

DOC # 821494
04/11/2013 10:25AM Deputy: KE
OFFICIAL RECORD
Requested By:
First American National De
Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 11 Fee: \$249.00
BK-413 PG-3003 RPTT: 0.00



WHEN RECORDED MAIL TO:
Cooper Castle Law Firm, LLP
5275 S. Durango Drive
Las Vegas, NV 89113

T.S. No.: 12-12-50532-NV
APN: 1220-20-001-039
Title Report No.: 7632720
Property Address: 793 Rubio 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 June 27, 2003, executed by Gary T. Wilson and Kathleen A. Wilson, as Trustor in favor of Bank of America, N.A., recorded on August 8, 2003 and recorded as. 0585813 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 \$190,535.00, 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 November 1, 2011 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 substitution of trustee and a request for Sale of the security pursuant to the 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 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.



T.S. No.: 12-12-50532-NV
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To determine if reinstatement is possible and the amount, if any, to cure the default, contact:

Nationstar Mortgage LLC
C/O The Cooper Castle Law Firm, LLP
A MultiJurisdictional Law Firm
5275 S. Durango Drive
Las Vegas, Nevada 89113
(702) 435-4175 Telephone
(702) 877-7424 Facsimile

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

Dated: April 5, 2013

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

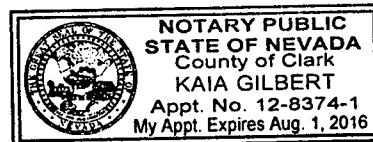
By: *Matthew Dayton*
Attorney at Law
Matthew Dayton

State of NEVADA } ss.
County of CLARK }

On April 5, 2013, before me, *Kaia Gilbert*, Notary Public, personally appeared *Matthew Dayton* 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 *Kaia Gilbert* (Seal)



Gary T. Wilson and Kathleen A. Wilson / 12-12-50532-NV



STATE OF NEVADA
FORECLOSURE MEDIATION PROGRAM
ELECTION/WAIVER OF MEDIATION FORM

(This Section to be Completed by Trustee)

ASSESSOR PARCEL NUMBER (APN) _____		TS # <u>12-12-50532</u>
Homeowner's Last Name _____	Homeowner's First Name _____	Loan # _____
Co-Owner's Last Name _____	Co-Owner's First Name _____	DoT Doc # _____
Property Address _____	Book # _____	Page # _____
Trustee _____	Beneficiary _____	Inst # _____
County in which Property is located _____		

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

You have been served with a Notice of Default and Election to Sell (copy enclosed), which could result in the loss of your home. The State of Nevada Foreclosure Mediation Program provides an opportunity for homeowners, whose owner-occupied, primary residence is subject to foreclosure to meet with a lender and a neutral Mediator to discuss alternatives to foreclosure. The Mediator will be appointed by the State of Nevada Foreclosure Mediation Program Administrator. The Mediator **cannot** provide legal advice to either party; free and low cost legal advice and housing counseling is available through HUD-approved counseling agencies and legal aid organizations. Please see attached Resource Sheet. If you feel the need for legal representation, it is recommended you consult an attorney.

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

(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] foreclosure mediation be scheduled to attempt to work out a resolution of the loan. (\$200.00 Money Order or Cashier's Check **must be enclosed**; Personal Checks not accepted).
You must include ALL the following with your election form:

\$200 Money Order/Cashier's Check Notice of Default

Are you in Bankruptcy? Yes No If yes, date filed? _____

Individuals are encouraged to learn about nonprofit community organizations providing free foreclosure counseling and legal assistance (not affiliated with the State of Nevada Foreclosure Mediation Program). Check this box if you **do not wish** to be contacted by a nonprofit community organization.

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 Property Owner _____	Date _____
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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 the 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, pre-addressed envelopes. Send to: 201 S. Carson Street, Ste 250 Carson City NV 89701.

Please complete two copies of this form as stated above, forward the originals to the Program Administrator with the \$200 payment, Send one copy to the Trustee of the deed of trust and retain your copy for mediation.



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 Approved Form including the Property Address, the Assessor's Parcel Number (APN), the Loan Number and TS Number, Dot Number, Book/Page and Instrument Number. Please provide the homeowner with the Election/Waiver of Mediation and the Required Documents for Foreclosure Mediation documents, as well as two preaddressed envelopes addressed to you (Trustee) and the Foreclosure Mediation Program (FMP) 201 S. Carson St, Ste 250 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**, and not a vacation, rental or other property where the homeowner does not live.

