09-05928
4260939-DM

Loan No.: 662-3000504115

NOTICE OF BREACH AND DEFAULT AND OF ELECTION TO SELL THE REAL PROPERTY UNDER DEED OF TRUST

IF YOUR PROPERTY IS IN FORECLOSURE BECAUSE YOU ARE BEHIND IN YOUR PAYMENTS, IT MAY BE SOLD WITHOUT ANY COURT ACTION, and you may have the legal right to bring your account in good standing by paying all of your past due payments plus permitted costs and expenses within the time permitted by law for reinstatement of your account, which is normally thirty-five (35) days from the date this Notice of Default may be recorded. No sale date may be set until three months from the date this Notice of Default may be recorded (which date of recordation appears on this notice). This amount is **\$4,750.94** as of **10/8/2009** and will increase until your account becomes current. Included with this Notice of Default, please see "**Exhibit A**" - Nevada HUD Approved Housing Counseling Agency Contacts for a listing of local housing counseling agencies approved by the United States Department of Housing and Urban Development (HUD).

NOTICE IS HEREBY GIVEN THAT: LAW OFFICES OF LES ZIEVE is original trustee, the duly appointed Trustee, or acting as agent for the trustee or beneficiary under a under a Deed of Trust dated **11/2/2006**, executed by **JAMES H NICKERSON AND JOANNE L NICKERSON Husband and Wife**, as trustor in favor of **U.S. BANK NATIONAL ASSOCIATION, ND**, recorded **11/30/2006**, under instrument no. **0689722**, in book --, page --, of Official Records in the office of the County recorder of **Douglas, County, Nevada** securing, among other obligations.

Property Address: 1196 KINGSTON WAY, GARDNERVILLE, NV 89460

One note(s) for the Original sum of **\$100,000.00**, 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:

The monthly installment which became due on **5/2/2009**, along with late charges, and all subsequent monthly installments.



You are responsible to pay all payments and charges due under the terms and conditions of the loan documents which come due subsequent to the date of this notice, including, but not limited to; foreclosure trustee fees and costs, advances and late charges.

Furthermore, as a condition to bring your account in good standing, you must provide the undersigned with written proof that you are not in default on any senior encumbrance and provide proof of insurance.

Nothing in this Notice of Default should be construed as a waiver of any fees owing to the beneficiary under the Deed of Trust, pursuant to the terms and provisions of the loan documents.

T.S. No.: 09-05928

Loan No.: 662-3000504115

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 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.

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

US BANK NATIONAL ASSOCIATION, ND C/O

US BANK NATIONAL ASSOCIATION, ND

c/o Law Offices of Les Zieve

18377 Beach Blvd., Suite 210

Huntington Beach, California 92648

Beneficiary Phone: 714-848-7920

Included with this Notice of Default:

Contact information for which the grantor may use to reach a person with authority to negotiate a loan modification on behalf of the lender:

JOEL DANIELS

612-973-0717

Additionally included with this Notice of Default, please see **"Exhibit A"** - Nevada HUD Approved Housing Counseling Agency Contacts for a listing of local housing counseling agencies approved by the United States Department of Housing and Urban Development (HUD).

If you have any questions, you should contact a lawyer or the governmental agency that may have



insured your loan. Notwithstanding the fact that your property is in foreclosure, you may offer your property for sale, provided the sale is concluded prior to the conclusion of the foreclosure.

REMEMBER, YOU MAY LOSE LEGAL RIGHTS IF YOU DO NOT TAKE PROMPT ACTION.

WE ARE ASSISTING THE BENEFICIARY TO COLLECT A DEBT AND ANY INFORMATION WE OBTAIN WILL BE USED FOR THE PURPOSE BY EITHER OURSELVES OR THE BENEFICIARY, WHETHER RECEIVED ORALLY OR IN WRITING. YOU, MAY DISPUTE THE DEBT OR A PORTION THEREOF UPON WRITTEN REQUEST WITHIN THIRTY (30) DAYS. THEREAFTER WE WILL OBTAIN AND FORWARD TO YOU WRITTEN VERIFICATION THEREOF. SHOULD YOU NOT DO SO THE DEBT WILL BE CONSIDERED VALID. IN ADDITION, YOU MAY REQUEST THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR IF DIFFERENT FROM THE CURRENT ONE.

