

APN: 001-143-03

When Recorded Mail to:  
Stewart Title Company  
Attn: Colleen O'Brien – Foreclosure Dept.  
810 Idaho Street  
Elko, NV 89801

**DOC# 223651**

01/16/2013

10:35AM

**Official Record**

Requested By  
STEWART TITLE ELKO

**Eureka County - NV**

**Mike Rebaleati - Recorder**

Page: 1 of 5 Fee: \$218.00

Recorded By FS RPTT: \$0.00

Book- 0546 Page- 0283



0223651

(Space Above For Recorder's Use Only)

**NOTICE OF DEFAULT AND ELECTION  
TO SELL UNDER DEED OF TRUST**

NOTICE IS HEREBY GIVEN:

THAT Stewart Title Company, a Texas corporation, is duly appointed Trustee, under a Deed of Trust, dated October 20, 2010 and executed by JAMES W. WATSON AND TAMMY J. WATSON, husband and wife, as Trustors, to secure certain obligations in favor of JOHN D. MILES AND ANN MILES as Beneficiary, recorded October 20, 2010, as Document No. 215686, of Official Records of Eureka County, State of Nevada, including one note in the amount of \$61,000.00.

That the beneficial interest under such Deed of Trust and the obligation secured thereby are presently held by JOHN D. MILES AND ANN MILES; that a breach of, and default in, the obligations for which such Deed of Trust is security has occurred in that payment has not been made of:

Non-payment of the payment of principal and/or interest due on September 20, 2012, in the amount of \$740.10 ; PLUS all accrued interest; PLUS all accrued late fees if any and expenses of the Trustee and Beneficiaries.

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 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**

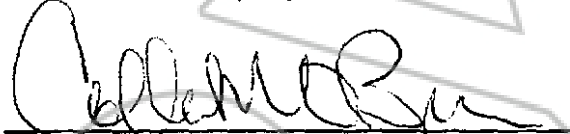
**YOU MAY HAVE THE RIGHT TO CURE THE DEFAULT HEREIN AND REINSTATE THE OBLIGATION SECURED BY SUCH DEED OF TRUST ABOVE DESCRIBED. SECTION 107.080 NEVADA REVISED STATUTES PERMITS CERTAIN DEFAULTS TO BE CURED UPON THE PAYMENT OF THE AMOUNTS REQUIRED BY THAT SECTION WITHOUT REQUIRING PAYMENT OF THAT PORTION 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 THE RECORDING AND MAILING TO TRUSTOR OR TRUSTOR'S SUCCESSOR IN INTEREST OF THIS NOTICE, THE RIGHT OF REINSTATEMENT WILL TERMINATE AND THE PROPERTY MAY THEREAFTER BE SOLD.**

To determine if reinstatement is possible, and for the amount necessary to cure the default, contact Colleen M. O'Brien at (775) 738-5181.

DATED: January 2, 2013

Stewart Title Company



By: Colleen M. O'Brien, Northern Nevada President

STATE OF NEVADA )  
 )ss  
COUNTY OF ELKO )

On this 2 day of January, 2013, personally appeared before me, a notary public, Colleen M. O'Brien, President Northern Nevada of Stewart Title Company personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that she executed the above instrument.

  
Notary Public

Colleen M. O'Brien  
Trustee Sale Officer  
Foreclosure No. 01415-1585



223651

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**Exhibit**  
**NRS 107.080 Compliance Affidavit**  
**Version 10/01/11 (issued 9/26/11)**

**AFFIDAVIT OF AUTHORITY TO EXERCISE THE  
POWER OF SALE**

Property Owners:  
James W. Watson and Tammy J. Watson

Property Address:  
620 W. McCoy Street  
Eureka, NV 89316

Trustee Address:  
Stewart Title of Nevada Holdings,  
Inc. 810 Idaho Street  
Elko, NV 89801

Deed of Trust Document Instrument  
Number  
215686

STATE OF NEVADA )  
COUNTY OF Eureka ) ss:

The affiant, Colleen M. O'Brien, being first duly sworn upon oath, based on personal knowledge, and under penalty of perjury attests that I am the beneficiary or trustee, or the authorized representative of the beneficiary or trustee, of the deed of trust described in the notice of default and election to sell to which this affidavit is attached ("Deed of Trust").

I further attest, based on personal knowledge, and under penalty of perjury, to the following information, as required by NRS 107.080(2) (c):

1. The full name and business address of the trustee or the trustee's representative or assignee is:

Stewart Title Company  
Full Name

810 Idaho Street, Elko, NV 89801  
Street, City, County, State, Zip



The full name and business address of the current holder of the note secured by the Deed of Trust is:

John D. Miles and Ann Miles HC 65, Box 203, Austin, NV 89310  
Full Name Street, City, County, State, Zip

The full name and business address of the current beneficiary of record of the Deed of Trust is:

John D. Miles and Ann Miles HC 65, Box 203, Austin, NV 89310  
Full Name Street, City, County, State, Zip

The full name and business address of the servicers of the obligation or debt secured by the Deed of Trust is:

N/A \_\_\_\_\_  
Full Name Street, City, County, State, Zip

2. The full name and last known business address of the current and every prior known beneficiary of the Deed of Trust, is:

John D. Miles and Ann Miles HC 65, Box 203, Austin, NV 89310

**(List additional known beneficiaries in the same format)**

3. The beneficiary, successor in interest of the beneficiary, or trustee of the Deed of Trust, has actual or constructive possession of the note secured by the Deed of Trust.
4. The trustee has the authority to exercise the power of sale under Chapter 107 of NRS with respect to the property encumbered by the Deed of Trust, pursuant to the instruction of the beneficiary of record and the current holder of the note secured by the Deed of Trust.
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:
- The amount of missed payments and interest in default is \$3,700.50.
  - The amount of fees charged to the debtor in connection with the exercise of power of sale is \$250.00.
  - The principal amount secured by the Deed of Trust is \$54,519.10.
  - A good faith estimate of all fees imposed and to be imposed because of the default is \$1,405.00.
  - A good faith estimate of the total costs and fees to be charged to the debtor in connection with the exercise of the power of sale is \$2,722.00.



6. The following is information regarding the instrument(s) that conveyed the interest of each beneficiary:

Date	Document Instrument Number	Name of Document Conveying Interest of Beneficiary
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(List information regarding prior instruments in the same format)

7. Following is the true and correct signature of the affiant:

Dated this 2nd day of January, 2013.

Affiant Name: Colleen M. O'Brien

Signed By: Colleen M. O'Brien

Print Name: Colleen M. O'Brien

STATE OF NEVADA )  
 ) ss:  
COUNTY OF ELKO )



On this 2nd day of January, 2013, personally appeared before me, a Notary Public, in and for said County and State, Colleen M. O'Brien, known to me to be the persons described in and who executed the foregoing instrument in the capacity set forth therein, who acknowledged to me that he/she executed the same freely and voluntarily and for the uses and purposes therein mentioned.

Madeline C. Griswold  
NOTARY PUBLIC IN AND FOR  
SAID COUNTY AND STATE