ELECTION/WAIVER OF MEDIATION - You must complete the Election/Waiver of Mediation Form and provide a copy of the Notice of Default to the Foreclosure Mediation Program.

- 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.

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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.

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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 form must be mailed by certified mail 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 250
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.

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If you choose to forego or waive mediation, there is no need to send the \$200.00. Please **send the Election/Waiver of Mediation form to the Trustee and the Administration in the pre addressed envelopes**. If you do not mail the form to the Trustee and the Program Administrator, you will not be allowed to participate in the mediation program and a foreclosure sale may be noticed according to law. **This is your only opportunity to elect to participate in the foreclosure mediation process.**



STATE OF NEVADA
FORECLOSURE MEDIATION PROGRAM

Foreclosure Mediation Resources

The following Agencies and Non-Profit Organizations to provide free resources and help. The following programs, resources, and tips will answer many questions and help you become better prepared:

Free Foreclosure Mediation Classes

Homeowners will learn about their options and various programs.

- *How the Foreclosure Process Works.*
- *How to Prepare for Mediation.*
- *Loan Modifications and Short Sales, including tax consequences and deficiencies.*
- *Free Legal Information Manual, including forms, samples and legal information.*

Las Vegas:

- Legal Aid Center of Southern Nevada. Call (702) 386-1070 for monthly class schedule. Visit www.lacsn.org for more information.
- Nevada Legal Services. Call (702) 386-0404, ext. 511 for class schedule. For more information visit www.nevadalegalservices.org.

Reno:

- Reno Senior Center, 1155 E. 9th Street. Call (775) 328-2592 for weekly class schedule. For more information visit www.washoecounty.us/seniorsrv/legal.htm.
- Nevada Legal Services, 650 Tahoe Street. Call (775) 284-3491 for monthly class schedule. For more information visit www.nevadalegalservices.org.

Rural Nevada:

- Monthly classes are held throughout the rural counties of Nevada. Call (877) 693-2163 for a schedule of times and locations.

HUD-Approved Housing Counseling Agencies

Free loan modification and foreclosure mediation counseling

- Community Services of Nevada - Las Vegas, (702) 307-1710, www.csnv.org
- Financial Guidance Center - Las Vegas, (702) 364-0344, www.cccsnevada.org
- Financial Guidance Center - Henderson, (702) 364-0344, www.cccsnevada.org
- Financial Guidance Center - Reno, (800) 451-4505, www.cccsnevada.org
- Housing for Nevada - Las Vegas, (702) 270-0300, www.housingfornevada.org
- NACA - Las Vegas, (702) 362-6199, www.naca.com
- Nevada Legal Services - Statewide, (877) 693-2163, www.nevadalegalservices.org.
- NID-HCA - Las Vegas, (702) 228-1975, www.nidonline.org
- Novadebt - Henderson, (888) 697-7980, www.novadebt.org
- Springboard - Henderson, (800) 947-3752, www.credit.org
- Women's Development Center - Las Vegas, (702) 796-7770, www.wdclv.org

Free Legal Representation

- *Foreclosure Legal Information*
- *Low-Income Legal Representation.*
- *Advice and Counsel from Volunteer Attorneys.*

Statewide:

- Home Again: Nevada Homeowner Relief Program. Call (855) 457-4638.

Las Vegas:

- Legal Aid Center of Southern Nevada. Call (702) 868-1147, or visit www.lacsn.org.
- Civil Law Self-Help Center, First Floor, Regional Justice Center, 200 Lewis Ave.
- Nevada Legal Services. Call (702) 386-0404, ext. 511, or visit www.nevadalegalservices.org.

Reno:

- Washoe County Senior Law Project. Call (775) 328-2592, or visit www.washoecounty.us/seniorsrv/legal.htm.
- Nevada Legal Services. Call (775) 284-3491, or visit www.nevadalegalservices.org.

Carson City:

- Nevada Legal Services. Call (775) 883-0404, or visit www.nevadalegalservices.org.

Elko:

- Nevada Legal Services. Call (775) 753-5880, or visit www.nevadalegalservices.org.

Other Legal Resources

- State Bar of Nevada Lawyer Referral Service. Call (702) 382-0504 or (800) 789-5747, or visit www.nvbar.org.

