

APN: 1420-08-217-035

WHEN RECORDED MAIL TO:
Clear Recon Corp.
4375 Jutland Drive Suite 200
San Diego, California 92117

DOC # 831443
09/30/2013 12:04PM Deputy: AR
OFFICIAL RECORD
Requested By:
Servicelink Irvine
Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 5 Fee: \$218.00
BK-913 PG-7277 RPTT: 0.00



TS No.: 002267-NV

The undersigned hereby affirms that there is no Social Security number contained in this document. (N.R.S. 239B.030)

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

NOTICE IS HEREBY GIVEN THAT: CLEAR RECON CORP. is the duly appointed Trustee under a Deed of Trust dated 7/27/2007, executed by **GARY S. POLEY AND JODENE A. POLEY, HUSBAND AND WIFE AS JOINT TENANTS**, as trustor in favor of **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR HOME LOAN CENTER, INC., DBA LENDING TREE LOANS, ITS SUCCESSORS AND ASSIGNS**, recorded 7/30/2007, under instrument no. **0706487**, in book **0707**, page **10646**, of Official Records in the office of the County recorder of **Douglas**, County, Nevada securing, among other obligations.

One Note for the Original sum of **\$365,700.00**, 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:

Installment of Principal and Interest plus impounds and/or advances which became due on 10/1/2012 plus late charges, and all subsequent installments of principal, interest, balloon payments, plus impounds and/or advances and late charges that become payable.

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 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.: 002267-NV

Property Address as identified in the Deed of Trust is: **3515 LONG DRIVE
MINDEN, NV 89423**

HUD Approved local counseling agency: Housing for Nevada
1(877) 649-1335

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

CitiMortgage, Inc.
1000 Technology Drive
O'Fallon, MO 63368
Phone: (800) 283-7918

Loan Modification contact information: CitiMortgage, Inc., Loss Mitigation Dept. (800) 283-7918

For Foreclosure status, contact:
Clear Recon Corp.
4375 Jutland Drive Suite 200
San Diego, California 92117
Phone: 858-750-7600

Dated: **SEP 28 2013**

CLEAR RECON CORP.

By: *Hamsa Uchi*
Hamsa Uchi
Authorized Signatory for Trustee

State of California }ss
County of San Diego }

On **SEP 28 2013** before me **BRETT TAYLOR WRAY** Notary Public, personally
appeared *Hamsa Uchi* 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.

Signature *Brett Taylor Wray* (Seal)





APN: 1420-08-217-035

Foreclosure No.: 002267-NV

AFFIDAVIT OF AUTHORITY TO EXERCISE THE POWER OF SALE

Property Owners:
GARY S. POLEY
JODENE A. POLEY

Trustee Address:
4375 Jutland Drive Suite 200
San Diego, California 92117

Property Address:
3515 LONG DRIVE
MINDEN, NV 89423

Deed of Trust Document Instrument
Number:
0706487
Recorded Date: **7/30/2007**

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

COMES NOW Debra Carroll, who being first duly sworn, deposes and says:

1. I am employed as a Vice President - Document Control of CitiMortgage, Inc., the beneficiary of the Deed of Trust recorded as instrument number 0706487, County of Douglas, Nevada (the "Deed of Trust").
2. I am authorized to execute this Affidavit of Authority to Exercise the Power of Sale (this "Affidavit") on behalf of CitiMortgage, Inc. the statements made in this Affidavit are based on my personal knowledge, which I acquired through a review of 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.
3. In my capacity as a Vice President - Document Control, I have personal knowledge of CitiMortgage, Inc.'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 CitiMortgage, Inc. in the course of regularly conducted business activity. I have reviewed certain business records of CitiMortgage, Inc. concerning the Loan, Note and Deed of Trust, referenced below. It was the regular practice of that business activity to make or maintain such records at or near the time of the act, transaction, occurrence or event, or within a reasonable time thereafter by, or from information transmitted by, persons with knowledge. The information in this affidavit is based on those business records.



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

Clear Recon Corp.
Full Name

4375 Jutland Drive, Suite 200
San Diego CA 92117
Street, City, County, State, Zip

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

CitiMortgage, Inc.
Full Name

1000 Technology Drive
O'Fallon, MO 63368
Street, City, County, State, Zip

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

CitiMortgage, Inc.
Full Name

1000 Technology Drive
O'Fallon, MO 63368
Street, City, County, State, Zip

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

CitiMortgage, Inc.
Full Name

1000 Technology Drive
O'Fallon, MO 63368
Street, City, County, State, Zip

8. The beneficiary, successor in interest of the beneficiary, or trustee of the Deed of Trust, is in 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.

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. 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.

11. A 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 the affidavit is (800) 283-7918.

12. The following is information regarding the instrument(s) that conveyed the interest of each beneficiary, and is based on the direct, personal knowledge of the affiant, which was acquired independently by the affiant or by (a) 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 meets the standards set forth in NRS 51.135), (b) a review of information contained in the records of the recorder of the county in which the property is located, or (c) 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:

Date: 07/30/2007
 Recordation Number: 0706487
 Name of Beneficiary: Mortgage Electronic Registration Systems, Inc., As Nominee for Home Loan Center, Inc., dba LendingTree Loans, Its Successors and Assigns
 Description of Instrument: Deed of Trust

Date: 04/11/2013
 Recordation Number: 0821521
 Name of Assignee: CitiMortgage, Inc.
 Description of Instrument: Assignment of Deed of Trust

13. Following is the true and correct signature of the affiant. The affiant declares under penalty of perjury of the State of Nevada that the foregoing statements are true and correct.

Debra Carroll 9/26/13

AFFIANT-Debra Carroll

Date: 9/26/13

Subscribed and sworn before me this 26
 day of September, 2013, by
Debra Carroll
 Notary Public in and for the
 State of Nevada
 County of Clark
 Notary Signature *[Signature]* 9/26/2013

MARIE O. ONGSIACO
 Notary Public - Notary Seal
 State of Nevada
 Clark County
 Commission #12-8050-1
 My Commission Expires May 25, 2016