

After recording mail to:
TICOR TITLE INSURANCE COMPANY OF CALIFORNIA
160 W. Liberty Street Reno, Nevada 89501

DO-13385-TSG

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

Order No. 149032-F

IN THE MATTER OF the Deed of Trust made by G. W. RABEL and MARIE RABEL, Trustor, to TITLE INSURANCE AND TRUST COMPANY, Trustee, dated April 17, 1980, Recorded April 17, 1980, in Book No. 480, Page 1049, of Official Records, in the office of the County Recorder of Douglas County, Nevada, securing among other obligations, a promissory note for \$138,434.29 in favor of COPELAND LUMBER YARDS, INC. or order.

NOTICE IS HEREBY GIVEN that a breach of an obligation for which said Deed of Trust is a security has occurred in that there has been a default as follows:

1. On April 17, 1980, Trustee executed and delivered to Beneficiary COPELAND LUMBER YARDS INC. a demand note in the face amount of \$138,434.29, with interest thereon at the rate of fifteen percent (15%) per annum from said date.
2. Trustors are in default in payment of the balance of said note.
3. Before credit for payment hereinafter referred to, there is due, owing and unpaid on said note the principal sum of \$128,171.85 with interest thereon at the rate of fifteen percent (15%) per annum from the 5th day of December, 1981. There has been received by the beneficiary COPELAND LUMBER YARDS, INC., a payment in the amount of \$80,000 from a third party in settlement of a doubtful claim, which payment should be deducted from \$128,171.85, leaving a final balance of \$48,171.85 with interest thereon at a rate of 15% per annum, due, owing and unpaid from the 5th day of December, 1981.
4. The United States Bankruptcy Court for the District of

Nevada, by means of the order attached hereto and incorporated herein as Exhibit 1, has lifted the automatic stay in Bankruptcy case No. 81-00085 and Adversary case No. 82-147, which order was filed October 4, 1983, thereby permitting beneficiary to instruct the Trustee to commence or to continue with foreclosure of that certain Deed of Trust, securing the payment of the above-referenced promissory note, which Deed of Trust was recorded April 17, 1980, in Book 480, page 1049, Douglas County, Nevada records; however, the said Bankruptcy Court has ordered that the foreclosure which is commenced by this Notice should be confined to notice of sale and sale of the following-described parcel of real property only:

All that certain parcel of real property located in the County of Douglas, State of Nevada consisting of The North 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 30, Township 14 North Range 21 East, M.D.B.&M.

5. The said Bankruptcy Court has also ordered that beneficiary shall not be entitled to any deficiency judgment against any party to the action referenced on Exhibit A following the foreclosure sale, if any, conducted upon the above-referenced parcel of real property.

By reason of said breach and default, it is hereby declared that the whole of said unpaid amount of said note and all other sums secured by said Deed of Trust is immediately due and payable, and notice is hereby given of the election of the undersigned to cause TICOR TITLE INSURANCE, as Trustee thereunder, to sell the property described therein in the manner provided in said Deed of Trust, and notice is further hereby given that the undersigned has heretofore executed and delivered to said Trustee a written declaration of said breach and default and a written demand for the sale of said property.

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 35 DAYS FOLLOWING THE RECORDING AND MAILING TO TRUSTOR OR TRUSTOR'S SUCCESSOR IN INTEREST OF THIS NOTICE, THE RIGHT OF REINSTATEMENT WILL TERMINATE AND THE PROPERTY MAY THEREAFTER BE SOLD.

To determine if reinstatement is possible and the amount, if any, necessary to cure the default, contact the Trustee.

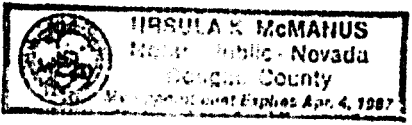
SHEERIN, O'REILLY, WALSH & KEELE

By George M. Keele
GEORGE M. KEELE
Attorney for Beneficiary,
COPELAND LUMBER YARDS INC.

STATE OF NEVADA)
): SS
COUNTY OF DOUGLAS)

On this 23rd day of November, 1983, before me, a Notary Public in and for said State, personally appeared GEORGE M. KEELE, known to me to be the attorney for the beneficiary herein that executed the within instrument and known to me to be the person who affixed his name thereto as such attorney and who acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.

Hersula K. McManus
Notary Public



1 LIONEL SAWYER & COLLINS
2 Valley Bank Plaza, Suite 1100
3 50 West Liberty Street
4 Reno, Nevada 89501
5 Telephone (702) 788-8666

FILED AND RECEIVED

'83 OCT 4 PM 4:46

U.S. BANKRUPTCY COURT
PATRICIA GRATEL HARVEY, CLERK

7 UNITED STATES BANKRUPTCY COURT
8 FOR THE DISTRICT OF NEVADA

9
10 IN RE: GARY W. RABEL and MARIE A.
11 RABEL, dba G.W. RABEL & SON
12 CONSTRUCTION CO.,

No. 81-00085

Debtors.

13 COPELAND LUMBER YARDS, INC.,

14 Plaintiff,

15 vs.

16 GARY W. RABEL, MARIE A. RABEL,
17 LAWYER'S TITLE INSURANCE CORPORATION,
18 et al.,

Defendants.

Adversary No. 82-147

19
20 ORDER

21 Upon the Stipulation of counsel and good cause appearing
22 therefore:

23 IT IS ORDERED AND ADJUDGED that the automatic stay is
24 herewith lifted and Plaintiff is permitted to continue with the
25 foreclosure of that certain Deed of Trust recorded April 17, 1980
26 in Book 480, Page 1049, Douglas County, Nevada records but Plaintiff
27 shall not be entitled to any deficiency judgment against any party

28 / / /

LIONEL SAWYER
& COLLINS
ATTORNEYS AT LAW
P. O. BOX 5210
RENO, NV 89505
TELEPHONE

EXHIBIT 1

092896

BOOK 1283 PAGE 2214

1 following the foreclosure sale and the foreclosure shall be only
2 of the North 1/2 of the Southeast 1/4 of the Southwest 1/4 of
3 Section 30, Township 14 North Range 21 East, M.D.B.&M. as the
4 trustors under the deed of trust have never had title to the balance
5 of the real property described in the deed of trust.

6 And It Is Further Ordered that other than as herein
7 ordered, Plaintiff shall take nothing by Plaintiff's Complaint
8 herein.

9 DATED this 4 day of October, 1983.

10 ROBERT C. JONES
11 _____
12 Bankruptcy Judge

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COPIED

LIONEL SAWYER
& COLLINS
ATTORNEYS AT LAW
P. O. BOX 8010
RENO, NV 89508
TELEPHONE
(702) 783-8080

REQUESTED BY
Northern Nevada Title Company
OFFICIAL RECORDS OF
DOUGLAS CO. NEVADA
\$9.00 pd.
1983 DEC 19 PM 12:54
SUZANNE BEAUDREAU
RECORDER
BOOK 1283 PAGE 2215
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Cecil G. G...
Rep.