

DOC # 831013
09/20/2013 01:37PM Deputy: AR
OFFICIAL RECORD
Requested By:
Servicelink San Bernardino
Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 6 Fee: \$219.00
BK-913 PG-4770 RPTT: 0.00

APN 1420-35-310-028

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:
TRUSTEE CORPS
17100 Gillette Ave
Irvine, CA
92614



TS No. NV05000075-13-1
Property Address: 2659 SKYLINE DRIVE MINDEN, NV 89423

TO No. 1502355

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

NOTICE IS HEREBY GIVEN THAT: MTC FINANCIAL INC. dba TRUSTEE CORPS is either the original Trustee, the duly appointed substituted Trustee, or acting as agent for the Trustee or Beneficiary under a Deed of Trust dated as of September 18, 2008, executed by WARREN J. TALBOT AND MARION I. TALBOT, WHO ARE MARRIED TO EACH OTHER, as Trustor, to secure obligations in favor of BANK OF AMERICA, N.A. as original Beneficiary, recorded October 3, 2008 as Instrument No. 0731000 in Book 1008, on Page 420 of official records in the Office of the County Recorder of Douglas County, Nevada; and that

The Deed of Trust secures the payment of and the performance of certain obligations, including, but not limited to, the obligations set forth in that certain Promissory Note with a face amount of \$362,500.00 (together with any modifications thereto the "Note"); and that

A breach of, and default in, the obligations for which said Deed of Trust is security has occurred in that the Trustor has failed to perform obligations pursuant to or under the Note and/or Deed of Trust, specifically: failed to pay payments which became due August 1, 2012 AND ALL SUBSEQUENT INSTALLMENTS, ALONG WITH LATE CHARGES, PLUS FORECLOSURE COSTS AND LEGAL FEES. PLUS ALL OF THE TERMS AND CONDITIONS AS PER THE DEED OF TRUST, PROMISSORY NOTE AND RELATED LOAN DOCUMENTS.

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.



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TO No. 1502355

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 the statutory period set forth in Section NRS 107.080, 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.

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

GREEN TREE SERVICING LLC
c/o TRUSTEE CORPS
17100 Gillette Ave
Irvine, CA 92614
Phone No: 949-252-8300

Dated: September 19, 2013

TRUSTEE CORPS
as Duly Appointed Successor Trustee

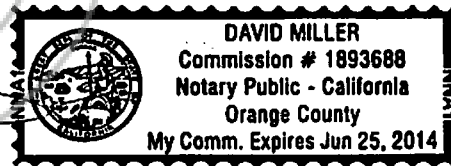
By: Amy Lemus, Authorized Signatory

State of CALIFORNIA
County of ORANGE

On September 19, 2013 before me, David Miller Notary Public in and for said county, personally appeared AMY LEMUS who 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.

I certify under PENALTY OF PERJURY under the laws of the State of CALIFORNIA that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Notary Public

Trustee Corps may be acting as a debt collector attempting to collect a debt.
Any information obtained may be used for that purpose.

To the extent your original obligation was discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.



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

Property Owners:

WARREN J. TALBOT
MARION I. TALBOT

Trustee Address:

17100 Gillette Ave
Irvine, CA 92614

Property Address:

2659 SKYLINE DRIVE
MINDEN, NV 89423

Deed of Trust Document Instrument Number:

0731000 Book 1008 Page 420

STATE OF ARIZONA)
) ss:
COUNTY OF MARICOPA)

The Affiant, LORI HENNESSEY, based on personal knowledge, which the Affiant acquired through a review of public records and business records kept in the regular course of business of the beneficiary, the successor in interest of the beneficiary, or the servicer of the obligation or debt secured by the Deed of Trust, and under penalty of perjury attests to the following information, as required by NRS 107.080(2)(c):

1. I am the 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").
2. I have personal knowledge of Green Tree Servicing LLC'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 Green Tree Servicing LLC in the course of regularly conducted business activity; and it is the regular practice of Green Tree Servicing LLC to make such records.
3. I have reviewed certain business records of Green Tree Servicing LLC concerning the Account, Note and Deed of Trust, referenced below, all as reflected by the records maintained by Green Tree Servicing LLC as they have been kept 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 on those business records, which meet the standards set forth in NRS 51.135.



