



WHEN RECORDED MAIL TO:
Cooper Castle Law Firm, LLP
820 S. Valley View Blvd.
Las Vegas, NV 89107

T.S. No.: 10-10-12320-NV
Loan No.: 71503684
APN: 1220-22-410-105
Title Report No.:
Property Address: 1491 Kathy Way, Gardnerville, NV 89460

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

NOTICE IS HEREBY GIVEN THAT: THE COOPER CASTLE LAW FIRM, LLP, A MULTIJURISDICTIONAL LAW FIRM is the duly appointed Trustee under a Deed of Trust dated September 19, 2005, executed by Leland James Rix and Luonia Ann Rix, as Trustor in favor of Mortgage Electronic Registration Systems, Inc. (MERS), recorded on September 28, 2005 and recorded as Document No. 0656198 of Official Records in the office of the County recorder of Douglas County, Nevada securing, among other obligations:

One note(s) for the Original sum of \$237,000.00, 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 installment of Principal, Interest, impounds and late fees which became due April 1, 2010 together with all subsequent installments of principal, interest, impounds, late fees and foreclosure fees and expenses. Any advances which may hereafter be made. All obligations and indebtedness as they become due and charges pursuant to said Note and Deed of Trust.

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 of Trustor's 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.



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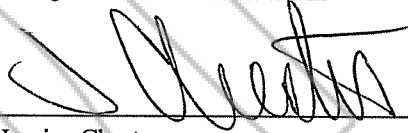
To determine if reinstatement is possible and the amount, if any, to cure the default, contact:

Ocwen Loan Servicing, LLC,
C/O The Cooper Castle Law Firm, LLP
A MultiJurisdictional Law Firm
820 South Valley View Blvd.
Las Vegas, Nevada 89107
(702) 435-4175 Telephone
(702) 877-7424 Facsimile

BE ADVISED THAT THE COOPER CASTLE LAW FIRM, LLP A MULTI JURISDICTIONAL LAW FIRM IS ACTING AS A DEBT COLLECTOR AND IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION PROVIDED BY YOU WILL BE USED FOR THAT PURPOSE.

Dated: November 15, 2010

THE COOPER CASTLE LAW FIRM, LLP
A Multi-Jurisdictional Law Firm

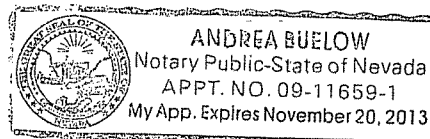
By: 
Jessica Chester
Trustee Sale Officer

State of Nevada } ss.
County of DOUGLAS }

On November 15, 2010, before me, Andrea Buelow, Notary Public, personally appeared Jessica Chester 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  (Seal)



Leland James Rix and Luonia Ann Rix / 10-10-12320-NV



STATE OF NEVADA FORECLOSURE
MEDIATION PROGRAM See Attached Instructions
ELECTION/WAIVER OF MEDIATION FORM

APN <u>1220-22-410-105</u>	TS # <u>10-10-12320-NV</u>	Loan # <u>71503684</u>
PROPERTY ADDRESS <u>1491 Kathy Way, Gardnerville, NV 89460</u>		
TRUSTEE <u>The Cooper Castle Law Firm, LLP</u>		
DATE OF DOT <u>September 19, 2005</u>	Book/Pg/Inst	Document No. <u>0656198</u>

ATTENTION: YOU MUST ACT WITHIN THIRTY (30) DAYS. IF NO ACTION IS TAKEN, THE FORECLOSURE MAY PROCEED

You have been served with an enclosed copy of Notice of Default and Election to Sell; which could result in the loss of your home.

The State of Nevada has created a mediation program for homeowners whose owner-occupied, primary residence is subject to foreclosure. Mediation is a process through which you and the lender meet with a neutral mediator to determine whether an agreement can be reached to cure any defaults in the loan or modify the terms of the loan to enable you to remain in your home. The mediator will be appointed by the Foreclosure Mediation Program Administrator. The mediator will **not** provide legal advice to either party. If you feel the need for legal representation, it is recommended that you consult an attorney concerning your rights and responsibilities and to assist you in the mediation.