T.S. No.: 09-05928

Loan No.: 662-3000504115

Dated: 10/8/2009

LAW OFFICES OF LES ZIEVE AS AGENT FOR THE
BENEFICIARY
**BY: FIRST AMERICAN TITLE COMPANY, AS
AGENT**

DARIEN MCDONALD, TITLE OFFICER

State of CALIFORNIA
County of ORANGE

On 10-09-2009, before me, Kristina R. Boyd, personally appeared DARIEN MCDONALD who 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.

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

WITNESS my hand and official seal.

Signature of Notary





EXHIBIT A

Nevada HUD Approved Housing Counseling Agency Contacts

CONSUMER CREDIT
COUNSELING SERVICE OF
SOUTHERN NEVADA
800-451-4505
841 E 2ND
Carson City, NV 89701

NEVADA LEGAL SERVICES,
INC.
702-386-0404
841-A East Second Street
Carson City, NV 89701

CONSUMER CREDIT
COUNSELING SERVICE OF
SOUTHERN NEVADA
702-364-0344
2920 N. Green Valley Pkwy
Henderson, NV 89014

SPRINGBOARD - HENDERSON
800-947-3752
1489 West Warm Springs Rd, #213
Henderson, NV 89102

ACORN HOUSING, LAS VEGAS,
NV
702-384-3022
953 E. Sahara Ave., #226
Las Vegas, NV 89104

CCCS OF SOUTHERN NEVADA
702-364-0344
800-451-4505
2650 S. Jones Blvd
Las Vegas, NV 89146-0000

COMMUNITY SERVICES OF
NEVADA (CSN)
702-307-1710
3320 Sunrise Ave, # 108
Las Vegas, NV 89101-0000

CONSUMER CREDIT
COUNSELING SERVICE OF
SOUTHERN NEVADA
702-364-0344
800-451-4505
Nellis Air Force Base, NV
Las Vegas, NV 89119

HOUSING FOR NEVADA
702-270-0300
877-649-1335
285 E. Warm Springs Rd, #100
Las Vegas, NV 89119

NACA (NEIGHBORHOOD
ASSISTANCE CORPORATION OF
AMERICA) LAS VEGAS, NV
702-362-6199
888-297-5568
5765 S. Rainbow Blvd.#102
Las Vegas, NV 89118

NEVADA LEGAL SERVICES, INC.
702-386-0404
530 South Sixth Street
Las Vegas, NV 89101

NID-HCA OF LAS VEGAS
702-228-1975
1333 North Buffalo Dr, #190
Las Vegas, NV 89128

REBUILDING ALL GOALS
EFFICIENTLY
702-333-1038
6375 W. Charlestone Blvd., Suite
WCL/L20
Las Vegas, NV 89146

SPRINGBOARD - LAS VEGAS
800-947-3752
2300 West Sahara Av, #800
Las Vegas, NV 89102

WOMEN'S DEVELOPMENT
CENTER
702-796-7770
4020 Pecos McLeod
Las Vegas, NV 89121

CONSUMER CREDIT
COUNSELING SERVICE OF
SOUTHERN NEVADA
702-364-0344
2290 McDaniel
N. Las Vegas, NV 89030

NEIGHBORHOOD HOUSING
SERVICES OF SOUTHERN
NEVADA
702-649-0998-231
1849 Civic Center Dr
North Las Vegas, NV 89030

CONSUMER CREDIT
COUNSELING SERVICE OF
SOUTHERN NEVADA
775-337-6363
800-451-4505
Consumer Credit Affiliates
3100 Mill Street Ste. 111
Reno, NV 89502

NEVADA LEGAL SERVICES,
INC.
702-386-0404
204 Marsh Ave, 3rd Floor
Reno, NV 89509

WASHOE COUNTY DEPT OF
SENIOR SERVICES - SENIOR
LAW PROJECT
775-328-2592
1155 E Ninth St
Reno, NV 89512-2827

Nevada HUD Approved Housing Counseling Agency Listing