



N/DEF 2012117930

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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
11/19/2012 15:08:32.44



2012117930

WHEN RECORDED, PLEASE RETURN TO:
Michael J. Whaley
Attorney at Law
Successor Trustee
Gross & Welch, P.C., L.L.O.
1500 Omaha Tower
2120 S. 72nd Street
Omaha, Nebraska 68124

NOTICE OF DEFAULT

NOTICE IS HEREBY GIVEN that a default has occurred under that certain Deed of Trust executed by Brashear 711 Trust, a revocable nominee trust as Trustor, Amy R. Behnke, as Trustee and Herman Trust, an irrevocable trust, as Beneficiary, recorded on January 21, 2011 at Instrument # ~~201100745~~ ²⁴⁵ of the Mortgage Records of the Office of the Register of Deeds, Douglas County, Nebraska, constituting a lien upon the following trust property:

*2011007545 KP

Lot 2, North Old Mill, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

The Beneficiary has appointed Michael J. Whaley, Attorney at Law, the Successor Trustee pursuant to Neb. Rev. Stat. 76-1004 effective November 16, 2012, a copy of which was filed in the Office of the Register of Deeds of Douglas County, Nebraska at Instrument #2012117371 of the Mortgage Records.

A breach of an obligation secured by said Deed of Trust for which the trust property was conveyed has occurred in the following respects:

Borrower has failed to pay indebtedness that has accrued and is owed to the Beneficiary pursuant to that certain Promissory Note dated January 17, 2011 in accordance with the terms and conditions of said Promissory Note executed by Borrower for the benefit of Beneficiary and the Successor Trustee has elected to sell, or cause to be sold, such trust property to satisfy the Indebtedness due and owing by the Borrower to the Beneficiary.

Successor Trustee

By: Michael J. Whaley Successor Trustee

Michael J. Whaley
Gross & Welch, P.C., L.L.O.
1500 Omaha Tower
2120 S. 72nd Street
Omaha, Nebraska 68124
Successor Trustee

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STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this 19 day of November 2012, by Michael J. Whaley, Successor Trustee.



J. Ana Lostaglia
Notary Public

11890-1/#63B3131