

APN# 007-380-31

RECORDING REQUESTED BY:

First American Title Ins Co.

AND WHEN RECORDED MAIL TO:

Meridian Foreclosure Service
8485 W. Sunset Rd. Suite 205
Las Vegas, NV 89113

DOC# 221681

10/08/2012

01:20PM

Official Record

Requested By

FIRST AMERICAN NATIONAL DEFAULT T

Eureka County - NV

Mike Rebaleati - Recorder

Page: 1 of 6

Fee: \$219.00

Recorded By FS

RPTT: \$0.00

Book- 0539 Page- 0240



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Title Order No. 6642687 Trustee Sale No. 22901NV Loan No. 855040

IMPORTANT NOTICE

NOTICE OF DEFAULT AND ELECTION TO SELL UNDER DEED OF TRUST

NOTICE IS HEREBY GIVEN THAT: **MERIDIAN FORECLOSURE SERVICE f/k/a MTDS, INC., A CALIFORNIA CORPORATION DBA MERIDIAN TRUST DEED SERVICE** 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 **05-21-1997**, executed by **ROBERT L. CUTLER, A SINGLE PERSON** as Trustor, to secure certain obligations in favor of **FORD HOUSING FINANCE SERVICES, A DIV. OF ASSOCIATES HOUSING SERVICES, INC., A DELAWARE CORPORATION** under a Deed of Trust Recorded **06-12-1997**, Book **308**, Page **532**, Instrument **166922** of Official Records in the Office of the Recorder of **EUREKA** County, State of Nevada, securing, among other obligations, 1 note(s) for the sum of **\$71,356.12**.

Purported Street Address: **584 FIRST ST EUREKA, NV 89316**

That a breach of the obligations for which said Deed of Trust is security has occurred in that payment has not been made of: Failure to make the 02/01/2012 payment of principal and/or interest and all subsequent payments, together with late charges, impounds, advances, taxes, delinquent payments on senior liens, or assessments, attorney's fees and court costs arising from the beneficiary's protection of its security, all of which must be cured as a condition of reinstatement.

You may have the right to cure the default herein and reinstate the obligation by said Deed of Trust above described. Section 107.080NRS permits certain defaults to be cured upon the payments of that portion of principal and interest, which would not be due had no default occurred. This amount is **\$12,797.21** as of date of this Notice and will increase until your account becomes current.

That by reason thereof, the present beneficiary under such Deed of Trust, has executed and delivered to said Trustee, a written Declaration of Default and Demand for Sale, and has surrendered to said 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 has elected and does hereby elect to cause the trust property to be sold to satisfy the obligations secured thereby.

Title Order No. 6642687 Trustee Sale No. 22901NV Loan No. 855040

To find out the amount you must pay, to arrange for payment to stop the foreclosure, or if your property is in foreclosure for any other reason, contact:

THE BANK OF NEW YORK MELLON TRUST COMPANY, AS TRUSTEE. BY VANDERBILT MORTGAGE AND FINANCE, INC. AS ITS SERVING AGENT

C/O Meridian Foreclosure Service

8485 W. Sunset Rd. Suite 205

Las Vegas, NV 89113

TEL: (702) 586-4500

The grantor may contact Vanderbilt Mortgage and Finance, Inc. regarding the possibility of a loan modification:

Lori Bryson, Legal Affairs Representative, P.O. Box 9800, Maryville, TN 37802 (865) 380-3000

If you have any questions, you should contact a lawyer or the government agency, which may have insured your loan.

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

Date: 10/5/2012

MERIDIAN FORECLOSURE SERVICE f/k/a MTDS, INC., A CALIFORNIA CORPORATION DBA MERIDIAN TRUST DEED SERVICE



JESSE FERNANDEZ, PUBLICATION LEAD

MERIDIAN FORECLOSURE SERVICE IS ASSISTING THE BENEFICIARY TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

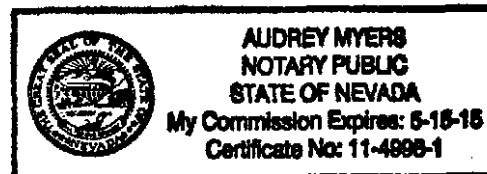
State of Nevada
County of Clark

On 10/5/12 before me, Audrey Myers, personally appeared JESSE FERNANDEZ, personally known to me (or 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.

WITNESS my hand and official seal.



Notary Public in and for said County and State



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Trustee Sale No: 22901NV

APN: 007-380-31

**AFFIDAVIT OF AUTHORITY IN SUPPORT OF NOTICE OF DEFAULT AND ELECTION TO SELL
[NRS § 107.080]**

I, LORI BRYSON, am the Legal Affairs Representative of the authorized representative of the Current Beneficiary. The borrower(s) identified in subject Deed of Trust is/are, ROBERT L. CUTLER, A SINGLE PERSON. The subject Deed of Trust encumbers the real property located at 584 FIRST ST EUREKA, NV 89316. This Affidavit is provided in support of the attached Notice of Default and Election to Sell.

