

DOC # 0211927

06/11/2008 02:16 PM

Official Record

Recording requested By
FIRST AMERICAN TITLE

Eureka County - NV

Mike Rebaleati - Recorder

Fee: \$15.00

Page 1 of 2

RPTT:

Recorded By: FS

Book- 0473 Page- 0268



0211927

WHEN RECORDED MAIL TO:

Fidelity National Title Company

4 Hutton Centre Avenue

Suite 100

Santa Ana, CA 92707

APN: 002-047-14

TS No. :08-00251-6

Loan No.:24412924-3

3760831 DM

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned hereby affirms that there is no Social Security number contained in this document

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

NOTICE IS HEREBY GIVEN THAT: FIDELITY NATIONAL TITLE COMPANY is either the original trustee, the duly appointed substituted trustee, or acting as agent for the trustee or beneficiary under a Deed of Trust dated **08/15/1996**, executed by **RON C. SMITH AND CALIENE SMITH**, as trustor in favor of **GREEN TREE FINANCIAL CORPORATION**, recorded **10/09/1996**, under instrument no. **164700**, in book **301**, page **233**, of Official Records in the office of the County recorder of **Eureka**, County, Nevada securing, among other obligations.

Note for the Original sum of **\$77,449.63**, 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: **failed to pay payments which became due; together with interest due thereon; together with late charges due;**

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 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.

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 NRS 107.080 permits certain defaults to be cured upon the Payment of the amounts required by that statutory section 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 of Trustors' 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.

T.S. No.:08-00251-6
Loan No.:24412924-3

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

GREEN TREE SERVICING LLC (Rancho)
C/O Fidelity National Title Company
4 Hutton Centre Avenue
Suite 100
Santa Ana, CA 92707
Phone 714-668-8420

Dated: June 2, 2008

Default Resolution Network a Division of
Fidelity National Title Company, as agent for the
Beneficiary, by First American Title Company,
as agent

By: *Darien McDonald*
DARIEN MCDONALD

State of California

County of Orange

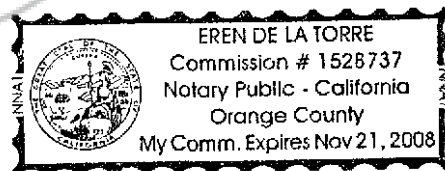
EREN DE LA TORRE

On 6/11/08 before me, DARIEN MCDONALD Notary Public in and for said county, personally appeared 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 California the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Eren de la Torre* (Seal)



(PAGE 2 OF 2)