

Recording requested by:

LSI Title Company

When Recorded Mail To:

BARRETT DAFFIN FRAPPIER TREDER &
WEISS, LLP

4004 Belt Line Road, Suite 100

Addison, Texas 75001-4320

APN #: 142029810034

Propety Address:

1163 CASA BLANCA COURT

MINDEN, NEVADA 89423



DFF00000006060628

Space above this line for Recorder's use only

The undersigned hereby affirms that there is no social security number contained in this document (Per NRS 239B.030)

Trustee Sale No. : 00000006060628

Title Order No.: 160167517

**IMPORTANT NOTICE
NOTICE OF BREACH AND ELECTION TO SELL UNDER
DEED OF TRUST**

NOTICE IS HEREBY GIVEN THAT: BARRETT DAFFIN FRAPPIER TREDER & WEISS, LLP is the duly appointed Trustee, under a Deed of Trust dated 08/17/2007, executed by WOLFGANG KOHZ, AND JUDITH KOHZ, HUSBAND AND WIFE AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP, as Trustor to secure certain obligations in favor of COUNTRYWIDE BANK, FSB under a Deed of Trust, Recorded on 08/28/2007 as Instrument No. 0708256 of Official Records in the office of the County recorder of DOUGLAS County, State of Nevada securing, among other obligations, one (1) note(s) for the Original sum of \$295,000.00.

That a breach of the obligations for which such Deed of Trust is security has occurred in that payment has not been made of:

THE INSTALLMENT OF PRINCIPAL AND INTEREST WHICH BECAME DUE ON 8/1/2011 AND ALL SUBSEQUENT INSTALLMENTS, TOGETHER WITH LATE CHARGES AS SET FORTH IN SAID NOTE AND DEED OF TRUST, ADVANCES, ASSESSMENTS, FEES, AND/OR TRUSTEE 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.

NOTICE

You may have the right to cure the default herein and reinstate the obligation secured by said Deed of Trust above

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described. Section 107.080 NRS permits certain defaults to be cured upon the payments 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 statutory period set forth in section 107.080 NRS, the right of reinstatement will terminate and the property may thereafter be sold.

Pursuant to the attached Affidavit, the present Beneficiary under such Deed of Trust 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.

HUD approved local Counseling Agency: HOUSING OF NEVADA
(877)649-1335

For information relating to the foreclosure status of the property and or to determine if a reinstatement is possible and the amount, if any, to cure the default, contact:

FAY SERVICING LLC
c/o BARRETT DAFFIN FRAPPIER TREDER & WEISS, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001-4320
(866) 795-1852

To reach a Loss Mitigation Representative who is authorized to negotiate a Loan Modification, please contact;

FAY SERVICING LLC
440 S. LASALLE ST.
20TH FLOOR
CHICAGO, IL 60605
800-495-7166

DATE: 3/8/2017

BARRETT DAFFIN FRAPPIER TREDER & WEISS, LLP

BY: Cheryl Asher
Cheryl Asher, Associate Attorney

If you have any questions, you should contact a lawyer or the government agency, which may have insured your loan.

**IMPORTANT NOTICE
NOTICE OF BREACH AND ELECTION TO SELL UNDER DEED OF TRUST**

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State of Texas

County of Dallas

Before me, Kathryn Orsak, on this day personally appeared Cheryl Asher, known to me (or proved to me on the oath of _____ or through (description of identity card or other document)) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of the purposes and consideration therein expressed.

Given under my hand and seal of office this 8 day of March, 2017



Kathryn Orsak

Notary Public's Signature

Borrower(s): WOLFGANG KOHZ and JUDITH KOHZ

Property Address: 1163 CASA BLANCA COURT
MINDEN, NV 89423

Trustee Sale Number: 00000006060628

DECLARATION OF COMPLIANCE

(SB 321 Section 11)

The undersigned, as an authorized employee of the mortgage servicer named below, hereby declares under the laws of the State of Nevada, that:

