

DOUGLAS COUNTY, NV

2018-910132

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\$35.00 Pgs=3

02/07/2018 08:10 AM

TORY M. PANKOPF LTD.

KAREN ELLISON, RECORDER

APN 1420-34-610-047

Recording Requested By:

TORY M. PANKOPF, LTD.
9450 Double R Blvd., Suite B
Reno, Nevada 89521

Title of Document

NOTICE OF VIOLATION
(Transfers Title to Real Property)

AFFIRMATION Pursuant to NRS 239B.030

The undersigned does hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the social security number or personal information of any persons.

DATED: February 6th, 2018.

By:


Tory Pankopf

APN 1420-34-610-047

Recording Requested By:

TORY M. PANKOPF, LTD.
9450 Double R Blvd., Suite B
Reno, Nevada 89521

NOTICE OF VIOLATION OF NRS 107.080, 107.085, 107.086, and 107.400 thru 107.560

PLEASE TAKE NOTICE that Western Progressive – Nevada, Inc., Ocwen Loan Servicing, LLC, U.S. Bank N.A., as Trustee for Residential Funding Mortgage Securities I, Inc., Mortgage Pass-Through Certificates, Series 2005-SA5, have violated NRS 107.080, 107.085, 107.086, and 107.400 thru 107.560 by, among other things, recording the Notice of Default in the Recorder's Offices for the County of Douglas, Nevada, on April 26, 2017, as Document Number 2017-897786, and, thereafter recording the Notice of Sale as Document Number 2017-908607 setting the foreclosure sale of real property commonly described as: 1526 Downs Drive, Minden, Nevada, 89423, for February 7, 2018, at 1:00 p.m.; and more specifically described as:

All that certain real property situated in the County of Douglas, State of Nevada, described as follows:

LOT 20, IN BLOCK 4, AS SET FORTH ON THE FINAL SUBDIVISION MAP LDA# 01-069 FOR BRAMWELL HOMESTEAD FILED FOR RECORD IN THE OFFICE OF THE DOUGLAS COUNTY RECORDER, ON AUGUST 12, 2002, IN BOOK 0802, AT PAGE 3324, AS DOCUMENT NO. 549307, OF OFFICIAL RECORDS.

APN 1420-34-610-047 ("Property")

PLEASE TAKE FURTHER NOTICE that Parties are precluded from recording a notice of default or notice of sale and/or conducting a foreclosure sale prior to complying with NRS 107.510 (2) and (5). Here, the homeowner has not been contacted by the mortgage servicer, mortgagee, trustee, or beneficiary of the deed of trust. Furthermore, the homeowner is not and has not been in default given, he filed a chapter 7 bankruptcy petition on May 15, 2009, at which time the note remained split from the deed of trust given MERS was the beneficiary making the note unsecured. Edelstein v. Bank of N.Y. Mellon, 128 Nev. 505, 520, 286 P.3d 249, 259 (2012). The note was discharged through the bankruptcy. Consequently, the deed of trust has never secured a payment to the Property. The beneficiary cannot commence a non-judicial foreclosure.

PLEASE TAKE FURTHER NOTICE that the purpose of this notice is to give notice to any purchaser of the Property at the scheduled foreclosure sale an action will be filed to rescind the sale and expunge any trustee's deed that may have been recorded.

AFFIRMATION Pursuant to NRS 239B.030

The undersigned does hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the social security number or personal information of any persons.

DATED: December 26th, 2017.

By:


Tory M. Pankopf

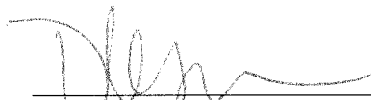
Attorney and Counselor at Law

State of Nevada)
)
County of Washoe) ss.

On December 26, 2017 before me, Tamara Nessman, Notary Public, personally appeared TORY M. PANKOPF, 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 Nevada that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Notary Signature

