

DOC # 837146
01/22/2014 10:12AM Deputy: SG
OFFICIAL RECORD

Requested By:
Title Service and Escrow -
Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 6 Fee: \$219.00
BK-114 PG-3516 RPTT: 0.00



Order No. TSL-37083-F-SL
APN NO. 1220-21-710-205

WHEN RECORDED MAIL TO:
TITLE SERVICE AND ESCROW CO.
215 W BRIDGE STREET STE 1
YERINGTON, NV 89447

SPACE ABOVE FOR RECORDER'S USE ONLY

NOTICE OF DEFAULT AND ELECTION TO SELL

TO WHOM IT MAY CONCERN:

WHEREAS, KEVIN L. LEBERTH AND KIMBERLY D. LEBERTH, husband and wife as Trustor did execute a Deed of Trust wherein STEWART TITLE OF DOUGLAS COUNTY, a Nevada corporation is Trustee for UNITED STATES OF AMERICA ACTING THROUGH THE RURAL HOUSING SERVICE OR SUCCESSOR AGENCY, UNITED STATES DEPARTMENT OF AGRICULTURE Beneficiary, as security for payment of their Promissory Note made, executed and delivered on September 28, 2001, to said Beneficiary, and which said Deed of Trust was recorded in the Official Records of Douglas County, Nevada, on September 28, 2001, as Document No. 524036 Book 0901 Page 8302-8308; encumbering property located at 1328 Victoria Drive Gardnerville, NV 89410 ;and

WHEREAS, Title Service and Escrow Company, a Nevada corporation is either the present Trustee, or Substituted Trustee;and

WHEREAS, a breach of the obligation for which said Deed of Trust is security has occurred in that default has been made in the payment of the installment of principal and/or interest which became due on April 28, 2013, and in the payment of such subsequent installments that became due, also in the payment of any Real and/or Personal property Taxes which may be delinquent and the premiums for Policy or Policies of Fire Insurance which may be due or overdue and all costs in connection with this foreclosure, including but not limited to reasonable Attorneys Fees, Trustees Fees, Trustees Sale Guarantee and all expenses of Trustee.

NOTICE IS HEREBY GIVEN that the Beneficiary has elected to consider all unpaid balance of principal and the interest accrued thereon to be due in consequence of said default, all in accordance with the terms of said Promissory Note and Deed of Trust and the Beneficiary has elected to sell or cause to be sold the Real and Personal Property described in said Deed of Trust, to satisfy said obligation.



Beneficiary of record and the current holder of the note secured by the Deed of Trust evidenced by the Documents stated above, has authorized trustee to exercise the power of sale with respect to the property described therein, and trustee has attached **THE NRS 107.080 Compliance Affidavit as an Exhibit -A-**.

The provisions of sections 2 to 16, inclusive, in Senate Bill No. 321 do not apply to this particular financial institution as defined in NRS 660.045. Said beneficiary or financial institution has foreclosed on 100 or fewer real properties located in the State which constitutes owner-occupied housing. As defined in NRS 107.086

YOU MAY HAVE the right to cure, mediate, or negotiate the default and reinstate the obligation, secured by the Deed of Trust described herein. To determine your available options you should immediately contact trustee. of your Beneficiary. To get any information on this foreclosure, contact the office of Title Service and Escrow Company, 215 W. Bridge Street, Yerington NV 89447, Trustee telephone no. 775-463-3518, between the hours of 9:00am and 5:00pm, Monday through Friday or your Beneficiary at 1390 S. Curry Street, Carson City NV 89703, telephone No. 775-887-1222.

DATED January 22, 2014

TITLE SERVICE AND ESCROW COMPANY

by: Staci Lindberg
Staci Lindberg, Foreclosure OFCR.

STATE OF NEVADA)
) ss.
COUNTY OF LYON)

This instrument was acknowledged before me on January 22, 2014 by Staci Lindberg, Foreclosure Officer for TITLE SERVICE AND ESCROW COMPANY.