Useful Websites

- foreclosure.nevadajudiciary.us
- foreclosurehelp.nv.gov
- homeagainnevada.gov
- hud.gov
- makinghomeaffordable.gov
- nahac.org
- stopnvforeclosures.org



FORECLOSURE MEDIATION PROGRAM

Possible Documents Required for Foreclosure Mediation

If you choose to participate in the State of Nevada Foreclosure Mediation Program (FMP) to seek an alternative to foreclosure, the following documents may be required to qualify you for loan modification, short sale, or other foreclosure alternatives. The Beneficiary of the Deed of Trust will provide you a complete list of documents needed for mediation after your request to participate in mediation has been assigned to a FMP mediator.

The following documents can be found at the State of Nevada Foreclosure Mediation Program website at <http://foreclosure.nevadajudiciary.us/index.php/documents-and-forms/>

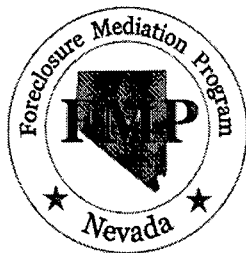
- Request for Modification Affidavit (RMA)
- Uniform Borrower Assistance Form (Form 710)
- Borrower Financial Statement
- Tax Form 4506-T or 4506T-EZ
- DODD-FRANK Certification Form
- Third Party Authorization Form (if applicable)

In addition, you may be required to provide:

- Proof of Income (all borrower(s) on loan):
 - A minimum of 4 most recent pay stubs detailing year-to-date earnings, hourly and salary wages.
 - Award letters for any income benefits, pension, retirement, unemployment and two corresponding bank statement deposits.
 - If self-employed, provide a borrower signed Profit and Loss statement (P&L) for the last quarter.
 - Documentation and Letter of Explanation (LOE) for any other income.
- Household Expenses (all borrower(s) on loan).
- Signed Tax Returns including all schedules for the past two (2) years.
- Bank Statements - Checking and Savings - 3 Recent Months (all borrower(s) on loan).
- A current Utility Bill showing the homeowner name and property address (gas, electric, water, sewer).
- A signed Hardship Letter explaining the reason for your hardship and your intention regarding the property.
- Military Orders.
- An HOA bill, letter or coupon with HOA contact information and property address showing current on all HOA assessments.
- Divorce Decree and/or Separation Documentation (all borrower(s) on loan).
- Child Support/Alimony (Copy of relevant orders with proof of 4 months payments).
- Rental/Lease Agreement Information (if applicable to household income).
- Bankruptcy Filing (if currently open/in process).

Do Not Forward Copies of these documents to the Trustee or the State of Nevada Foreclosure Mediation Program at this time.

You will receive instructions from your mediator on when and where to send your documents.



State of Nevada Foreclosure Mediation Program

200 Lewis Avenue, 17th Floor
Las Vegas, NV 89101
(702) 486-9380

201 South Carson Street, Suite 250
Carson City, NV 89701
(775) 687-9816

(888) 421-3004 - Rural Nevada

foreclosure.nevadajudiciary.us

Important Information! Please Read.

You may have a right to mediation.

Foreclosure mediation is available to Nevada homeowners of owner-occupied residential property after a Notice of Default has been filed with a County Recorder (NRS 107.086).

You must act quickly.

An eligible homeowner of an owner-occupied residential property has thirty (30) days to request mediation after receipt of a Notice of Default. To participate, homeowners complete an Election/Waiver Form, sent by the homeowner's lender, and submit a non-refundable mediation fee of \$200 to the State of Nevada Foreclosure Mediation Program.

The State of Nevada provides an opportunity to meet with your lender.

Foreclosure mediation provides eligible homeowners with the option to meet face-to-face with their lender and discuss alternatives to foreclosure. Lender representatives must have the authority to negotiate and modify the terms of a loan. Mediations often result in loan modification, a short sale agreement, or other resolution.

Questions?

Contact us by telephone or visit our website, foreclosure.nevadajudiciary.us.

