

**TO THE HEIRS OR DEVISEES OF BEVERLY A. SCOTT AND NOTICE TO  
THE PUBLIC  
NOTICE OF DEFAULT AND SALE  
DEED OF TRUST FORECLOSURE**

To: Heirs of Beverly A. Scott: John Syfert, whose address is John Syfert c/o Steven Young, Public Guardian, 900 W. 5<sup>th</sup> Ave., Suite 525, Anchorage, AK 99501 and 52731 Vesta Court, Kasilof, AK 99610

STEWART TITLE OF THE KENAI PENINSULA, INC., Substitute Trustee, under that certain Deed of Trust executed by JOHN H. SYFERT and BEVERLY A. SCOTT, as Trustors, to FIRST NATIONAL BANK OF ANCHORAGE, Trustee, NINILCHIK TRADITIONAL COUNCIL, as Beneficiary, dated September 30, 2010 and recorded October 15, 2010, in the office of the Recorder for the Kenai Recording District, State of Alaska, at Serial Number 2010-009079-0, conveying the following described real property situated in the State of Alaska, Third Judicial District, Kenai Recording District, and more particularly described as follows:

Lot Thirty-seven (37), RHODES ESTATES SUBDIVISION, AMENDED, according to Plat No. 86-205, in the Kenai Recording District, Third Judicial District, State of Alaska; which has physical addresses of 52731 Vesta Court, Kasilof, Alaska 99610;

hereby gives notice that a breach of the obligations for which such Deed of Trust is security has occurred, that such breach consists of the failure of the above-named Trustors to satisfy a certain indebtedness, the payment of which is secured by said Deed of Trust, and that the principal amount of such indebtedness due and owing by said Trustors to said Beneficiary as of

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May 6, 2016, is ONE HUNDRED THIRTY THOUSAND SEVEN HUNDRED SEVENTY-NINE DOLLARS and 24/100ths (\$130,779.24), plus costs, fees, and other charges incurred or advanced thereafter from and after May 6, 2016, including an amount exceeding \$3,663.30 for electricity, \$1,300.92 for heating fuel and \$2,074.00 for home insurance. The amount of past due interest as of May 6, 2017, at 2% per annum from May 6, 2016 is \$2,615.58; the litigation report as of April 20, 2017, is \$717.00. The recording of the notice of default is estimated to be \$70.00; the costs of posting the notice of default is estimated to be \$250.00; postage for mailing the notice of default is estimated to be \$72.00; estimated attorney's fees are \$2,500.00.

If the Default has arisen by failure to make payments required by the Deed of Trust, the default may be cured and the sale may be terminated if (1) payment of the sum then in default, other than the principal that would not then be due if default had not occurred, and attorney and other foreclosure fees and costs actually incurred by the beneficiary and trustee due to the default is made at any time before the sale date stated above or to which the sale is postponed; and (2) when notice of default has been recorded two or more times previously under the same deed of trust and the default has been cured, the trustee does not elect to refuse payment and continue the sale. The Trustee elects to sell the property and to apply the proceeds against the obligation. Notice is also hereby given that upon the demand of the Beneficiary, the Substitute Trustee hereby elects to sell the above-described property to satisfy all of the above-mentioned indebtedness owing to said Beneficiary, and together with all necessary costs and expenses, including reasonable attorney's fees, necessarily incurred.

In addition to default due to failure to make required payments, Trustors are also in default for failure to provide hazard and property insurance as required; failure to preserve, maintain and protect the subject property; failure to occupy the property; failure to pay and

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maintain utilities for the property; allowed the property to be destroyed in part, damaged and impaired; and, based on good faith investigation and belief; conducted or allowed others to conduct activities upon the premises that subject the property to condemnation or forfeiture.

Trustor Beverly A. Scott is known to be deceased leaving Co-Trustor John H Syfert as the sole devisee of the deceased.

Said sale shall be held at public auction at the main front door of the State Court Building, located at 125 Trading Bay Drive, Suite 100, Kenai, Alaska 99611, on the 15th day of August, 2017, at 11:00 o'clock am. Beneficiary will have the right to make an offset bid without cash in an amount equal to the sale, including all sums expended by Beneficiary and Trustee under the Deed of Trust with interest thereon.

STEWART TITLE OF THE KENAI PENINSULA, INC., Substitution Trustee has appointed the law firm of Michael Hough, to institute and conduct the foreclosure of this Deed of Trust. Any inquiries should be directed to the law firm at 3733 Ben Walters Lane, Suite 2, Homer, AK 99603.

DATED this 8 day of May, 2017.

STEWART TITLE OF THE KENAI  
PENINSULA, INC., Substitution Trustee

By 

Title President

C. Michael Hough, Attorney at Law, 3733 Ben Walters Lane, Suite 2, Homer, Alaska 99603, (907) 235-8184

## Fair Debt Collections Practices Act Statement

The purpose of this letter is to collect a debt. Any information obtained will be used for that purpose. The principal balance of the debt is \$130,779-24, plus interest, late charges, attorney fees, costs and other advances, if the Default has arisen by failure to make payments required by the Deed of Trust. The default may be cured and the sale may be terminated if payment of the sum then in default, other than the principal that would not then be due if default had not occurred, and attorney and other foreclosure fees and costs actually incurred by the beneficiary and trustee due to the default is made at any time before the sale date stated above or to which the sale is postponed. If the notice of default has been recorded two or more times previously under the same deed of trust and the default has been cured, the trustee may elect to refuse payment and continue the sale. The creditor to whom the debt is owed is Ninilchik Traditional Council. Unless within 30 days after receipt of this notice you dispute the debt or any portion thereof, we will assume the debt to be valid. If you notify us in writing within 30 days after receipt of this notice that you dispute the debt or any part thereof, we, the substitute trustee will request that the creditor obtain further verification of the debt and mail it to you. If you request in writing within 30 days after receipt of this notice, we will request that the creditor provide you with the name and address of the original creditor, if different from the current creditor. Address requests to: Stewart Title of the Kenai Peninsula Inc., 35096 Kenai Spur Highway, Soldotna, AK 99669.

### After Recording Return to:

C. Michael Hough  
3733 Ben Walters Lane Ste. 2  
Homer, AK, 99603

H:\Real Estate\Ninilchik NoticeDefault&Sale-Heirs

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