

DOC # 817983  
02/11/2013 12:55PM Deputy: PK  
OFFICIAL RECORD

Requested By:  
LSI Title Agency Inc.  
Douglas County - NV  
Karen Ellison - Recorder  
Page: 1 of 8 Fee: \$221.00  
BK-213 PG-2623 RPTT: 0.00



**RECORDING REQUESTED BY:**

**WHEN RECORDED MAIL TO:**  
National Default Servicing Corporation  
7720 N. 16<sup>th</sup> Street, Suite 300  
Phoenix, AZ 85020

NDSC File No. : 12-34651-BA-NV  
Title Order No. : 120364992-NV-GTO

APN: 1220-16-810-008

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

**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 five (5) business days prior to the date set for the sale of your property pursuant to NRS 107.080. 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).**

**NOTICE IS HEREBY GIVEN THAT : NATIONAL DEFAULT SERVICING CORPORATION is either the original Trustee or the duly appointed substituted Trustee under a Deed of Trust dated 02/01/2005, executed by SANDRA E. DICKEY, AN UNMARRIED WOMAN, as Trustor, to secure certain obligations in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR FIRST MAGNUS FINANCIAL CORPORATION, ITS SUCCESSORS AND ASSIGNS as beneficiary recorded 02/09/2005 as Instrument No. 0636383 BK 0205 PG 3383 (or Book, Page) of the Official Records of DOUGLAS County, NV. Said obligations including ONE NOTE FOR THE ORIGINAL sum of \$189,000.00.**

**That a breach of, and default in, the obligations for which such Deed of Trust is security has occurred in that payment has not been made of :**

**The installments of principal and interest which became due on 12/01/2010 and all subsequent installments of principal and interest through the date of this Notice, plus amounts that are due for late charges, delinquent property taxes, insurance premiums, advances made on senior liens, taxes and/or insurance, trustee fee's, and any attorney fees and court costs arising from or associated with the beneficiaries efforts to protect and preserve its security all of which must be paid as a condition of reinstatement, including all sums that shall accrue through reinstatement or pay-off (and will increase until your account becomes current) as summarized in the accompanying Affidavit of Authority to Exercise the Power of Sale pursuant to NRS 107.080.**



Notice of Default and Election to Sell Under Deed of Trust  
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While your property is in foreclosure, you still must pay other obligations (such as insurance and taxes) required by your Note and Deed of Trust or Mortgage. If you fail to make future payments on the loan, pay taxes on the property, provide insurance on the property, or pay other obligations as required by the Note and Deed of Trust or Mortgage, the beneficiary or mortgagee may insist that you do so in order to reinstate your account in good standing. In addition, the beneficiary or mortgagee may require as a condition to reinstatement that you provide reliable written evidence that you paid all senior liens, property taxes, and hazard insurance premiums.

Upon your written request, the beneficiary or mortgagee will give you a written itemization of the entire amount you must pay. You may not have to pay the entire unpaid portion of your account, even though full payment was demanded, but you must pay all amounts in default at the time payment is made. However, you and your beneficiary or mortgagee may mutually agree in writing prior to the time the notice of sale is posted (which may not be earlier than the end of the three month period stated above) to, among other things, (1) provide additional time in which to cure the default by the transfer of the property or otherwise; or (2) establish a schedule of payments in order to cure your default; or both (1) and (2).

Following the expiration of the time period referred to in the first paragraph of this notice, unless the obligation being foreclosed upon or a separate written agreement between you and your creditor permits a longer period, you have only the legal right to stop the sale of your property by paying the entire amount demanded by your creditor.

To find out the amount you must pay, or to arrange for payment to stop the foreclosure, or if your property is in foreclosure for any other reason, contact:

Bank of America, N.A.  
c/o National Default Servicing Corporation  
7720 N. 16<sup>th</sup> Street, Suite 300  
Phoenix, AZ 85020 Phone 602/264-6101 Sales Website: [www.ndscorp.com/sales/](http://www.ndscorp.com/sales/)

Contact the following number to discuss Loan Modification Options: (866) 445-7271 Ext. 5220  
[mediation.referrals@bankofamerica.com](mailto:mediation.referrals@bankofamerica.com)

Attached hereto and incorporated herein by reference is the Affidavit of Authority to Exercise the Power of Sale pursuant to NRS 107.080.

You may wish to consult a credit-counseling agency to assist you. The Department of Housing and Urban Development (HUD) can provide you with the name and address of the local HUD approved counseling agency by calling their Approved Local Housing Counseling Agency toll free number: (800) 569-4287 or you can go to the HUD web site at:  
<http://portal.hud.gov/portal/page/portal/HUD/localoffices>.

