

**DOC# 0213200**

04/03/2009

04:06PM

**Official Record**

Recording Requested By  
FIRST AMERICAN NATIONAL D

**Eureka County - NV**

**Mike Rebaleati - Recorder**

Fee: \$17.00

Page: 001 of 004

RPTT: \$0.00

Recorded By FS

Book- 0486 Page- 0151

**APN#: 002-047-08**

**RECORDING REQUESTED BY:  
FIRST AMERICAN TITLE INSURANCE COMPANY**

**AND WHEN RECORDED MAIL TO:**  
Fidelity National Title Insurance Company  
17911 Von Karman Ave, Suite 275  
Irvine, CA 92614



**0213200**

**The Undersigned Hereby Affirms That There Is No Social Security Number  
Contained In This Document.**

Order# 3760831 DM  
Trustee Sale# 08-00251-6



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

**TITLE OF DOCUMENT**

**WHEN RECORDED MAIL TO:**  
**Fidelity National Title Insurance Company**  
**17911 Von Karman Ave, Suite 275**  
**Irvine , CA 92614**  
**APN: 002-047-08**  
**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 INSURANCE 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 233-239, , 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.

(page 1 of 2)

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 Insurance Company  
17911 Von Karman Ave, Suite 275  
Irvine , CA 92614  
Phone 949-622-5730

Dated:April 2, 2009

Fidelity National Title Insurance Company, as  
agent for the beneficiary

*Marcy Axelrod*

By: Marcy Axelrod, Authorized Signor

\* Axelrod

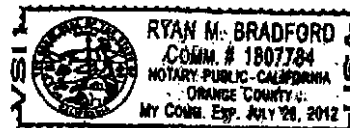
State of California  
County of Orange

On April 2, 2009 before me Ryan M. Bradford, the undersigned Notary Public in and for said county, personally appeared Marcy Axelrod 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 \_\_\_\_\_ (Seal)



(PAGE 2 OF 2)

GOVERNMENT CODE 27361.7

I CERTIFY UNDER PENALTY OF PERJURY THAT THE NOTARY SEAL ON THE DOCUMENT  
TO WHICH THIS STATEMENT IS ATTACHED READS AS FOLLOWS:

NAME OF THE NOTARY: RYAN M. BRADFORD

DATE COMMISSION EXPIRES: JULY 28, 2012

COUNTY WHERE BOND IS FILED: ORANGE

COMMISSION NUMBER: 1807784

MANUFACTURER / VENDOR NUMBER: VS11

PLACE OF EXECUTION: SANTA ANA, CA

DATE: APRIL 3, 2009

SIGNATURE:

  
K.M. KELLEY