

DOC # 823266
05/09/2013 02:16PM Deputy: AR
OFFICIAL RECORD
Requested By:
First American National De
Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 10 Fee: \$223.00
BK-513 PG-2257 RPTT: 0.00



A.P.N.: 1220-08-802-014
WHEN RECORDED MAIL TO:
MILES, BAUER, BERGSTROM & WINTERS, LLP
2200 Paseo Verde Pkwy., Suite 250
Henderson, NV 89052
(702) 369-5960

RECORDING REQUESTED BY
FIRST AMERICAN TITLE INSURANCE COMPANY

Order No.: 6766373
TS No.: 12-NV0283

Pursuant to A.B. 140 section (4) property address is:
1141 CENTERVILLE LANE
GARNERVILLE, NV 89460

THE UNDERSIGNED HEREBY AFFIRMS THAT THERE IS NO
SOCIAL SECURITY NUMBER CONTAINED IN THIS DOCUMENT

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

NOTICE IS HEREBY GIVEN THAT: JEREMY T. BERGSTROM, ESQ. is the duly appointed Trustee under a Deed of Trust dated September 14, 2004, executed by MARY A REILEY AND DANIEL H REILEY, WIFE AND HUSBAND AS JOINT TENANTS, as trustor in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR FIRST HORIZON HOME LOAN CORPORATION, recorded September 20, 2004, under Instrument No. 0624593 BK 0904 PG 07718, and a Loan Modification, recorded on June 9, 2005, under Instrument No. 0646428 BK 0605 PG 3554, of Official Records in the office of the County recorder of DOUGLAS County, Nevada, securing, among other obligations.

Including ONE (1) NOTE(S) FOR THE ORIGINAL sum of \$325,600.00, that the beneficial interest under such Deed of Trust and the obligations secured hereby are presently held by THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK, AS TRUSTEE FOR THE HOLDERS OF THE CERTIFICATES, FIRST HORIZON MORTGAGE PASS-THROUGH CERTIFICATES SERIES FHASI 2005-5, BY FIRST HORIZON HOME LOANS, A DIVISION OF FIRST TENNESSEE BANK NATIONAL ASSOCIATION, MASTER SERVICER, IN ITS CAPACITY AS AGENT FOR THE TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT; 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 AND INTEREST WHICH BECAME DUE ON January 1, 2012 AND ALL SUBSEQUENT INSTALLMENTS, TOGETHER WITH LATE CHARGES AS SET FORTH IN SAID NOTE AND DEED OF TRUST, ADVANCES, ASSESSMENTS AND ATTORNEY FEES, IF ANY.



NOTHING IN THIS NOTICE SHALL BE CONSTRUED AS A WAIVER OF ANY FEES OWING TO THE BENEFICIARY UNDER THE DEED OF TRUST, PURSUANT TO THE TERMS OF THE LOAN DOCUMENTS.

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COPY



T.S. No.: 12-NV0283

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.

If you are the borrower/homeowner whose principal residence is the subject of this notice, you may contact Nationstar Mortgage, LLC at 888-480-2432 to discuss the possibility of negotiating a loan modification;

You can contact your United States Department of Housing and Urban Development local housing counseling agency at Las Vegas Field Office, 300 S. Las Vegas Blvd., Suite 2900, Las Vegas, NV 89101-5833 at (702) 366-2100, Fax (702) 388-6244 to discuss options that may be available to you.

Please complete the attached "Mediation Request Statement Form" wherein you may indicate your election to enter into or waive mediation. Upon completion of this form, please return it to the trustee and to the court by certified mail, return receipt requested, not later than 30 days after you receive this notice. Enclosed is a self addressed envelope addressed to the trustee, and one envelope addressed to the Administrative Office of the Courts. If you waive your election to mediation or fail to return this form to the trustee by certified mail, the trustee will proceed with the foreclosure sale, and no mediation will be required.

