

**DOC# 0214411**

01/11/2010

01:00PM

**Official Record**

Recording Requested By  
FIRST AMERICAN NATIONAL D

**Eureka County - NV**

**Mike Rebaleati - Recorder**

Fee: \$66.00

Page: 001 of 003

RPTT: \$0.00

Recorded By FS

Book- 0497 Page- 0007

APN#: 002-047-08

RECORDING REQUESTED BY:  
FIRST AMERICAN TITLE COMPANY



0214411

WHEN RECORDED MAIL TO:  
FIDELITY NATIONAL TITLE INSURANCE COMPANY  
17592 E. 17<sup>TH</sup> STREET SUITE 300  
TUSTIN, CA 92780

PROPERTY ADDRESS:  
816 8<sup>TH</sup> STREET  
CRESCENT VALLEY, NV 89821

ORDER #3760831-DM

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

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

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TITLE OF DOCUMENT

RECORDING REQUESTED BY:

**Fidelity National Title Insurance Company**  
17592 E. 17th Street, Suite 300  
Tustin , CA 92780

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

**Trustee Sale No. 08-00251-6 NV**

Client Reference No. 24412924-3

APN: 002-047-08

PROPERTY ADDRESS: 816 8TH ST, CRESCENT VALLEY, NV 89821

**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 that certain Deed of Trust (together with any modifications thereto, the "Deed of Trust") dated August 15, 1996, executed by RON C. SMITH AND CALIENE SMITH, as trustor in favor of GREEN TREE FINANCIAL CORPORATION, recorded on October 9, 1996, as Instrument No. 164700, in Book 301, in Page 233 of Official Records in the office of the County recorder of Eureka County, Nevada, and that

The Deed of Trust secures the payment of and the performance of certain obligations, including, but not limited to, the obligations set forth in that certain Promissory Note with a face amount of \$77,449.63 (together with any modifications thereto the "Note"), and that

A breach of, and default in, the obligations for which said Deed of Trust is security has occurred in that the Trustor has failed to perform obligations pursuant to or under the Note and/or Deed of Trust, specifically: 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



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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 the statutory period set forth in Section NRS 107.080, 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.

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  
17592 E. 17th Street, Suite 300  
Tustin , CA 92780  
Phone No.: 714-508-5100

To determine status of the foreclosure, contact:  
Fidelity National Title Insurance Company  
17592 E. 17th Street, Suite 300  
Tustin, CA 92780  
Phone No.: 714-508-5100  
T.S. No.: 08-00251-6  
Dated: January 6, 2010

Fidelity National Title Insurance Company, as Agent  
for the beneficiary.

By: First American Title Company, its Agent

  
By: Chris Bradford, Authorized Signature

State of California  
County of Orange

On January 6, 2010 before me, Lorena Enriquez, Notary Public in and for said county, personally appeared Chris Bradford 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 the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 

(Seal)

