

APN: N/A

**Mailing Address of Grantee or Other Person Requesting Recording:**

Wilson | Barrows | Salyer | Jones  
442 Court Street  
Elko, Nevada 89801

**Mail Tax Statements to:**  
N/A

**DOC# 230546**

12/01/2015

10:23AM

**Official Record**

Requested By

WILSON BARROWS SALYER JONES

**Eureka County - NV**

**Sara Simmons - Recorder**

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Fee: \$219.00

Recorded By LH

RPTT: \$0.00

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0230546

**Social Security Number Affirmation Statement:**



In accordance with NRS 239B.030, the undersigned person recording this document hereby affirms that this document does not contain personal information, including full social security number of any person;

**-OR-**



In accordance with NRS 239B.030, the undersigned person recording this document hereby affirms that this document does contain personal information, including full social security number of a person.

Shauna L. Baumann

Legal Secretary

Name

Title

*Shauna L. Baumann*  
Signature

**Title of Document Recorded:**

NOTICE OF DEFAULT AND ELECTION TO SELL UNDER DEED OF TRUST

**WILSON | BARROWS | SALYER | JONES**

442 Court Street | Elko, Nevada 89801 | 775.738.7271

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

NOTICE IS HEREBY GIVEN:

THAT STEWART R. WILSON is duly appointed Successor Trustee under a Deed of Trust dated August 9, 2011, and executed by MB PARTNERS as Trustor, to secure certain obligations in favor of JAMES MOYER and DONNA MOYER, as Beneficiaries, and recorded August 9, 2011, as Document No. 0218376, Official Records of Eureka County, State of Nevada, securing one Promissory Note in the original principal sum of \$321,000.00.

That the beneficial interest under such Deed of Trust and the obligation secured thereby are presently held by JAMES MOYER; that a default in the obligations for which such Deed of Trust is security has occurred as follows:

1. Non-payment of monthly amortized principal and interest since August 1, 2014 in the total amount of \$33,431.52, which includes accrued interest since said date in the amount of \$29,200.89.
2. Late fees, property taxes, and insurance premiums in the amount of \$12,247.59.

That by reason thereof, the present beneficiaries under Deed of Trust have deposited with said Trustee, such Deed of Trust and all documents evidencing obligations secured thereby, and have declared and do hereby declare all sums secured thereby immediately due and payable and have elected and do hereby elect to cause the trust property to be sold to satisfy the obligations secured thereby.

### NOTICE

**YOU 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 WHICH WOULD NOT BE DUE HAD NO DEFAULT OCCURRED. UNDER THE TERMS OF THE DEED OF TRUST, IF THE DEFAULT IS NOT CURED WITHIN 90 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.**




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To determine if reinstatement is possible, and for the amount necessary to cure the default, contact Stewart R. Wilson at (775)738-7271.

This Notice has attached as Exhibit A an NRS 107.080 Compliance Affidavit.

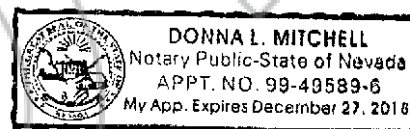
DATED: November 30, 2015

  
STEWART R. WILSON, Trustee

STATE OF NEVADA     )  
                                  )  
COUNTY OF ELKO     )

On this 30 day of November, 2015, personally appeared before me, a Notary Public, **Stewart R. Wilson**, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument.

  
NOTARY PUBLIC



15100013slb.wpd  
October 26, 2015



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Exhibit A

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

The Affiant, **Stewart R. Wilson**, being first duly sworn upon oath, based on personal knowledge and under penalty of perjury, attests that he is Trustee of the Deed of Trust described in the Notice of Default and Election to Sell to which this Affidavit is attached.

Affiant further attests, 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 is Stewart R. Wilson, c/o WILSON | BARROWS | SALYER | JONES, 442 Court Street, Elko, Nevada 89801.

The full names and business address of the current holder of the Note secured by the Deed of Trust and current Beneficiary of record of the Deed of Trust is James Moyer, Box 635, Eureka, Nevada 89316 and Donna Moyer, Box 635, Eureka, Nevada 89316.

2. The Trustee of the Deed of Trust has actual possession of the Promissory Note secured by the Deed of Trust.
3. The Trustee of has sent to the debtor notice of 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 obligor or borrower in connection with the exercise of the power of sale, as follows:
  - a. The payment required to make good the deficiency in, avoid the exercise of the power of sale and reinstate the terms and conditions of the obligation existing before the deficiency in payment is \$45,679.11 (b.,e.,f., and g. below) plus per diem interest.
  - b. The amount in default is \$33,431.52 plus per diem interest.
  - c. The unpaid principal amount of the Promissory Note secured by the Deed of Trust is \$312,866.74.



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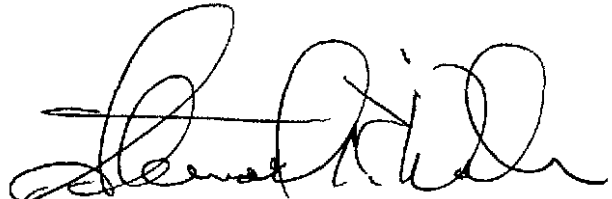
- d. There is accrued interest in the amount of \$29,200.89 through November 1, 2015, with per diem interest of \$60.00 after November 1, 2015.
  - e. Unpaid late charges total \$3,328.00.
  - f. Unpaid and un-reimbursed property taxes total \$6,707.59.
  - g. Unpaid and un-reimbursed fire insurance premiums total \$2,212.00
  - h. A good faith estimate of all fees imposed in connection with the exercise of the power of sale is \$3,000.00.
  - i. Contact information as set forth in Paragraph 4 below.
- 4. The local telephone number that the obligor or borrower of the obligation or debt may call to received the most current amounts due and a recitation of this Affidavit is (775)738-7271.
  - 5. The date and the recordation number, and the name of each assignee under each recorded assignment of the Deed of Trust are as follows:

Deed of Trust dated August 9, 2011, recorded  
in Eureka County, Nevada on August 9,  
2011, as Document No. 0218376 Official  
Records.

There are no assignments of record.

- 6. The foregoing information is based upon the direct personal knowledge of the Affiant, and information obtained in the records of the county or counties in which the property is located.
- 7. Following is the true and correct signature of the Affiant.

DATED this 2nd day of November, 2015.



STEWART R. WILSON

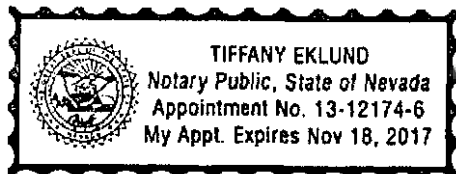



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STATE OF NEVADA     )  
                                      )  
COUNTY OF ELKO     )

On this 2<sup>nd</sup> day of November, 2015, personally appeared before me, a Notary Public, **Stewart R. Wilson**, known to me to be the person described in and who executed the foregoing instrument in the capacity set forth therein, who acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.



  
NOTARY PUBLIC

15100025slb.wpd  
October 26, 2015



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