

APN: 1420-07-723-030

When recorded mail to:  
The Cottages at Indian Hills  
Homeowners' Association  
c/o Leach Kern Gruchow Song  
5421 Kietzke Lane, Suite 200  
Reno, NV 89511

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)

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## NOTICE OF DEFAULT AND ELECTION TO SELL

TO: Darrell R. Richards as Trustee of the Darrell R. Richards Trust dated March 5, 2023

### **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., The Cottages at Indian Hills 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 The Cottages at Indian Hills Homeowners' Association recorded February 27, 2024, as Document No. 2024-1005082 of Official Records of Douglas County, State of Nevada, securing the obligation of the assessments which was a deficiency in the amount of \$2,755.51, as of the date of the NODA, 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: \$5,061.88, plus late charges, interest, any subsequent assessments, fees, charges and expenses, advance and costs of The Cottages at Indian Hills Homeowners' Association or its Attorney, under the terms of the assessment lien. Please call Leach Kern Gruchow Song at 775-851-9359 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 The Cottages at Indian Hills 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 \$2,924.85 as of May 2, 2024, and are delineated as follows:

- \$ 1,379.85 in monthly assessments, late fees and interest
- \$ 330.00 for the demand letters (\$165.00 X 2)
- \$ 325.00 for the Notice of Delinquent Assessment
- \$ 90.00 for the intent to record a notice of default letter
- \$ 400.00 for the Notice of Default
- \$ 400.00 for the trustee's sale guaranty

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 3441 West Garden St. and being more fully described as follows:

**LOT 4, AS SHOWN ON THE FINAL MAP PD 05-002 FOR PHASE II OF THE COTTAGES AT INDIAN HILLS, A PLANNED UNIT DEVELOPMENT, FILED FOR RECORD IN THE OFFICE OF THE DOUGLAS COUNTY RECORDER, STATE OF NEVADA, ON JULY 9, 2018 AS DOCUMENT NO. 2018-916559, OFFICIAL RECORDS, AND AMENDED PLAT OF PHASE II OF THE COTTAGES AT INDIAN HILLS, A PLANNED UNIT DEVELOPMENT, FILED FOR RECORD IN THE OFFICE OF THE DOUGLAS COUNTY RECORDER, STATE OF NEVADA, ON SEPTEMBER 22, 2021 AS DOCUMENT NO. 2021-974385, OFFICIAL RECORDS.**

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.

THIS COMMUNICATION IS FROM A LAW FIRM COLLECTING A DEBT ON BEHALF OF OUR CLIENT, THE ABOVE REFERENCED ASSOCIATION. THIS IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION WILL BE USED FOR THAT PURPOSE.

DATED: May 7, 2024

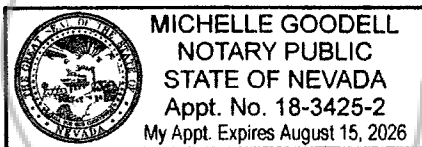
The Cottages at Indian Hills Homeowners' Association



By: Gayle A. Kern, 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 May 7, 2024 by Gayle A. Kern, Esq.

  
NOTARY PUBLIC