The following facts are, except where otherwise indicated, true of my own personal knowledge. Where the following facts are not based on my personal knowledge, they are based on: (1) my personal review of documents which are of public record in the State of Nevada; and/or (2) my personal review of business records of the Vanderbilt Mortgage and Finance, Inc. which have been represented to me to be true by persons employed by the Vanderbilt Mortgage and Finance, Inc. who have a business duty to the Vanderbilt Mortgage and Finance, Inc. to accurately and completely make, take and maintain those records in the regular and ordinary course of their business duties:

1(a). The full name and business address of the current trustee of record for the deed of trust at issue is MERIDIAN FORECLOSURE SERVICE which is located at 8485 WEST SUNSET ROAD, SUITE 205, LAS VEGAS, NEVADA 89113.

1(b). The full name and business address of the current holder of the Note secured by the Deed of Trust at issue is VANDERBILT MORTGAGE AND FINANCE, INC. which is located at 500 ALCOA TRAIL, MARYVILLE, TENNESSEE 37804.

1(c). The full name and business address of the Current Beneficiary for the obligation or debt secured by the Deed of Trust at issue is VANDERBILT MORTGAGE AND FINANCE, INC. which is located at 500 ALCOA TRAIL, MARYVILLE, TENNESSEE 37804.



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1(d). The full name and business address of the current servicer for the obligation secured by the Deed of Trust at issue is VANDERBILT MORTGAGE AND FINANCE, INC. which is located at 500 ALCOA TRAIL, MARYVILLE, TENNESSEE 37804.

2. I further affirm that to the best of my knowledge, and from my review of the documents of public record, the full name and business address of each prior beneficiary of the Deed of Trust of which I am aware at issue is:

Name: FORD HOUSING FINANCE SERVICES, A DIV. OF ASSOCIATES HOUSING SERVICES, INC., A DELAWARE CORPORATION

Last known address: 250 EAST CARPENTER FAIRWAY, IRVING, TEXAS 75062.

Deed of Trust recorded on 06-12-1997 as Instrument number 166922

Name: BANK OF NEW YORK MELLON TRUST COMPANY, NATIONAL ASSOCIATION

Last known address: ONE WALL STREET, NEW YORK CITY, NEW YORK 10286

Assignment of Deed of Trust recorded on 6/22/12 as Instrument number: 220660

Name: [Second Assignee]:

Last known address: _____

Assignment of Deed of Trust recorded on _____ as Instrument number: _____

The other known prior beneficiaries (whether of record or not), if any, along with the date and manner of their acquisition of a beneficial interest in the Deed of Trust and their last known address, if any, are, to the best of my knowledge, set forth in Exhibit "A" hereto, which is incorporated herein by this reference

3. The Current Beneficiary, the successor in interest of the beneficiary or the trustee of the Deed of Trust is in either actual or constructive possession of the Note secured by the Deed of Trust.

4. The current trustee under the Deed of Trust has the authority to exercise the power of sale with respect to the subject Deed of Trust pursuant to the instruction of the Current Beneficiary of record and the current holder of the Note secured by the Deed of Trust.



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5. The following is information regarding the amount in default, the principal amount secured by the Deed of Trust, a good faith estimate of fees imposed and to be imposed because of the default and the costs and fees charged to the debtor in connection with the exercise of the power of sale:

5(a). The amount in default, as of the date of this Affidavit, is **\$8,734.60**.

5(b). The amount of fees and costs already charged to debtor because of the default is **\$0.00**.

5(c). The unpaid principal amount of the obligation or debt secured by the Deed of Trust is currently **\$56,401.27**.

5(d). As a good faith estimate, the amount of fees and costs to be imposed or charged to the debtor because of the default, excluding the foreclosure fees and costs set forth in Paragraph 5(e), below, will be **\$45.00**.

5(e) As a good faith estimate of the foreclosure fees and costs to be charged to the debtor in connection with the exercise of the power of sale under the Deed of Trust will be **\$2,362.01**

6. Paragraph 2 of this Affidavit, and Exhibit "A," if any, contains the date, recordation number or other unique designation of the instrument that conveyed the interest of each known beneficiary as well as a description of that instrument.



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I declare under penalty of perjury of the laws of the State of Nevada that the foregoing is true and correct and that this Affidavit was executed on 9-19, 2011.

Lori Bryson/Legal Affairs Representative

Print Name/Title

Lori Bryson
Signature

State of: Tennessee

County of: Blount

On 9-19-12 before me, Jessica McCray, a

Notary Public personally appeared Lori Bryson

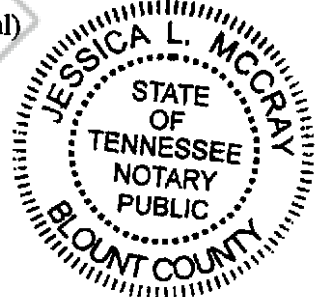
Who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that the/she executed the same in their authorized capacity and that by his/her signature on the instrument the person or the entity upon behalf of the person acted, executed the instrument.

I certify under PENALTY OF PERJURY that the foregoing paragraph is true and correct

WITNESS by hand and official seal.

(Notary Seal)

Jessica McCray
Signature



10/27/14
Commission Expiration Date: _____