

177689

TS No. :KLH-02-00070

Loan No.:01-H724 BV

LV 918910-TS

**NOTICE OF BREACH AND DEFAULT AND OF ELECTION TO CAUSE  
SELL OF REAL PROPERTY UNDER DEED OF TRUST**

NOTICE IS HEREBY GIVEN THAT: KLH FORECLOSURE TRUSTEE SERVICES, INC. is the duly appointed Trustee under a Deed of Trust dated 4/22/1996, executed by GENE HUBBARD AN UNMARRIED MAN, as trustor in favor of TMSMORTGAGE INC., DBA THE MONEY STORE, recorded 4/29/1996, under instrument no. 161863, in bk 294, page 505, of Official Records in the office of the County recorder of EUREKA, County, Nevada arising, among other obligations.

ONE (1) for the Original sum of 3,000.00, that the beneficial interest under such Deed of Trust and the obligations secured hereby are presently held by the undersigned; that a breach of and default in the obligations for which such Deed of Trust is security has occurred or that payment has not been made of:

INSTALLMENT OF PRINCIPAL AND INTEREST PLUS IMPOUNDS AND / OR ADVANCES WHICH BECAME DUE ON 11/1/1998 PLUS AMOUNTS THAT ARE DUE OR MAY BECOME DUE FOR THE FOLLOWING: LATE CHARGES, DELINQUENT PROPERTY TAXES, INSURANCE PREMIUMS, ADVANCES MADE ON SENIOR LIENS, TAXES AND/OR INSURANCE, TRUSTEE'S FEES, AND ANY ATTORNEY FEES AND COURT COSTS ARISING FROM OR ASSOCIATED WITH BENEFICIARY'S EFFORT TO PROTECT AND PRESERVE ITS SECURITY MUST BE CURED AS A CONDITION OF REINSTATEMENT.

That by reason thereof the present beneficiary under such deed of Trust has executed and delivered to said duly appointed Trustee a written Declaration of Default and Demand for Sale and has deposited with said duly appointed Trustee such Deed of Trust and all documents evidencing obligations secured thereby and has declared and does hereby declare 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.

**NOTICE**

You may have the right to cure the default hereon and reinstate the one obligation secured by such Deed of Trust above described. Section 107.080 permits certain defaults to be cured upon the Payment of the amounts required by that statute without requiring payment 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 35 days following recording and mailing of this Notice to Trustor or Trustors's successor in interest, the right of reinstatement will terminate and the property may thereafter be sold. The Trustor may have the right to bring a court action to assert the nonexistence of a default or any other defense of Trustor to acceleration and Sale.

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T.S. No.:KLH-02-00070  
Loan No.:01-H724 BV

To determine if reinstatement possible and the amount, if any, to cure the default, contact:

C/O KLH Foreclosure Trustee Sices, Inc  
19732 MacArthur Blvd., Suite 1  
Irvine, California 92612

Phone: (949) 474-4505

Dated:January 24, 2002

KLH FORECLOSURE TRUSTEE SERVICES, INC. AS  
AGENT FOR BENEFICIARY BY FIDELITY NATIONAL  
TITLE AS AGENT

By: Andy Fragassi

State of California }ss  
County of Orange }

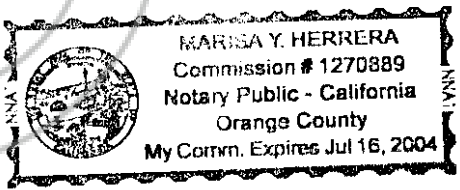
On January 24, 2002 before me, Marisa Herrera Notary Public, personally appeared  
ANDY FRAGASSI personally known to me (or proved to me on the basis of satisfactory evidence) to  
be the person(s) whose name(s) is/are scribed to the within instrument and acknowledged to me that he/she/they executed 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 instrument.

WITNESS my hand and official seal.

Signature Marisa Herrera (Seal)

WHEN RECORDED MAIL TO:  
KLH Foreclosure Trustee Services, Inc  
19732 MacArthur Blvd., Suite 1000  
Irvine, California 92612

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OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
First American Title  
02 J 29 PM 2:13



CLATSOP COUNTY NEVADA (PAGE 2 OF 2)  
CLERK OF COUNTY RECORDS  
FILE # 15<sup>00</sup>  
**17789**

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