

DOC # 756243
12/28/2009 02:19PM Deputy: PK
OFFICIAL RECORD
Requested By:
WESTERN TITLE INC RIDGE
Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 2 Fee: 65.00
BK-1209 PG-6182 RPTT: 0.00



APN# 1312-10-416-036
F/C No. 2009-60
Recording Requested By:

30518-256

When Recorded Mail To:
Wells Fargo Bank, N.A.
c/o American Securities Company
5340 Kietzke Lane #104
Reno, NV 89511

Mail Tax Statements to: (deeds only)

(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 Philomena Plunket Trustee
Philomena Plunket Title

Notice of Breach and Default

Title of Document

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



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

NOTICE IS HEREBY GIVEN:

THAT American Securities Company of Nevada is duly authorized Trustee under a Deed of Trust made and executed by Kelly Higgins and Ryan P. Davis, Wife and Husband, TRUSTORS, dated January 18, 2007, recorded January 24, 2007 as Document No. 0693449 of Official Records of Douglas County, State of Nevada, securing among other obligations, one Note in the amount of \$1,000,000.00 in favor of Wells Fargo Bank, N.A., as Beneficiary

That the beneficial interest under such Deed of Trust and the obligation secured thereby are presently held by the undersigned; that a breach of an obligation for which said Deed of Trust is a security has occurred in that there has been a default(s) in that payment has not been made of:

The installment of principal and interest which became due on September 1, 2009 and all subsequent installments, together with late charges as set forth in Note and Deed of Trust.

There is now owing and unpaid upon said note the principal sum of \$968,577.25 plus arrearages now owing and unpaid through December 17, 2009 in the amount of \$27,779.77, principal and interest, plus any late charges, advances, assessments, taxes, trustee fees and/or any ensuing charges hereafter incurred.

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 into 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 after the recording of the said Notice of Default. No sale date may be set until three months from the date this notice was recorded (which date appears on this notice).

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 are immediately due and payable, and notice is hereby given of the election of the undersigned to cause TRUSTEE to sell the property described in the Deed of Trust in the manner provided therein; and that the beneficiary has heretofore executed and delivered to said Trustee a written Declaration of Default and Demand for Sale of said property.

December 17, 2009

WELLS FARGO BANK, N.A.

BY:

Paul Lathrop
Paul Lathrop, Vice President

STATE OF NEVADA)
)
COUNTY OF WASHOE)

On this 17th day of December, 2009 personally appeared before me, Paul Lathrop, known to me to be the person who executed the foregoing instrument, or proved to be the same based upon the presentation of satisfactory evidence, and who acknowledged that he/she executed the same freely and voluntarily and for the uses and purposes therein stated.

Philomena Plunket
Philomena Plunket
Notary Public

