

A. P. No. 005-210-31  
Foreclosure No. 17940

When recorded mail to:  
Allied Foreclosure Services  
1000 Caughlin Crossing, #30  
Reno, NV 89519

EUREKA COUNTY, NV **2018-235490**  
Rec:\$285.00  
\$285.00 Pgs=9 **06/15/2018 03:44 PM**  
COW COUNTY TITLE CO.  
LISA HOEHNE, RECORDER

**AFFIRMATION PURSUANT TO  
NRS 111.312(1) (2) AND 239B.030(4)**

*Pursuant to NRS 239B.030, the undersigned, hereby affirm(s) that the below document, including any exhibits, hereby submitted for recording does not contain the social security number of any person or persons.*

**NOTICE OF DEFAULT  
AND ELECTION TO SELL**  
(Includes Personal Property)

TO WHOM IT MAY CONCERN:

WHEREAS, on December 5, 2012, TYSON RUTH, a single man, executed as Trustor a Deed of Trust wherein COW COUNTY TITLE CO., a Nevada corporation, is Trustee for TOM R. ARNHART and CYNTHIA L. FLAVION-ARNHART, husband and wife, as joint tenants with right of survivorship, Beneficiary, as security for the payment of a Promissory Note made, executed and delivered on December 5, 2012, which said Deed of Trust was recorded January 29, 2013, in Book 547, Page 82, as Document No. 223743, Official Records, Eureka County, Nevada; and

WHEREAS, there have been no endorsements to the Note or Assignments of the beneficial interest of the Deed of Trust; and

WHEREAS, the undersigned is in actual or constructive possession of the original Note secured by the Deed of Trust; and

WHEREAS, AUTOMATIC FUNDS TRANSFER SERVICES, INC., a Washington corporation, dba ALLIED TRUSTEE SERVICES, was

substituted as Trustee under said Deed of Trust, in the place and stead of COW COUNTY TITLE CO., a Nevada corporation, by document recorded concurrently herewith; and

WHEREAS, AUTOMATIC FUNDS TRANSFER SERVICES, INC., dba ALLIED TRUSTEE SERVICES, has the authority to exercise the power of sale with respect to the property encumbered by the Deed of Trust pursuant to the instruction of the undersigned; and

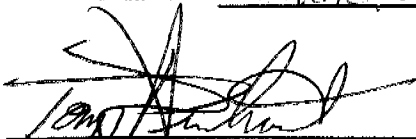
WHEREAS, a breach of the obligation for which said transfer in trust as security was made has occurred in that default has been made in the failure to pay the installment of principal and interest due on March 29, 2015, and in the failure to pay each such monthly installment that thereafter became due, in the failure to pay the real property taxes for the fiscal year 2017-2018 which became a lien upon the trust premises; and in the failure to perform any other term, covenant or condition contained in the Deed of Trust securing the Promissory Note and to be performed by Trustor, whether such failure to perform occurred prior to or subsequent to the date hereof, together with penalties and advances that have been incurred or made or will be incurred or made during the period of default;

NOTICE IS HEREBY GIVEN that the undersigned has elected to consider all of the unpaid balance of principal and interest to be due in consequence of said default, together with attorney's fees and costs that have been incurred and will hereafter accrue, all in accordance with the terms of said Promissory Note and Deed of Trust, and the undersigned has elected to sell or cause to be sold the real property commonly known as Please see attached Exhibit "A", Nevada, and personal property described in said Deed of Trust to satisfy said obligation.

To obtain further information with respect to this Notice of Default and Election To Sell, contact the Foreclosure Office of Foreclosure Office of Allied Foreclosure Services, 1000 Caughlin Crossing, #30, Reno, Nevada 89519, Telephone No. (775) 851-0881, between the hours of 9:00 A.M. and 5:00 P.M., Monday through Friday.

Attached hereto is the Affidavit of Authority to Exercise the Power of Sale which is hereby incorporated herein by this reference.


DATED: June 1, 2018.

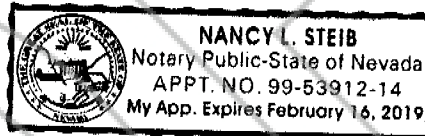
  
\_\_\_\_\_  
Tom R. Arnhart

  
\_\_\_\_\_  
Cynthia L. Flavion-Arnhart

STATE OF Nevada            )  
                                          ) SS.  
COUNTY OF Nye            )

This instrument was acknowledged before me on June 1, 2018, by TOM R. ARNHART and CYNTHIA L. FLAVION-ARNHART.

  
\_\_\_\_\_  
Notary Public



## EXHIBIT "A"

All that certain real property situate in the County of Eureka, State of Nevada, described as follows:

**TOWNSHIP 30 NORTH, RANGE 48 EAST, M.D.B. & M.**

Section 15: The Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4)

EXCEPTING THEREFROM, all petroleum, oil, natural gas and products derived therefrom, within or underlying said land or that may be produced therefrom, and all rights thereto, as reserved by SOUTHERN PACIFIC LAND COMPANY in Deed to H.J. BUCHENAU and ELSIE BUCHENAU recorded September 24, 1951 in Book 24 of Deeds, page 168, Eureka County, Nevada.

