

APN: 1420-28-311-026

When recorded mail to:  
Saratoga Springs Estates Homeowners Association  
c/o Kern & Associates, Ltd.  
5421 Kietzke Lane, Suite 200  
Reno, NV 89511



KAREN ELLISON, RECORDER

The undersigned hereby affirms that this document, including any exhibits, submitted for recording does not contain the social security number of any person or persons. (Per NRS 239B.030)

**AMENDED NOTICE OF DEFAULT AND ELECTION TO SELL**

TO: KENNETH G. BENSON, A SINGLE MAN AS HIS SOLE AND SEPARATE PROPERTY

**WARNING! IF YOU FAIL TO PAY THE AMOUNT SPECIFIED IN THIS NOTICE, YOU COULD LOSE YOUR HOME, EVEN IF THE AMOUNT IS IN DISPUTE!**

Pursuant to NRS 116.3116 et seq., Saratoga Springs Estates Homeowners Association, a non-profit corporation, by and through its attorneys, shall enforce the lien by sale and does hereby give you notice of your default and does hereby elect to sell or cause the sale, to satisfy the obligation owing and arising out of your failure to pay your homeowners association assessments.

The Notice of Delinquent Assessment and Claim of Lien ("NODA") of Saratoga Springs Estates Homeowners Association recorded July 30, 2014, as Document No. 0847107 of Official Records of Douglas County, State of Nevada, securing the obligation of the assessments which was a deficiency in the amount of \$3,590.96, as of the date of the NODA, and the Amended Notice of Default ("NOD") recorded July 26, 2016, as Document No. 2016-884954 of Official Records of Douglas County, State of Nevada, further securing the obligation of the assessments which was a deficiency in the estimated amount of \$6,041.37, as of the date of the NOD, plus the accruing assessments since that time, late charges, advances, attorney's fees and costs of the agent of the Association.

For the purpose of satisfying the assessment obligation secured by said assessment lien, estimated to wit: \$7,354.64, plus late charges interest, any subsequent assessments, fees, charges and expenses, advance and costs of the Saratoga Springs Estates Homeowners Association or its Attorney, under the terms of the assessment lien. Please call Kern & Associates, Ltd. at 775-324-5930 in order to obtain the exact amount to cure this default. Notice is hereby given that funds to cure the default must be in the form of a cashier's check or money order made payable to Saratoga Springs Estates Homeowners Association.

The amount of the assessments, including interest, late fees, and costs of enforcing the Association's lien that are prior to the first security interest and represent the super-priority portion of the lien total \$1,586.04 as of February 21, 2018, and are delineated as follows:

- \$ 896.04 in annual assessments, reserve assessments, late fees and interest
- \$ 150.00 for demand letter
- \$ 400.00 for Notice of Default
- \$ 140.00 in abatement fees and costs

Pursuant to NRS 116.3116-116.31166 (inclusive), the sale of the real property described below will be held if the deficiency and total amount due is not completely satisfied and paid within ninety (90) days from the date of the mailing of this Notice of Default and Election to Sell. The real property is situated in the County of Douglas, State of Nevada, purported to be 2850 San Juan Circle and being more fully described as follows:

LOT 94, BLOCK G, AS SHOWN ON THE MAP OF SARATOGA SPRINGS ESTATES UNIT 5, FILED IN THE OFFICE OF THE DOUGLAS COUNTY RECORDER ON MAY 4, 2001, FILE NO. 513570.

If the holder of the first security interest on the unit does not satisfy the amount of the Association's lien that is prior to the first security interest pursuant to subsection 3 of NRS 116.3116, the Association may foreclose its lien by sale and the sale may extinguish the first security interest as to the unit.

If, not later than 5 days before the date of the sale, the holder of the first security interest on the property satisfies the amount of the Association's lien that is prior to that first security interest pursuant to subsection 3 of NRS 116.3116 and, no later than 2 days before the date of the sale, a record of such satisfaction is recorded in the office of the recorder of Douglas County, the Association may foreclose its lien by sale but the sale may not extinguish the first security interest as to the unit.

Please be advised that this document constitutes neither a demand for payment of the referenced debt nor a notice of personal liability to any recipient hereof who might have received a discharge of such debt in accordance with applicable bankruptcy laws or who might be subject to the automatic stay of Section 362 of the United States Bankruptcy Code. This notice is being sent to any such parties merely to comply with applicable state law governing foreclosure of liens pursuant to Chapter 116 of Nevada Revised Statutes.

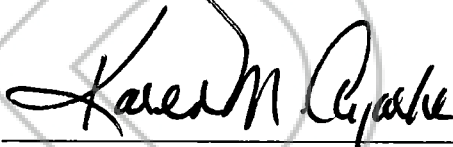
**PURSUANT TO NRS 116.311625, IF YOU ARE A SERVICEMEMBER, A DEPENDENT OF A SERVICEMEMBER OR HIS OR HER SUCCESSOR IN INTEREST, YOU MAY BE ENTITLED TO CERTAIN PROTECTIONS PURSUANT TO NRS 116.311625 REGARDING AND LIMITING THE FORECLOSURE OF A LIEN. IF YOU ARE A DEPENDENT OF A SERVICEMEMBER, YOU MAY BE ENTITLED TO PROTECTIONS IF UPON APPLICATION TO A COURT IT IS DETERMINED YOUR ABILITY TO MAKE PAYMENTS IS MATERIALLY AFFECTED BY THE SERVICEMEMBER'S ACTIVE DUTY OR**

DEPLOYMENT. IF YOU BELIEVE YOU ARE ENTITLED TO THE PROTECTIONS OF NRS 116.311625 AND HAVE NOT PROVIDED INFORMATION REQUIRED FOR THE ASSOCIATION TO VERIFY YOU ARE ENTITLED TO PROTECTION, PLEASE CONTACT THE ASSOCIATION'S ATTORNEY AT THE ADDRESS LISTED HEREIN IMMEDIATELY TO PROVIDE SUCH INFORMATION.

UNLESS YOU NOTIFY US WITHIN 30 DAYS AFTER RECEIPT OF THIS DOCUMENT THAT THE VALIDITY OF THIS DEBT OR ANY PORTION THEREOF, IS DISPUTED, WE WILL ASSUME THAT THE DEBT IS VALID. IF YOU DO NOTIFY US OF A DISPUTE, VERIFICATION OF THE DEBT WILL BE OBTAINED AND MAILED TO YOU. ALSO, UPON YOUR WRITTEN REQUEST WITHIN 30 DAYS, YOU WILL BE PROVIDED WITH THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR IF DIFFERENT FROM THE CURRENT CREDITOR. THIS IS AN ATTEMPT TO COLLECT A DEBT, AND ALL INFORMATION OBTAINED WILL BE USED FOR SUCH PURPOSE

DATED: February 22, 2018

Saratoga Springs Estates Homeowners Association



By: Karen M. Ayarbe, Esq., Its Attorney  
5421 Kietzke Lane, Suite 200  
Reno, NV 89511  
(775) 324-5930

STATE OF NEVADA            )  
  ) ss.  
COUNTY OF WASHOE        )

This instrument was acknowledged before me on February 22, 2018 by Karen M. Ayarbe, Esq.



NOTARY PUBLIC