The Property Address: 1323 MUIR DRIVE , GARDNERVILLE NV 89460

If you have any questions, you should contact a lawyer or the governmental agency which 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.



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**That by reason thereof, the present beneficiary under such Deed of Trust has executed and delivered to 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.**

Dated : February 8, 2013

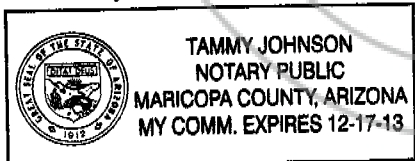
National Default Servicing Corporation, As Trustee for Bank of America, N.A.

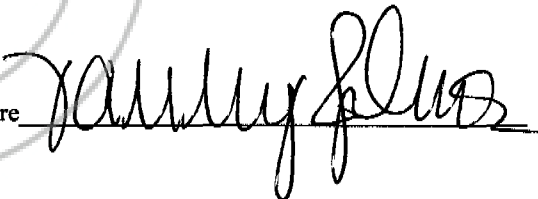
  
By: Julie Good, Trustee Sale Supervisor

State of: Arizona  
County of: Maricopa

On 2-8, 2013 before me, the undersigned, a Notary Public for said State, personally appeared Julie Good personally known to me be (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal,



Signature 

**This is an attempt to collect a debt and any information obtained will be used for that purpose.**



TS No: 12-34651-BA-NV  
APN: 1220-16-810-008

**AFFIDAVIT OF AUTHORITY TO EXERCISE THE  
POWER OF SALE**

Property Owners:  
SANDRA E. DICKEY, AN UNMARRIED  
WOMAN

Trustee Address:  
7720 N. 16th Street, Suite 300  
Phoenix, AZ 85020

Property Address:  
1323 MUIR DRIVE  
GARDNERVILLE NV 89460

Deed of Trust Document Instrument  
Number  
0636383

STATE OF PENNSYLVANIA )  
COUNTY OF ALLEGHENY ) ss:

The affiant, Benjamin Walter Hassett, being first duly sworn upon oath, based on personal knowledge following a review of public records in the State of Nevada and a review of business records kept in the regular course of business, and under penalty of perjury attests that I am an authorized representative of the beneficiary or trustee of the deed of trust described in the notice of default and election to sell to which this affidavit is attached ( Deed of Trust ).

I further attest, based on personal knowledge, following a review of public records in the State of Nevada and a review of business records kept in the regular course of business, and under penalty of perjury, to the following information, as required by Section 107.080(2)(c) of the Nevada Revised Statutes:

1. I have personal knowledge of Bank of America, N.A. s procedures for creating and maintaining business records. Such business records are made at or near the time of the occurrence of the matters set forth therein by persons with personal knowledge of the information in the business record, or from information transmitted by persons with personal knowledge; are kept by Bank of America, N.A. in the course of regularly conducted business activity; and it is the regular practice of Bank of America, N.A. to make such records.



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I have reviewed certain business records of Bank of America, N.A. concerning the Loan, Note and Deed of Trust, referenced below, all as reflected by the records maintained by Bank of America, N.A. as they have been kept by Bank of America, N.A. in the course of regularly conducted business activity, and it was the regular practice of that business activity to make or maintain such records at or near the time by, or from information transmitted by, persons with knowledge. The information in this affidavit is based solely on my review of those business records, and public records in the State of Nevada. Copies of the public records in the State of Nevada were obtained from LSI Title Agency.

2. The full name and business address of the trustee or the trustee's representative or assignee is:

National Default Servicing Corporation	7720 N. 16th Street, Suite 300 Phoenix AZ 85020
Full Name	Street, City, County, State, Zip

The full name and business address of the current holder of the note secured by the Deed of Trust is:

The Bank of New York Mellon FKA The Bank of New York, as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-10CB, Mortgage Pass-Through Certificates, Series 2005-10CB	1800 Tapo Canyon Rd Mail Code: CA6-914-01-65 Simi Valley CA 93063
Full Name	Street, City, County, State, Zip

The full name and business address of the current beneficiary of record of the Deed of Trust is:

The Bank of New York Mellon FKA The Bank of New York, as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-10CB, Mortgage Pass-Through Certificates, Series 2005-10CB	1800 Tapo Canyon Rd Mail Code: CA6-914-01-43 Simi Valley CA 93063
Full Name	Street, City, County, State, Zip

The full name and business address of the servicer(s) of the obligation or debt secured by the Deed of Trust is:

Bank of America, N.A.	1800 Tapo Canyon Rd Mail Code: CA6-914-01-65 Simi Valley CA 93063
Full Name	Street, City, County, State, Zip



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3. The full name and last known business address of the current and every prior known beneficiary of the deed of trust, is:

THE BANK OF NEW YORK MELLON  
FKA THE BANK OF NEW YORK, AS  
TRUSTEE FOR THE  
CERTIFICATEHOLDERS OF CWALT,  
INC., ALTERNATIVE LOAN TRUST  
2005-10CB, MORTGAGE PASS-  
THROUGH CERTIFICATES, SERIES  
2005-10CB.