Homeowner Education and Legal Aid Programs

The following programs provide free legal assistance and foreclosure education to Nevada homeowners:

- ***Home Again Nevada***
(855) 457-4638
- ***Financial Guidance Center***
(800) 451-4505
- ***Nevada Legal Services***
(877) 693-2163
- ***Legal Aid Center of Southern Nevada***
(702) 868-1147
- ***Civil Law Self-Help Center***
Regional Justice Center - Las Vegas
200 Lewis Avenue, First Floor
Walk-in hours: 8:00 am-4:00 pm (M-F)

Mediation provides eligible homeowners with the option to meet face-to-face with their lender to discuss alternatives to foreclosure.



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

Nationstar Mortgage, LLC
350 Highland Drive
Lewisville, TX 75067

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

Nationstar Mortgage, LLC
350 Highland Drive
Lewisville, TX 75067

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

Nationstar Mortgage, LLC
350 Highland Drive
Lewisville, TX 75067

2. The full name and last known business address of the current and every prior known beneficiary of the Deed of Trust, is:

Nationstar Mortgage, LLC
350 Highland Drive
Lewisville, TX 75067

Bank of America, N.A.
901 George Washington
Wichita, KS 67211-3901

Federal Home Loan Mortgage Corporation
5000 Plano Parkway
Carlton, TX 75010

3. The beneficiary, successor in interest of the beneficiary has actual or constructive possession of the note secured by the Deed of Trust.
4. The trustee has been authorized to exercise the power of sale under Chapter 107 of NRS with respect to the property encumbered by the Deed of Trust, pursuant to the instruction of the beneficiary of record (or the authorized representative of the same) and the current holder of the note secured by the Deed of Trust (or the authorized representative of the same).



5. 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:

I. ACTUAL

Original Principal Balance	\$ 190,535.00	
Current Unpaid Principal Balance		\$ 104,935.18
Amount of Missed Payment (PITI)	\$ 32,786.25	
# of Payments 1M	\$ 1,899.85	
# of Payments 16M	\$ 1,930.40	
# of Payments	\$	
Interest Due: 17M	Rate 5.250%	10/01/2011 TO 03/12/2013 \$ 7,970.56
Interest Due: 11D	Rate 5.250%	Per Diem (\$15.09) \$
Interest Due:	Rate	\$
Actual Fees Charged:		
Late Charges		\$0.00
NSF Fees		\$0.00
Attorney's Fees		\$0.00
Foreclosure or Trustee Fees		\$0.00
Legal Costs (Non-Judicial Foreclosure)		\$0.00
Legal Costs		\$0.00
Title Costs		\$0.00
Recorder Costs		\$0.00
Appraisal or BPO Costs		\$0.00
Property Inspection Costs		\$0.00
Tax Advances (Non Escrow)		\$2,859.02
Insurance Advances (Non Escrow)		\$1,999.37
Escrow Shortage (Not included in Payments)		\$0.00
HOA Advances		\$0.00
Other		\$0.00
Total		\$117,764.13

ESTIMATE

II. Good faith estimate of all fees and costs to be imposed by the beneficiary or its representative because of the default (exclusive of items in I and III) is \$_ 8400

III. Good faith estimate of the total costs and fees to imposed in connection with the exercise of the power of sale (exclusive of items in I and II) is \$ __2,800.00 (estimated) __.



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

<u>August 8, 2003</u> Date	<u>0585813</u> Document Instrument Number (Reference #)	<u>Deed of Trust</u> Name of Document Conveying Interest of Beneficiary
<u>January 7, 2013</u> Date	<u>0815762</u> Document Instrument Number (Reference #)	<u>Assignment of Deed of Trust</u> Name of Document Conveying Interest of Beneficiary

Dated this 26 day of March, 2013.

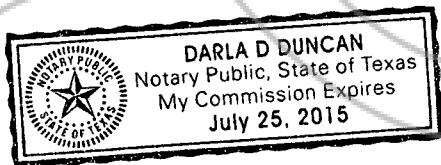
Affiant Name: Sherry Sumerauer

Signed By: Sherry Sumerauer

Print Name: Sherry Sumerauer
Nationstar Mortgage, LLC Assistant Secretary

STATE OF TEXAS)
COUNTY OF Denton) ss:

On this 26 day of Mar, 2013, personally appeared before me, a Notary Public, in and for said County and State, Sherry Sumerauer, known to me to be the persons described in and who executed the foregoing instrument in the capacity set forth therein, who acknowledged to me that he/she executed the same freely and voluntarily and for the uses and purposes therein mentioned.



[Signature]
NOTARY PUBLIC IN AND FOR
SAID COUNTY AND STATE