Print Property Owner's Name _____
Mailing Address _____
Phone No: (____) _____ (Day)
(____) _____ (Evening)
Email: _____

Print Co-owner's Name: _____
Mailing Address: _____
Phone No: (____) _____ (Day)
(____) _____ (Evening)
Email: _____

(Please list additional property owners on a separate sheet of paper)

PLEASE SELECT ONE OF THE CHOICES BELOW:

ELECTION OF MEDIATION - The undersigned hereby request[s] that mediation be scheduled to attempt to work out a resolution of the loan. (\$200.00 Money Order or Cashier's Check **must be enclosed**; see below)
You must include ALL the following with your election form:

\$200 Money Order/Cashier's Ck Notice of Default Housing Affordability
 Financial Statement

Do you have an open Bankruptcy proceeding? _____ If so, date filed? _____

WAIVER OF MEDIATION - The undersigned is/are aware of the right to seek mediation but have determined that I/we do not want to proceed with mediation and hereby waive the right to do so.

The undersigned hereby certifies under the penalty of perjury that I/we are the owner[s] of the real property that is the subject of the pending foreclosure and occupy the real property as my/our primary residence.

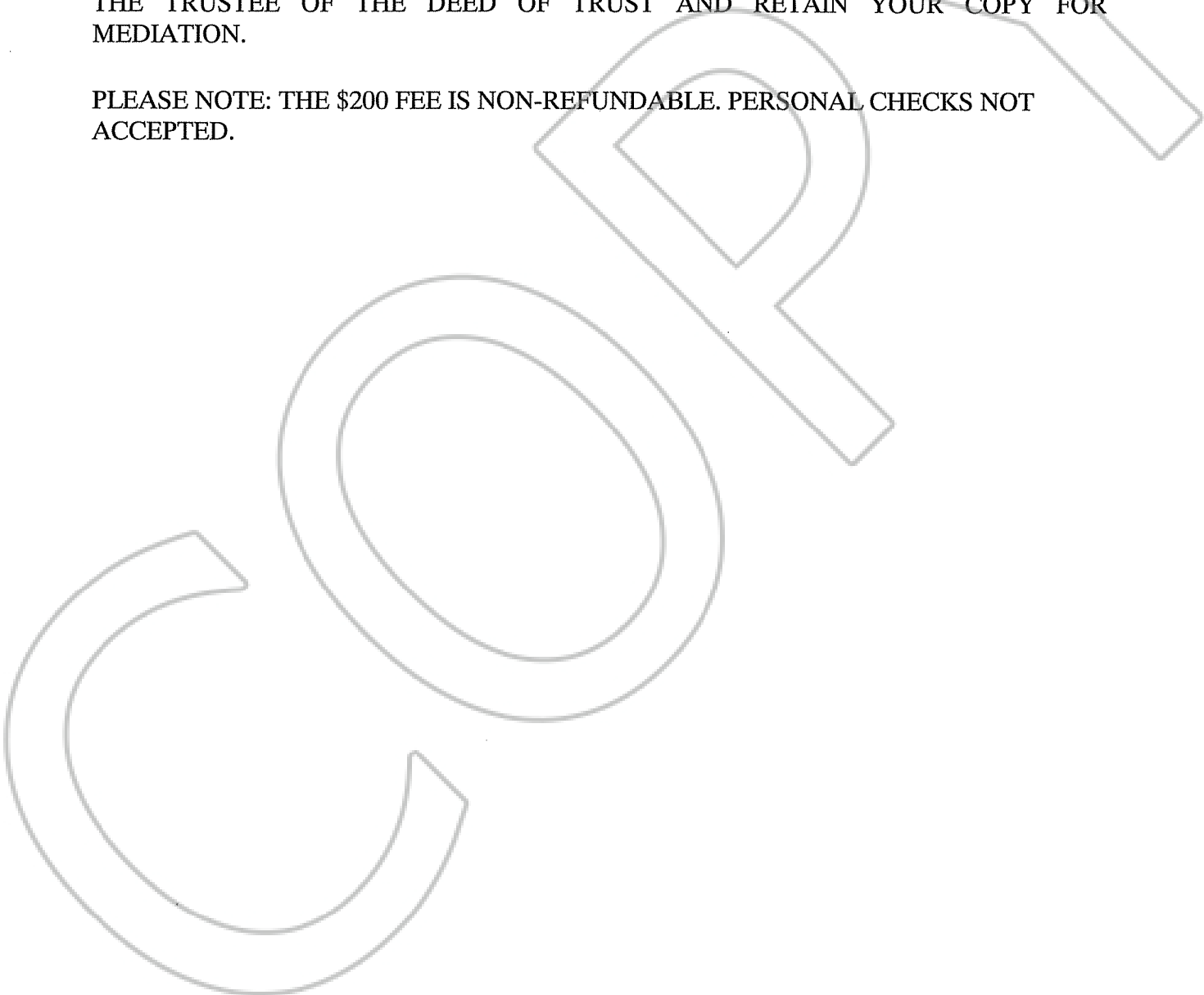
Signature of Property Owner _____ Date _____ Signature of Co-Owner _____ Date _____