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, or in the case of owner-occupied housing, no later than 5 days before the date of sale, 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-NV0283

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

MILES, BAUER, BERGSTROM & WINTERS, LLP
2200 Paseo Verde Pkwy., Suite 250
Henderson, NV 89052
Phone: (702) 369-5960
Fax: (702) 942-0411

Dated: May 8, 2013

JEREMY T. BERGSTROM, as trustee

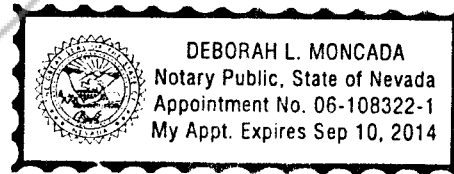
By: 
Jeremy T. Bergstrom, Esq.

State of NEVADA
County of CLARK

On May 8, 2013 before me, Deborah L. Moncada, Notary Public, personally appeared as Jeremy T. Bergstrom, Esq., personally known to me (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 he executed the same in his authorized capacity, and that by his 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 Deborah L. Moncada (Seal)
Notary Public in and for said County and State





Coversheet with breakdown of calculated average

Enclosed is our good faith estimate of the total costs and fees to be imposed in connection with the exercise of the power of sale as of October 3, 2012:

Trustee Fee	\$600.00
Estimated Costs (recording, statutory mailing)	\$300.00
TSG Fee	\$650.00
Posting & Publication Fee	\$500.00
Total	\$2,050.00



TS No: 12-NV0283
APN: 1220-08-802-014

AB284 Affidavit

AFFIDAVIT OF AUTHORITY TO EXERCISE THE
POWER OF SALE

Borrower/Trustor:
MARY A REILEY AND DANIEL H
REILEY, WIFE AND HUSBAND AS
JOINT TENANTS

Trustee Address:
2200 Paseo Verde Pkwy., Suite 250
Henderson, NV 89052

Property Address:
1141 Centerville Lane
Garnerville, NV 89460

Deed of Trust Document Instrument
Number
INS. NO. 624593 BK. 0904 PG. 07718,
AS MODIFIED BY INS. NO. 0646428
BK. 0605 PG. 3554

STATE OF TEXAS)
) ss:
COUNTY OF DENTON)

The affiant, Barbara Kraemer, being first duly sworn upon oath, attest that I am an individual over the age of eighteen years and an employee of Nationstar Mortgage LLC and am employed in the capacity of Limited Vice President. I have obtained personal knowledge of the information stated herein based upon my review of loan servicing records, and/or recorded documents or public records. I am familiar with the manner that the records are kept and maintained by employees of Nationstar Mortgage LLC.

To the best of my knowledge, the following is true and accurate:

- A. All records have been maintained in the ordinary course of business, updated at, or near the time of the events recorded and/or described therein;
- B. Nationstar Mortgage LLC is the current Beneficiary of the Deed of Trust or the authorized representative of the Beneficiary of the Deed of Trust described above, and described in the Notice of Default and Election to Sell to which this affidavit is attached;
- C. Pursuant to NRS 107.080(c):

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1. The full name and business address of the current Trustee or the Trustee's representative or assignee is:

<u>Jeremy T. Bergstrom, Esq.</u>	<u>2200 Paseo Verde Pkwy., Suite 250</u>
Full Name	Henderson, Clark County, Nevada 89052
	Street, City, County, State, Zip

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

<p>THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK, AS TRUSTEE FOR THE HOLDERS OF THE CERTIFICATES, FIRST HORIZON MORTGAGE PASS-THROUGH CERTIFICATES SERIES FHASI 2005-5, BY FIRST HORIZON HOME LOANS, A DIVISION OF FIRST TENNESSEE BANK NATIONAL ASSOCIATION, MASTER SERVICER, IN ITS CAPACITY AS AGENT FOR THE TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT</p>	<p><u>4000 HORIZON WAY</u> <u>IRVING, DALLAS COUNTY, TX 75063</u></p> <p>Street, City, County, State, Zip</p>
Full Name	

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

<p>THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK, AS TRUSTEE FOR THE HOLDERS OF THE CERTIFICATES, FIRST HORIZON MORTGAGE PASS-THROUGH CERTIFICATES SERIES FHASI 2005-5, BY FIRST HORIZON HOME LOANS, A DIVISION OF FIRST TENNESSEE BANK NATIONAL ASSOCIATION, MASTER SERVICER, IN ITS CAPACITY AS AGENT FOR THE TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT</p>	<p><u>4000 HORIZON WAY</u> <u>IRVING, DALLAS COUNTY, TX 75063</u></p> <p>Street, City, County, State, Zip</p>
Full Name	



