

DOUGLAS COUNTY, NV

2018-916679

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\$285.00 Pgs=7

07/12/2018 04:02 PM

SERVICELINK TITLE AGENCY INC.

KAREN ELLISON, RECORDER

Recording requested by:  
ServiceLink - TSG

When Recorded Mail To:  
**BARRETT DAFFIN FRAPPIER TREDER &  
WEISS, LLP**  
4004 Belt Line Road, Suite 100  
Addison, Texas 75001-4320

APN #: 1320-32-116-010  
Property Address:  
**1592 WILDROSE DRIVE  
MINDEN, NEVADA 89423**



DFF0000007496649

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. : 0000007496649

Title Order No.: 180161059

**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 01/26/2005, executed by **ALAN D. CALDWELL, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY**, as Trustor to secure certain obligations in favor of **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS")**, AS NOMINEE FOR **SIERRA PACIFIC MORTGAGE COMPANY, INC., ITS SUCCESSORS AND ASSIGNS** under a Deed of Trust, Recorded on 02/01/2005 as Instrument No. 0635764, Book No. 0205 and Page No. 326 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 **\$321,600.00**.

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 6/1/2011 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**

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

Trustee Sale No. : 00000007496649

Title Order No.: 180161059

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

SELENE FINANCE  
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;

SELENE FINANCE  
9990 RICHMOND AVENUE  
SUITE 400 SOUTH  
HOUSTON, TX 77042  
877-768-3759

DATE: 7/11/2018

**BARRETT DAFFIN FRAPPIER TREDER & WEISS, LLP**

BY: 

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**

Trustee Sale No. : 00000007496649

Title Order No.: 180161059

State of Texas  
County of Dallas

Before me, Kathryn Orsak, on this 11th 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 for the purposes and consideration therein expressed.

Given under my hand and seal of office this 11th day of July, 2018



Kathryn Orsak  
Notary Public's Signature

**DECLARATION OF MORTGAGE SERVICER  
(NRS § 107 (SB 321/HOBR Sec. 11(6)))**

Borrower(s): ALAN D. CALDWELL

Property Address: 1592 WILDROSE DR, MINDEN, NV 89423

Trustee Sale Number: 00000007496649

The undersigned, as an authorized agent or employee of the mortgage servicer named below, declares as follows:

1.  The mortgage servicer has contacted the borrower to assess the borrower's financial situation, provide the toll free number to enable the borrower to find a housing counselor certified by HUD, and explore options for the borrower to avoid foreclosure as required by NRS § 107 (SB 321/HOBR Sec.11(2)). Thirty (30) days, or more, have passed since the initial contact was made.
2.  The mortgage servicer has tried with due diligence to contact the borrower as required by NRS § 107 (SB 321/HOBR Sec. 11(5)), but has not made contact despite such due diligence. Thirty (30) days, or more, have passed since these due diligence efforts were satisfied.
3. No contact was required because:
  - a.  The mortgage servicer is exempt from the Nevada pre-foreclosure due diligence requirements set forth in NRS § 107 (SB 321/HOBR Sec. 11) pursuant to NRS § 107 (SB 321/HOBR Sec. 7.5).
  - b.  The requirements of NRS § 107 (SB 321/HOBR Sec. 11) do not apply as the individual(s) identified above do/does not meet the definition of a "borrower" set forth in NRS § 107 (SB 321/HOBR Sec. 3)
  - c.  The requirements of NRS § 107 (SB 321/HOBR Sec. 11) do not apply as the loan underlying the security interest that is the subject of this foreclosure is not a "residential mortgage loan" (as defined in NRS § 107 (SB 321/HOBR Sec. 7)), OR, if the loan is a "residential mortgage loan", it is NOT the most senior "residential mortgage loan" encumbering the above-referenced property.
  - d.  The requirements of NRS § 107 (SB 321/HOBR Sec. 11) do not apply as the default event which precipitated this foreclosure was not the failure to make a payment required by a residential mortgage loan.

4. In light of the foregoing, the mortgage servicer authorizes the trustee to submit the attached Notice of Default to be recorded as all pre-foreclosures notices required by N.R.S. § 107.080(2)(c)(3) and, if applicable, N.R.S. § 107 (SB 321/HOBR Sec. 10(1)) were timely sent per statute.

I certify that this declaration is accurate, complete and supported by competent and reliable evidence which the mortgage servicer has reviewed to substantiate the borrower's default and the right to foreclose, including the borrower's loan status and loan information.