101 BARCLAY ST- 4W  
NEW YORK , NY 10286

Full Name

Street, City, County, State, Zip

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC., AS  
NOMINEE FOR FIRST MAGNUS  
FINANCIAL CORPORATION, ITS  
SUCCESSORS AND ASSIGNS

PO BOX 2026  
FLINT, MI 48501-2026

Full Name

Street, City, County, State, Zip

FIRST MAGNUS FINANCIAL  
CORPORATION

603 NORTH WILMOT ROAD  
TUCSON, AZ 85711

Full Name

Street, City, County, State, Zip

4. The beneficiary, successor in interest of the beneficiary, or trustee of the Deed of Trust, has actual or constructive possession of the note secured by the Deed of Trust.
5. The trustee has the authority to exercise the power of sale under Chapter 107 of the Nevada Revised Statutes with respect to the property encumbered by the Deed of Trust, pursuant to the instruction of the beneficiary of record and the current holder of the note secured by the Deed of Trust.
6. The following is information regarding the amount in default, the principal amount secured by the Deed of Trust, a good faith estimate of fees imposed and to be imposed because of the default and the costs and fees charged to the debtor in connection with the exercise of the power of sale:
  - a. The amount of missed payments and interest in default is \$57,406.41.
  - b. The amount of fees charged to the debtor in connection with the exercise of power of sale is \$3,164.31.
  - c. The principle amount secured by the Deed of Trust is \$189,000.00.
  - d. The current unpaid principal balance is \$173,806.56.
  - e. A good faith estimate of all fees imposed and to be imposed because of the default is \$380.00.
  - f. A good faith estimate of the total costs and fees to be charged to the debtor in connection with the exercise of the power of sale is \$3,090.00.




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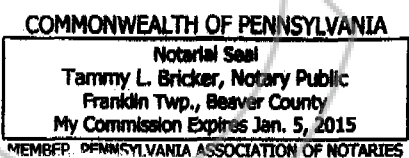
7. The following is information regarding the instrument(s) that conveyed the interest of each beneficiary:

<u>08/24/2011</u> Date	<u>788491</u> Document Instrument Number	<u>Assignment of Deed of Trust</u> Name of Document Conveying Interest of Beneficiary
<u>02/09/2005</u> Date	<u>0636383</u> Document Instrument Number	<u>Deed of Trust</u> Name of Document Conveying Interest of Beneficiary

8. The following is the true and correct signature of the affiant:

  
Signature  
Benjamin Walter Hassett  
Print  
Assistant Vice President (AVP)  
Title  
1-25-2013  
Date

SWORN TO and subscribed before me this 25<sup>th</sup> day of January, 2013, by  
Benjamin Walter Hassett, as an AVP of  
Bank of America, N.A.  He/she ( ) is personally known to me or  produced  
Drivers License as identification.



Tammy L Bricker  
Notary Public  
My commission expires: 1-5-2015





**EXHIBIT "A"**

**CLIENT NAME: NATIONAL DEFAULT SERVICING CORP.**

**DATED: DECEMBER 20, 2012**

**TITLE ORDER #: 120364992**

**TS #: 12-34651-BA-NV**

**SUBJECT DEED OF TRUST:**

AMOUNT : \$189,000.00  
 DATED : FEBRUARY 1, 2005  
 TRUSTOR : SANDRA E. DICKEY, AN UNMARRIED WOMAN  
 TRUSTEE : WESTERN TITLE COMPANY  
 BENEFICIARY : MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS")  
 LENDER : FIRST MAGNUS FINANCIAL CORPORATION  
 RECORDED : FEBRUARY 9, 2005, AS INSTRUMENT NO. 0636383 OF OFFICIAL RECORDS

**ASSIGNMENTS OF RECORD RELATING TO SUBJECT DEED OF TRUST:**

ASSIGNOR : MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.  
 ASSIGNEE : THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWALT, INC., ALTERNATIVE LOAN TRUST 2005-10CB, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-10CB  
 DATED : AUGUST 22, 2011  
 RECORDED : AUGUST 24, 2011, AS INSTRUMENT NO. 788491 OF OFFICIAL RECORDS