ASSESSOR'S PARCEL NUMBER: 005-210-31

TOGETHER WITH a security interest pursuant to Chapter 104 of Nevada Revised Statutes, in that certain 1993 Fleetwood Spring Hill, 144 in x 480 in / 144 in x 480 in, Serial No. CAFLN17AB14746SH, Mobile Home;

and

Briggs Standby Generator 7KW Style LPG/NG Model R040301A Serial number 1018667697, Engine Model number 319775 Serial Number 110512ZD26686  
48 Volt Solar System, Including Trace SW5548 Inverter, 12-BP 585 Solar Panels, 16-6 Trojan 125 Batteries, Zoneworks Panel Tracker, Solar Boost, Battery Box, Solar Combiner Box, C40-Controller 40-AMP.

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**AFFIDAVIT OF AUTHORITY TO EXERCISE THE  
POWER OF SALE  
(NRS 107.080 Compliance Affidavit)**

Property Owners:  
TYSON RUTH

Trustee Address:  
Allied Foreclosure Services  
1000 Caughlin Crossing, #30  
Reno, NV 89519

Property Address:

Please see attached  
Exhibit "A"

Deed of Trust Document  
Instrument Number:  
223743 (Eureka County)

STATE OF Nevada )  
                                  )     ss:  
COUNTY OF Nye )

The undersigned affiant, being first duly sworn upon oath, based on direct personal knowledge, or the personal knowledge which the affiant acquired by a review of the business records of the beneficiary, the successor in interest of the beneficiary or the servicer of the obligation or debt secured by the deed of trust, and under penalty of perjury does hereby attest as follows:

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

Allied Foreclosure Services  
1000 Caughlin Crossing, #30  
Reno, NV 89519

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

TOM R. ARNHART

P.O. Box 518

PiOche, NV 89043

CYNTHIA L. FLAVION-ARNHART

P.O. Box 518

PiOche NV 89043

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

TOM R. ARNHART

P.O. Box 518

PiOche, NV 89043

CYNTHIA L. FLAVION-ARNHART

P.O. Box 518

PiOche, NV 89043

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

Cow County Title Company  
Collection Department  
761 S. Rairdance Drive,  
Pahrump, NV 89048

2. The beneficiary under the Deed of Trust, the successor in interest of the beneficiary, or the trustee, is in actual or constructive possession of the note secured by the Deed of Trust; or the beneficiary, its successor in interest, or the trustee is entitled to

enforce the obligation or debt secured by the Deed of Trust.

3. The Beneficiary, its successor in interest, the servicer of the obligation or debt secured by deed of trust, the trustee, or an attorney representing any of those persons, has sent to the obligor or borrower of the obligation or debt secured by the Deed of Trust a written statement of:
  - (I) The amount of payment required to make good the deficiency in performance or payment, avoid the exercise of the power of sale and reinstate the terms and conditions of the underlying obligation or debt existing before the deficiency in performance or payment, as of the date of the statement;
  - (II) The amount in default;
  - (III) The principal amount of the obligation or debt secured by the deed of trust.
  - (IV) The amount of accrued interest and late charges;
  - (V) A good faith estimate of all fees imposed in connection with the exercise of the power of sale; and
  - (VI) Contact information for obtaining the most current amounts due and the local or toll-free telephone number described in subparagraph (4).
4. The local or toll-free telephone number that may be called by the obligor or borrower of the obligation or debt to receive the most current amounts due and a recitation of the information contained in this affidavit is Cow County Title, Collection Dept., 761 S. Raindance Drive, Pahrump, NV 89408, 1-800-392-4982.
5. The date and the recordation number, and the name of each assignee under, each recorded assignment of the deed of trust which information is based on the knowledge or information as described in NRS 107.080(2)(c)(5)(I-IV), is provided as follows:

There are no assignments of record.
6. The affiant acknowledges that they understand that recording a false affidavit that they know or have reason to know is forged or groundless, contains a material misstatement or false claim or is otherwise

invalid constitutes a felony in the State of Nevada, under NRS 205.395:

Dated this 15<sup>th</sup> day of June, 2018.

Affiant Name: TOM R. ARNHART

Signed By: *TOM ARNHART*

Print Name: TOM R. ARNHART

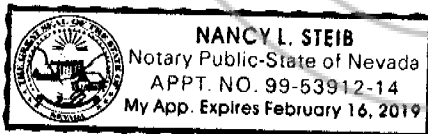
Affiant Name: CYNTHIA L. FLAVION-ARNHART

Signed By: *CYNTHIA FLAVION-ARNHART*

Print Name: CYNTHIA L. FLAVION-ARNHART

STATE OF Nevada )  
 ) ss:  
COUNTY OF Nye )

On this 1st day of June, 2018, personally appeared before me, a Notary Public, in and for said County and State, TOM R. ARNHART and CYNTHIA L. FLAVION-ARNHART, 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 they executed the same freely and voluntarily and for the uses and purposes therein mentioned.



*Nancy L Steib*  
NOTARY PUBLIC IN AND FOR  
SAID COUNTY AND STATE



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