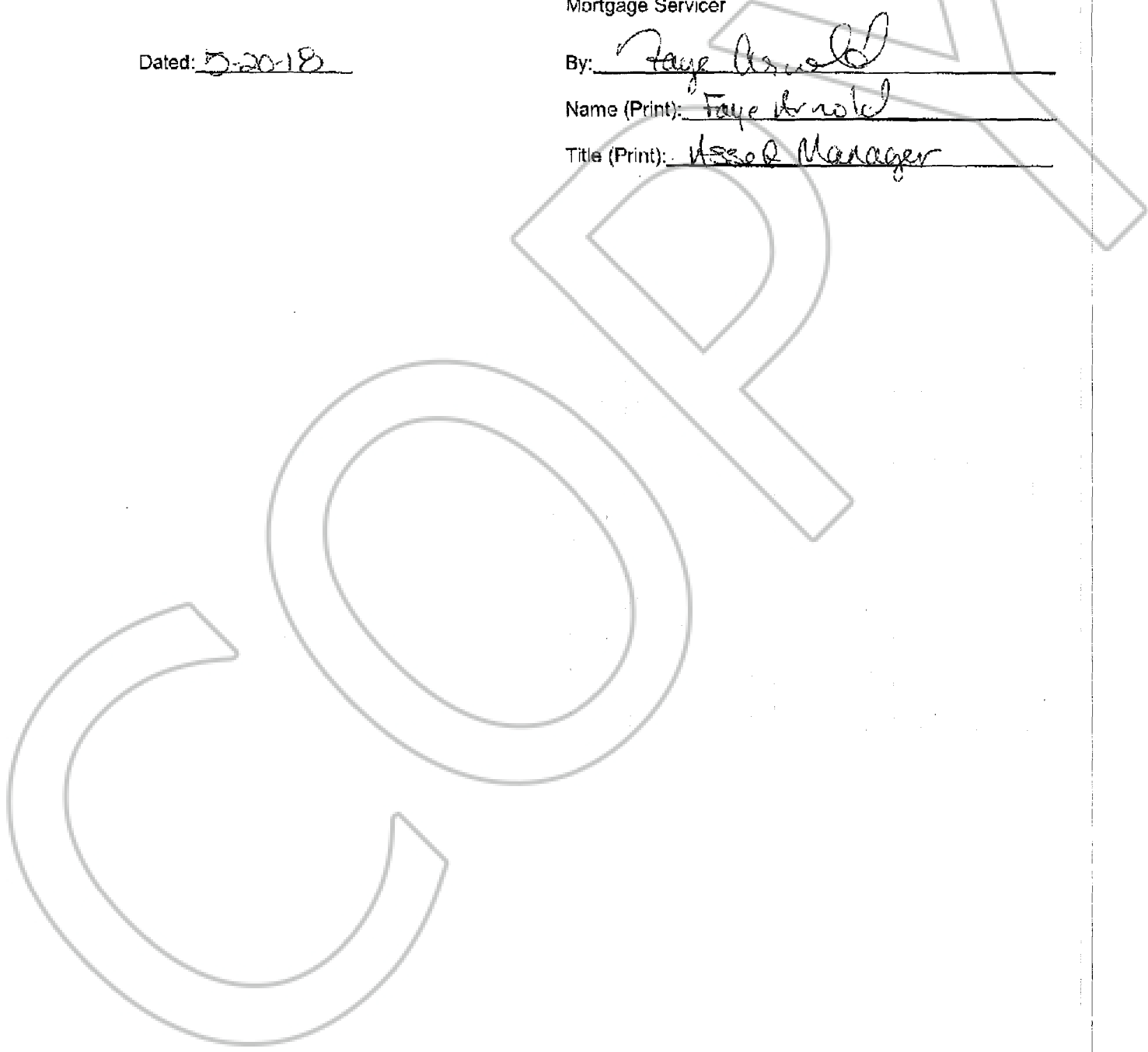
Selene Finance LP  
Mortgage Servicer

Dated: 5-20-18

By: Faye Arnold

Name (Print): Faye Arnold

Title (Print): Assoc Manager



## 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 Selene Finance LP, the current beneficiary or the authorized representative of the current beneficiary under a Deed of Trust:

Recorded on: 02/01/2005

Instrument #: 0635764

Bk/Pg: 0205 / 326

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 \$321,600.00 ("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: Wilmington Savings Fund Society, FSB DBA Christiana Trust, not  
 Individually but as Trustee for Pretium Mortgage Acquisition Trust  
 ADDRESS: c/o Pretium Mortgage Credit Management  
 120 South Sixth Street, #2100, Minneapolis, MN 55402

The current beneficiary of record is:

NAME: Wilmington Savings Fund Society, FSB DBA Christiana Trust, not  
 Individually but as Trustee for Pretium Mortgage Acquisition Trust  
 ADDRESS: c/o Pretium Mortgage Credit Management  
 120 South Sixth Street, #2100, Minneapolis, MN 55402

The current loan servicer is:

NAME: Selene Finance LP  
 ADDRESS: c/o 9990 Richmond Ave., Suite 400 South  
 Houston, TX 77042

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): Mortgage Electronic Registration Systems, Inc., as nominee for Sierra Pacific Mortgage Company, Inc., its successors and assigns to OneWest Bank FSB

Recorded: 05/27/2011 Instrument No. 783919 Book: 511 Page: 5284

OneWest Bank, FSB to Ocwen Loan Servicing, LLC

Recorded: 12/04/2013 Instrument No. 834953 Book: 1213 Page: 618

Ocwen Loan Servicing, LLC to Federal National Mortgage Association, its successors and assigns

Recorded: 09/04/2015 Instrument No. 2015-869191

Federal National Mortgage Association to Wilmington Savings Fund Society, FSB DBA Christiana Trust, not Individually but as Trustee for Pretium Mortgage Acquisition Trust

Recorded: 05/06/2016 Instrument No. 2016-880462

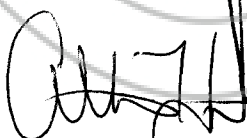
I declare under penalty of perjury of the laws of the State of Nevada that the foregoing facts are true and correct and that this Declaration was executed on July 2, 2018.

  
[DECLARANT SIGNATURE]

Anthony D'Addona Foreclosure Manager  
[DECLARANT PRINTED NAME]

STATE OF Florida }  
COUNTY OF Duval } §

On this 2 day of July, 2018, personally appeared before me, a Notary Public, in and for said County and State, Anthony D'Addona Foreclosure Manager 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.





NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE Florida  
Duval

AFFIX NOTARY SEAL