

Official RecordRecording requested by
FIRST AMERICAN TITLE COMPANY

Lincoln County - NV

Leslie Boucher - Recorder

Fee: \$220.00

Page 1 of 7

RPTT:

Recorded By: AE

Book- 274 Page- 0085



0141940

**RECORDING REQUESTED BY
FIRST AMERICAN TITLE INSURANCE COMPANY**

APN: 013-030-36

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

65 03044 -LS
CAL-WESTERN RECONVEYANCE CORPORATION
P.O. Box 22004
525 East Main Street
El Cajon CA 92022-9004

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

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

T.S. No. 1357699-14

NOTICE IS HEREBY GIVEN: THAT CAL-WESTERN RECONVEYANCE CORPORATION, A California Corporation, 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 July 11, 2007

executed by **BARBARA J SCOVILLE, AN UNMARRIED WOMAN** as Trustor, in favor of **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ("MERS") AS NOMINEE FOR COUNTRYWIDE HOME LOANS, INC.ITS SUCCESSORS AND ASSIGNS** as Beneficiary, recorded August 07, 2007, under Instrument No. 0129638 in book 234 page 0232, of Official Records in the Office of the County Recorder of LINCOLN County, Nevada describing land therein as:
COMPLETELY DESCRIBED IN SAID DEED OF TRUST

Securing, among other obligations, one note(s) for the original sum of **\$211,300.00** that the beneficial interest under such Deed of Trust and the obligations secured thereby are presently held by the below set out beneficiary; that a breach of, and default in the obligations for which said Deed of Trust is security has occurred in that payment has not been made of

Failure to pay the monthly payment due December 1, 2011 of principal, interest and impounds and subsequent installments due thereafter; plus late charges; failure to pay NET OTHER FEES when due, said sums having been advanced by the beneficiary; failure to pay MTGR REC CORP ADV when due, said sums having been advanced by the beneficiary; failure to pay LT CHG FORECASTED when due, said sums having been advanced by the beneficiary; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust.

The street address and other common designation, if any, of the real property described above is purported to be:

4939 LONG ACRES LANE
CALIENTE NV 89008

That by reason thereof, the below set out beneficiary under such Deed of Trust, has executed and delivered to the 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 OF BREACH AND DEFAULT AND OF ELECTION TO CAUSE SALE OF REAL PROPERTY UNDER DEED OF TRUST

T.S. No. 1357699-14

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 NRS 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 the statutory period set forth in section 107.080 NRS, the right of reinstatement will terminate and the property may thereafter be sold.

HUD approved local Counseling Agency: CONSUMER CREDIT COUNSELING SERVICE
(800)045-1450


To determine if reinstatement is possible and the amount, if any, necessary to cure the default, contact: M&T BANK

c/o M & T BANK
ONE FOUNTAIN PLAZA
6TH FLOOR/DEFAULT SERVICING
BUFFALO NY 14203-1495
(800)724-1633

Loan Modification contact information: LOSS MITIGATION
(800)724-2224

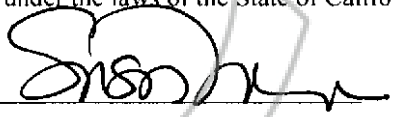
For Foreclosure status, please contact: Cal-Western Reconveyance Corp.
525 East Main Street
P.O. Box 22004
El Cajon, CA 92022-9004
(619) 590-9200

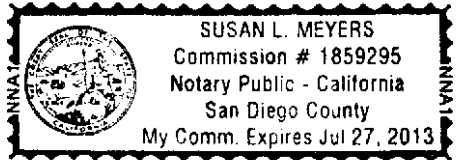
CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By 
Nicole Yost, A.V.P.

State of California
County of San Diego

On AUG 30 2012 before me, Susan L. Meyers,
a Notary Public, personally appeared Nicole Yost, A.V.P., 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 that the foregoing paragraph is true and correct.

Signature 



Date 8/30/12
Ref. SCOVILLE, ESTATE OF

Order No. 6503044



T.S. No:1357699-14
APN:013-030-36

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

I, Alejandro Diaz, am the A.V.P. of
Bayview Loan Servicing, LLC as Attorney in Fact for M&T Bank as it's representative,
the current beneficiary of the subject Deed of Trust ("Current Beneficiary") or the
authorized representative of the Current Beneficiary. The borrower(s) identified in
subject Deed of Trust is/are, BARBARA J SCOVILLE, AN UNMARRIED WOMAN.
The subject Deed of Trust encumbers the real property located at HC 34 BOX 34
CALIENTE NV 89008. 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 servicer which have
been represented to me to be true by persons employed by the servicer who have a
business duty to the servicer 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 Cal-Western Reconveyance Corporation, which is located at 525 E MAIN ST, EL CAJON CA 92020
- 1(b). The full name and business address of the current holder of the Note secured by the Deed of Trust at issue is M & T BANK, which is located at ONE FOUNTAIN PLAZA, 6TH FLOOR/DEFAULT SERVICING, BUFFALO, NY. 14203 1495.
- 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 M&T BANK which is located at C/O M & T



**BANK ONE FOUNTAIN PLAZA 6TH FLOOR/DEFAULT SERVICING
BUFFALO NY 14203.**

1(d). The full name and business address of the current servicer for the obligation secured by the Deed of Trust at issue is M & T BANK which is located at ONE FOUNTAIN PLAZA 6TH FLOOR/DEFAULT SERVICING BUFFALO NY 14203.

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:

Deed of Trust Information:

Date: 8/07/2007
Name: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR
COUNTRYWIDE HOME LOANS, INC.
Address: P.O. BOX 2026
FLINT, MI 48501-2026
Instrument#: 0129638

Recorded Assignments:

Date: 4/18/2012
Name: M&T BANK
Address: 1 FOUNTAIN PLAZA
BUFFALO, NY 14203
Instrument#: 0141076

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.



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 August 31, 2012 is \$ 12,334.41.

5(b). The amount of fees and costs already charged to debtor because of the default is \$1,712.95.

5(c). The unpaid principal amount of the obligation or debt secured by the Deed of Trust is currently **\$200,588.53**.

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 \$ 493.64.

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 \$2,971.17.



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 8-17-12, 2012.

Bayview Loan Servicing, LLC as Attorney in Fact for M&T Bank as it's representative

Alejandro Diaz / A.V.P.
Print Name/Title

Signature

State of: Nevada
County of: Humboldt

On 8-17-2012 before me, Sandra Burgess, a Notary Public personally appeared Alejandro Diaz

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)

Signature





Order#: 1357699-14
APN#: 013-030-36

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

EXHIBIT "A"

PRIOR KNOWN BENEFICIARIES

Date: 8/03/2007
Name: BANK OF AMERICA, N.A.
Address: 475 CROSSPOINT PARKWAY
GETZVILLE, NY 14068
Conveyance:

