# NOTICE OF DEFAULT IN DISHONOR

Certified Mail #: **7020 1290 0000 3913 4883**

Notice date: **April 13, 2023**

Accused: **Accused (spell out First Middle and Last in upper and lower case)**

*Service by and respond to:*

 **c/o (Name), Public Notary**

 **Street Address**

 **Anytown, Utah 84737**

Respondent(s): **CORPORATION, INC**

**Attn: PERSON ADDRESSING, TITLE**

**STREET ADDRESS**

 **ANYTOWN, UTAH 84773**

Reference: **FIRST MIDDLE LAST (spell out name of accused in all caps);** **Notice of Default for Proper Name of Notice received, Dated February 23, 2023**

This instrument is a **Notice of Default in Dishonor** upon the instrument(s) tendered by the Accused on or about March 3, 2023, with the U.S.P.S. Certified Mail Article No. 7020 1290 0000 3913 4524, Return Receipt, Restricted Delivery, and received by the Respondent(s) on or about March 9, 2023, at the address referenced above.

**PRESENTMENT**: On **March 3, 2023**, (Name), Public Notary, at the request of the Accused, presented the following instrument(s), hereinafter “Presentment”, for acceptance:

1. CONSTRUCTIVE NOTICE OF CONDITIONAL ACCEPTANCE issued by the Accused and dated March 3, 2023; and
2. TESTIMONY IN THE FORM OF AN AFFIDAVIT issued by the Accused and dated March 3, 2023; and
3. Plain Statement of Facts issued by the Accused and dated March 3, 2023; and
4. Notice of Fault in Dishonor, issued by the Accused and dated April 13, 2023; and
5. Reference copy of a NOTARY’S CERTIFICATE OF SERVICE dated April 13, 2023.

**DISHONOR**: By the terms and conditions of the agreement resulting by the offer and acceptance of the Presentment, the Respondent(s) are under the duty and obligation to timely and in good faith honor the offer by a presentment within thirty (30) days with a response on a point-by-point basis, via a sworn affidavit, under the Respondent(s) full commercial liability, signing under the penalty of perjury that the facts contained therein are true, correct, complete and not misleading. Mere declarations are an insufficient response. A dishonor of the offer discharges the alleged liability that the Respondent(s) have claimed.

Allowing thirty (30) days for the acceptance, and an additional ten (10) days on the opportunity to cure, **Notice of Fault in Dishonor,** and the time allowed having passed for acceptance, and the Notary showing no record of acceptance, Accused now deems the instrument(s) to have been dishonored on **April 3, 2023,** and the **Notice of Fault in Dishonor** to have been dishonored on **April 13, 2023**, thereby comprising a confession of judgment on the merits.

**DEFAULT**: For the Respondent(s) failure to honor the offers places the Respondent(s) at **fault**. For the Respondent(s) failure, refusal, or neglect in the presentment of a verified response to the Presentment and to the **Notice of Fault in Dishonor**,Respondent(s) thereby acquiesce and tacitly agree with all terms, conditions and stipulations set forth within the **Notice of Default in Dishonor**.

Of this presentment take due **Notice** and heed and govern yourself accordingly.

IN WITNESS WHEREOF I hereunto set my hand and seal on this 20th day of July, 2009 and hereby certify all the statements made above are true, correct and complete.

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Accused: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Seal)

 John Henry Doe

**JURAT**

Utah

Sanpete County

Subscribed and affirmed before me on this day of 2023, by Accused (spell out names in upper and lower case)

(seal)

 Signature

 My commission expires

**NOTARY’S CERTIFICATE OF SERVICE**

It is hereby certified, that on the date noted below, the undersigned Public Notary mailed to:

**ABC Corporation**

**Attn: Joe Brown**

555 East Oak Street

El Cajon, CA 92020

hereinafter, “Recipient,” the documents and sundry papers pertaining to a Notice of Default and Election to Sell under Deed of Trust, Trustee Sale No. 1234567-01, relating to the Deed of Trust, Instrument No. 06-1111122, and JOHN H. DOE as follows:

1. **NOTICE OF DEFAULT IN DISHONOR,** issued by John Henry Doe and dated July 18, 2009; and
2. reference copy of this **Notary’s Certificate of Service** (signed original on file)

by Certified Mail No. 7000 0000 0000 0000 2222 Return Receipt attached by placing same in a postpaid envelope properly addressed to Recipient at the said address and depositing same at an official depository under the exclusive face and custody of the U.S. Postal Service within Utah.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Seal)

PUBLIC NOTARY DATE

My commission expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Stamp)

(Name), Public Notary

123 Main Street

Fountain Valley, Utah 84647