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

Full Name

350 HIGHLAND DRIVE
LEWISVILLE, DENTON COUNTY, TX 75063

Street, City, County, State, Zip

2. 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
F/K/A THE BANK OF NEW YORK, AS
TRUSTEE FOR THE HOLDERS OF THE
CERTIFICATES, FIRST HORIZON
MORTGAGE PASS-THROUGH
CERTIFICATES SERIES FHASI 2005-5,
BY FIRST HORIZON HOME LOANS, A
DIVISION OF FIRST TENNESSEE BANK
NATIONAL ASSOCIATION, MASTER
SERVICER, IN ITS CAPACITY AS
AGENT FOR THE TRUSTEE UNDER
THE POOLING AND SERVICING
AGREEMENT

Full Name

4000 HORIZON WAY
IRVING, DALLAS COUNTY, TX 75063

Street, City, County, State, Zip

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC. AS
NOMINEE FOR FIRST HORIZON LOAN
CORPORATION

Full Name

P.O. BOX 2026
FLINT, GENESEE COUNTY, MI 48501-2026

Street, City, County, State, Zip

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		\$ 366,300.00
Current Unpaid Principal Balance		\$ 332,294.51
Amount of Missed Payment (PITI)	\$ 40,428.84	
# of Payments 6Month	\$ 2,464.79	
# of Payments 4Month	\$ 2,545.62	
# of Payments 5Month	\$ 2,533.40	
# of Payments 1Month	\$ 2,790.62	
Interest Due:	Rate: 6.125% 12/1/11 To 4/2/13	\$ 27,193.20
Interest Due: 16Month	Rate 6.125% \$ 1,696.09	\$
Interest Due: 1 Day	Rate 6.125% \$ 55.76 (per diem)	\$
Actual Fees Charged:		
Late Charges		\$ 0.00
NSF Fees		\$ 0.00
Attorney's Fees		\$ 0.00
Legal Costs (Non-Judicial Foreclosure)		\$ 0.00
Legal Costs		\$ 835.00
Title Costs		\$ 0.00
Appraisal or BPO Costs		\$ 3.00
Property Inspection Costs		\$ 63.00
Tax Advances (Non Escrow)		\$ 3,371.64
Insurance Advances (Non Escrow)		\$ 1,466.58
Escrow Shortage (not included in Payments)		\$ 0.00
HOA Advances		\$ 0.00
Other		\$ 0.00
Suspense		\$ 0.00
Total		\$ 365,226.93

ESTIMATE

II. Good faith estimate of all fees and costs to be imposed by the Beneficiary or its representative because of the default is \$ 8,400.00.

III. Good faith estimate of the total costs and fees to be imposed in connection with the exercise of the power of sale is \$2,050.00.



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

July 23, 2012		806838 BK. 812 PG. 138		ASSIGNMENT OF DEED OF TRUST
Date		Document Instrument Number		Name of Document Conveying Interest of Beneficiary

November 19, 2012		815372 BK. 1212 PG. 8036		CORRECTIVE ASSIGNMENT OF DEED OF TRUST
Date		Document Instrument Number		Name of Document Conveying Interest of Beneficiary

September 14, 2004		INS. NO. 624593 BK. 0904 PG. 07718, AS MODIFIED BY INS. NO. 0646428 BK. 0605 PG. 3554		DEED OF TRUST
Date		Document Instrument Number		Name of Document Conveying Interest of Beneficiary

Dated this 9th day of April, 2013.

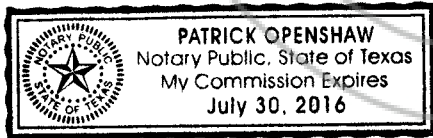
Affiant Name: Barbara Kraemer, Limited Vice President

Signature: *Barbara Kraemer* 4/9/13

STATE OF TEXAS)

COUNTY OF DENTON) ss:

On this 9th day of April, 2013, personally appeared before me, a Notary Public, in and for said County and State, Barbara Kraemer, 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.



Patrick Openshaw
NOTARY PUBLIC IN AND FOR
SAID COUNTY AND STATE