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

| | |
|---|---------------------------|
| <u>MTC Financial Inc. dba Trustee Corps</u> | <u>17100 Gillette Ave</u> |
| Full Name | Street, City, State, Zip |
| | <u>Irvine, CA 92614</u> |

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

| | |
|---------------------------------|-------------------------------|
| <u>GREEN TREE SERVICING LLC</u> | <u>600 Landmark Towers</u> |
| Full Name | Street, City, State, Zip |
| | <u>345 Saint Peter Street</u> |
| | <u>St. Paul, MN 55102</u> |

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

| | |
|---------------------------------|-------------------------------|
| <u>GREEN TREE SERVICING LLC</u> | <u>600 Landmark Towers</u> |
| Full Name | Street, City, State, Zip |
| | <u>345 Saint Peter Street</u> |
| | <u>St. Paul, MN 55102</u> |

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

| | |
|---------------------------------|-------------------------------|
| <u>GREEN TREE SERVICING LLC</u> | <u>600 Landmark Towers</u> |
| Full Name | Street, City, State, Zip |
| | <u>345 Saint Peter Street</u> |
| | <u>St. Paul, MN 55102</u> |

5. 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 or the beneficiary, its successor in interest, or the trustee is entitled to enforce the obligation or debt secured by the Deed of Trust.



- 6. The beneficiary, its successor in interest, the servicer of the obligation or debt secured by the Deed of Trust, the trustee or an attorney representing any of those persons/entities has sent the obligor or borrower of the obligation or debt secured by the Deed of Trust a written statement of:
 - a. The amount of payment required to make good the deficiency in performance or payment, avoid the exercise of the power of sale and reinstate the terms and conditions of the underlying obligation or debt existing before the deficiency in performance or payment, as of the date of the statement;
 - b. The amount in default;
 - c. The principal amount of the obligation or debt secured by the Deed of Trust;
 - d. The amount of accrued interest and late charges;
 - e. A good faith estimate of all fees imposed in connection with the power of sale; and
 - f. Contact information for obtaining the most current amounts due and the local or toll-free telephone number that the obligor or borrower of the obligation or debt may call to receive the most current amounts due and a recitation of the information contained in this affidavit.

- 7. The obligor or borrower(s) of the obligation of debt may call (800) 201-1622 to explore loss mitigation alternatives or to receive the most current amounts due and a recitation of the information contained in this Affidavit.

- 8. Information regarding the instrument(s) that conveyed the interest of each beneficiary, and is based on:
 - a. the direct, personal knowledge of the Affiant, which the Affiant acquired independently, or
 - b. by a review of the business records of the beneficiary, the successor in interest of the beneficiary or the servicer of the obligation or debt secured by the Deed of Trust (which meet the standards set forth in NRS 51.135),
 - c. by a review of information contained in the records of the recorder of the county in which the property is located, or
 - d. by a review of the title guaranty or title insurance issued by a title insurer or title agent authorized to do business in Nevada pursuant to chapter 692A of NRS:

| | | |
|------------|--------------------|--------------------------|
| 05/31/2013 | 0824506 | GREEN TREE SERVICING LLC |
| Date | Recordation Number | Name of Assignee |

- 9. The beneficiary, its successor in interest or the servicer of the obligation or debt secured by the Deed of Trust has instructed the trustee to exercise the power of sale with respect to the property.



10. Following is the true and correct signature of the Affiant:

Dated: 9/17/13

GREEN TREE SERVICING LLC

By: Lori Hennessey, Foreclosure Supervisor

STATE OF ARIZONA
COUNTY OF MARICOPA

The foregoing instrument was acknowledged before me this 17 day of September, 2013 by LORI HENNESSEY, FORECLOSURE SUPERVISOR of Green Tree Servicing LLC, a Limited Liability Company, on behalf of the Company.

Notary for State of Arizona

324215

Commission expires: 5-2-17