- The mortgage servicer has contacted the borrower pursuant to SB 321 Section 11(2) in order to assess the borrower's financial situation and explore options for the borrower to avoid a foreclosure sale. Thirty (30) days or more have passed since "initial contact" was made pursuant to SB 321 Section 11 (1)(b).
- The mortgage servicer tried with due diligence to contact the borrower pursuant to SB 321 Section 11(5) in order to assess the borrower's financial situation and explore options for the borrower to avoid foreclosure. Thirty (30) days or more have passed since the due diligence requirements set forth in SB 321 Section 11(5) were satisfied.
- No contact was required by the mortgage servicer because the individual did not meet the definition of borrower pursuant to SB 321 Section 3. The borrower is:
 - an individual who has surrendered the secured property as evidenced by either a letter confirming the surrender or the delivery of the keys to the property to the mortgagee, trustee, beneficiary, or authorized agent;
 - an individual who has filed a case under Chapter 7, 11, 12, or 13 of Title 11 of the United States Code and the bankruptcy court has not entered an order closing or dismissing the bankruptcy case, or granting relief from a stay of foreclosure.
- The requirements set forth in SB 321 Section 11 do not apply because the above-referenced loan is not a "residential mortgage loan" as defined by SB 321 Section 7. (A residential mortgage loan as defined by SB 321 Section 7 is a loan primarily for personal, family or household use and which is secured by a mortgage or deed of trust on owner-occupied housing as defined in NRS 107.086).

Dated: 6/7/2016

FAY SERVICING LLC.

By: Carlos O. De Jesus
Name: Carlos O. De Jesus
Title: Vice President

NEVADA DECLARATION OF AUTHORITY

(NRS § 107.080)

The undersigned declares under penalty of perjury of the laws of the State of Nevada as follows:

I am over the age of eighteen years. I am employed by Fay Servicing LLC, the current beneficiary or the authorized representative of the current beneficiary under a Deed of Trust:

Recorded on: 08/28/2007

Instrument #: 0708256

Book #:

in the Official Records of DOUGLAS County, Nevada ("the Deed of Trust"). The Deed of Trust secures a Note in the original principal sum of \$295,000.00 ("the Note").

I have personal knowledge of the facts stated herein based upon my personal review of the information contained in the following documents and records:

- ✓ Business records kept by the beneficiary, the successor in interest of the beneficiary, the current servicer of the obligation or debt secured by the Deed of Trust and/or prior loan servicers whose employees were responsible for creating and maintaining the records at or near the time of the events described therein in the regular and ordinary course of their business duties.

The current trustee is:

NAME: Barrett, Daffin, Frappier, Treder & Weiss, LLP
ADDRESS: 4004 Belt Line Road, Suite 100
Addison TX 75001

The current holder of the note is:

NAME: Citibank, N.A., Not In Its Individual Capacity, But
Solely As Trustee Of NRZ Pass-Through Trust VI
ADDRESS: 388 Greenwich St 14th FL New York NY 10013

The current beneficiary of record is:

NAME: Citibank, N.A., Not In Its Individual Capacity,
But Solely As Trustee Of NRZ Pass-Through Trust VI
ADDRESS: 388 Greenwich St 14th FL New York NY 10013

The current loan servicer is:

NAME: Fay Servicing, LLC
ADDRESS: 440 South La Salle St, Suite 2000
Chicago, IL 60605

The beneficiary or 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, has sent to the obligor or borrower of the obligation or debt secured by the Deed of Trust a written statement of:

1. The amount of payment required to make good the deficiency in performance 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
2. The amount in default
3. The principal amount of the obligation or debt secured by the Deed of Trust
4. The amount of accrued interest and late charges
5. A good faith estimate of all fees imposed in connection with the exercise of the power of sale
6. 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 herein

The beneficiary under the Deed of Trust, the successor beneficiary or the Trustee has actual or constructive possession of the Note secured by the Deed of Trust or is entitled to enforce the obligation or debt secured by the Deed of Trust.

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.

The Trustee may be reached at 972-386-5040 to obtain the most current amounts due and a recitation of the information contained herein.

Based on either the direct, personal knowledge of the Affiant; the personal knowledge which the affiant acquired 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; information contained in the records of the recorder of the county in which the property is located; or the Title Guaranty or title insurance issued by a title insurer or title agent authorized to do business in this state pursuant to chapter 292A of NRS:

The date, recordation number or other unique designation and the name of each assignee, under each recorded Assignment of the Deed of Trust are as follows:

Recorded Assignment(s): Bank of America, N.A., successor by merger to Countrywide Bank, N.A., F/K/A Countrywide Bank, FSB to Citibank, N.A., Not In Its Individual Capacity, But Solely As Trustee Of NRZ Pass-Through Trust VI
Recorded: 08/11/2016 Instrument No. 2016-885840

I declare under penalty of perjury of the laws of the State of Nevada that the foregoing facts are true and correct and that this Declaration was executed on MARCH 1, 2017.

Karen Bennett
[DECLARANT SIGNATURE]

Karen Bennett
[DECLARANT PRINTED NAME]

STATE OF Illinois }
COUNTY OF COOK } §

On this 1 day of March, 2017, personally appeared before me, a Notary Public, in and for said County and State, COOK, IL Karen Bennett 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.

Jacklyn M. Ferino

NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