IF YOU HAVE CHOSEN TO SEEK MEDIATION, YOU MUST SEND A MONEY ORDER OR CASHIER'S CHECK FOR \$200 PAYABLE TO: "STATE OF NEVADA FORECLOSURE MEDIATION PROGRAM." THIS PAYMENT AND ALL FORMS MUST BE RETURNED TO THE PROGRAM ADMINISTRATOR WITHIN 30 DAYS OF RECEIVING THE NOTICE OF DEFAULT AND ELECTION TO SELL. FOR YOUR USE IN THIS PACKET ARE TWO UNSTAMPED, PREAMDRESSED ENVELOPES. SEND TO: 201 S. CARSON STREET, STE 277 B, CARSON CITY, NV 89701.

PLEASE COMPLETE TWO COPIES OF THIS FORM AND ALL OTHER REQUIRED FORMS AS STATED ABOVE, FORWARD THE ORIGINALS TO THE PROGRAM ADMINISTRATOR WITH THE \$200 PAYMENT, PLEASE ALSO SEND ONE COPY TO THE TRUSTEE OF THE DEED OF TRUST AND RETAIN YOUR COPY FOR MEDIATION.

PLEASE NOTE: THE \$200 FEE IS NON-REFUNDABLE. PERSONAL CHECKS NOT ACCEPTED.





STATE OF NEVADA FORECLOSURE MEDIATION PROGRAM
INSTRUCTIONS FOR THE ELECTION/WAIVER OF MEDIATION FORM

To the Trustee:

You must fill out the top box on the Form including the Property Address, the Assessor's Parcel Number (APN), the Loan # and TS #, Dot #, Book/Page and instrument #. Please provide the homeowner with the Election/Waiver of Mediation, the Housing Affordability and the Financial Statement Forms as well as two preaddressed envelopes addressed to you (Trustee) and the Foreclosure Mediation Program (FMP) 201 S. Carson St, Ste 277B, Carson City, NV 89701.

To the Homeowner:

You are eligible to participate in this program if you:

1. **Have a recorded Notice of Default.**
2. If you do not have an open bankruptcy filed on or after July 1, 2009.
3. If you have been discharged from Bankruptcy or the court has ordered you into the FMP.
4. If this property is your **primary, owner occupied residential property**. Not a vacation, rental or other property where the homeowner does not live.

The ELECTION/WAIVER OF MEDIATION, the HOUSING AFFORDABILITY and the FINANCIAL STATEMENT and Notice of Default forms have been provided by the Trustee. You must complete the forms and send with your Election/Waiver of mediation form and a copy of the Notice of Default.

Print your name and mailing address in the spaces provided. Include your telephone numbers and your email addresses. If you have a co-owner, their name, address, phone numbers and email addresses must be included. This information will only be used for the mediation purposes.

In the designated location on the ELECTION/WAIVER OF MEDIATION form, you must select (with a check mark or "X") one of two choices. Select **ONLY** one:

1. "ELECTION OF MEDIATION" if you choose to enter into the Mediation Program; **OR**
2. "WAIVER OF MEDIATION" if you do not want to participate in the foreclosure Mediation Program.

If you choose to enter (Election of Mediation) into the Foreclosure Mediation Program:

You must then sign and date each form. **NOTE** that by signing the form you are certifying under penalty of perjury that you own and occupy the subject property as your primary residence. Using the preaddressed envelopes, one completed copy of the forms must be mailed to the Trustee of the deed of trust by certified mail, return receipt requested.

The original of the completed forms must be mailed in the preaddressed envelope (addressed to the Foreclosure Mediation Program Administrator). If you elect mediation, you must **include \$200.00 (cashiers check or money order ONLY) along with all required forms payable to:**

**State of Nevada Foreclosure Mediation Program
201 S Carson St. Ste 277B,
Carson City NV 89701**

The envelope addressed to the ADMINISTRATOR must be mailed **no later than 30 days** after receiving the forms and the Notice of Default from the Trustee. You will need to pay the postage for the mailings.

If you do not want to participate (Waiver of Mediation) in the Foreclosure Mediation Program

If you decide to waive your right to mediation, please send the Election/Waiver of Mediation form to the Trustee and the Administrator in the pre addressed envelopes. If you waive your right to mediation, please do not send the \$200.00.

Should you have any questions please contact us at (702) 486-9386 or Foreclosure@nvcourts.nv.gov .