C. Sahagun
Notary Public

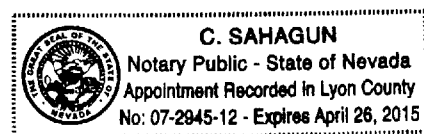




Exhibit -A-

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

Property Owners:
KEVIN L. LEBERTH AND
KIMBERLY D. LEBERTH

Property Address:
1328 Victoria Drive
Gardnerville, NV 89410

Deed of Trust Document Instrument
Number:
524036 Book 0901 Page 8302-8308

STATE OF NEVADA)
) ss:
COUNTY OF LYON)

The affiant, Staci Lindberg, Foreclosure officer for Trustee, being first duly sworn upon oath, based on personal knowledge, and under penalty of perjury attests that I am the beneficiary or trustee, or the authorized representative of the beneficiary or trustee, entitled to enforce the obligation or debt secured by 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, Review of Business Records or a Search of Public Record and under penalty of perjury, to the following information, as required by NRS 107.080(2) (c):

I further attest the Beneficiary or 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.

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

TITLE SERVICE AND ESCROW COMPANY, A NEVADA CORPORATION
STACI LINDBERG, FORECLOSURE OFFICER FOR TRUSTEE
215 W. BRIDGE STREET STE 1
YERINGTON, NV 89447
EMAIL: SLINDBERG@TITLESERVICEANDESCROW.COM
PHONE: 775-463-3518 FAX: 775-463-5144



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

UNITED STATES OF AMERICA ACTING THROUGH THE RURAL HOUSING SERVICE OR SUCCESSOR AGENCY, UNITED STATES DEPARTMENT OF AGRICULTURE
1390 S. Curry Street
Carson City NV 89703

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

UNITED STATES OF AMERICA ACTING THROUGH THE RURAL HOUSING SERVICE OR SUCCESSOR AGENCY, UNITED STATES DEPARTMENT OF AGRICULTURE
1390 S. Curry Street
Carson City NV 89703

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

USDA Centralized Servicing Center
4300 Goodfellow Blvd., Bldg 105E
St. Louis, MO 63120

2. 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 that the beneficiary or its successor in interest or the trustee is entitled to enforce the obligation or debt secured by the Deed of Trust. For the purposes of this subparagraph, if the obligation or debt is an instrument as defined in subsection 2 of NRS 104.3103, a beneficiary or its successor in interest or the trustee is entitle to enforce the instrument if the beneficiary or its successors in interest or the trustee is:
 - (I) The holder of the instrument
 - (II) A nonholder in possession of the instrument who has the rights of a holder; or
 - (III) A person not in possession of the instrument who is entitle to enforce the instrument pursuan to a court order issued under NRS 104.3309

3. The beneficiary [successor in interest of the beneficiary][servicer of the obligation or debt secured by the deed of trust] [trustee] [attorney representing the beneficiary] has sent to the obligor or borrower of the obligation or debt secured by the deed of trust a written statement containing the following information:
 - a. The amount of payment required to make good the deficiency in performance of payment, avoid the exercise the power of sale and reinstate the terms and conditions of the underlying obligation or debt existing before the deficiency in the performance or payment, as of the date of this statement



- b. Amount in Default
 - c. The amount of fees charged to the debtor in connection with the exercise of power of sale.
 - d. The principal amount secured by the Deed of Trust.
 - e. The amount of the accrued interest and late charges
 - f. A good faith estimate of all fees imposed and to be imposed because of the default
 - g. Contact Information for obtaining the most current amounts due and the local or toll free telephone number described in Subparagraph (4)
 - h. 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 \$ ZERO
4. The local or toll-free telephone number that may be called by the obligor or borrower of the obligation or debt to receive the most current amounts due and a recitation of the information contained in this affidavit is (775-463-3518) .
5. The following is information regarding the instrument(s) that conveyed the interest of each beneficiary:

September 28, 2001	0524036	Deed of Trust
<hr/>	<hr/>	<hr/>
Date	Document Instrument Number	Name of Document Conveying Interest of Beneficiary

(List information regarding prior instruments in the same format)

6. Following is the true and correct signature of the affiant:

Dated this 22 day of January, 2014.

Affiant Name: STACI LINDBERG

Signed By: Staci Lindberg

Print Name: STACI LINDBERG



STATE OF NEVADA)
) ss:
COUNTY OF LYON)

On this 22nd day of January, 2014, personally appeared before me, a Notary Public, in and for said County and State, Staci Lindberg, known to me to be the person 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.

C. Sahagun

NOTARY PUBLIC IN AND FOR
SAID COUNTY AND STATE

