# NOTICE OF DEFAULT AND ELECTION TO SELL

A Portion of APN: 42-261-06

34-006-45-02

### **NOTICE IS HEREBY GIVEN:**

WHEREAS, THE RIDGE TAHOE PROPERTY OWNER'S ASSOCIATION is granted under the Fourth Amended and Restated Declaration of Time Share Covenants, Conditions and Restrictions for The Ridge Tahoe ('Declaration'), recorded on February 14, 1984, as Document No. 96758 in Book 284 at Page 5202, Official Records, Douglas County, Nevada, a lien in its favor with the power of sale, to secure payment to THE RIDGE TAHOE PROPERTY OWNERS' ASSOCIATION of any and all assessments made pursuant to said Declaration; and

WHEREAS, THE RIDGE TAHOE PROPERTY OWNERS' ASSOCIATION caused to be recorded on May 04, 2000, in the Office of the County Recorder of Douglas County, Nevada, Official Records, as Document No. 491285, in Book 0500, at Page 944, a Notice of Claim of Lien for delinquent assessments, encumbering that certain real property situated in the County of Douglas, State of Nevada, more particularly described in Exhibit 'A', attached hereto and incorporated herein by this reference; and

WHEREAS, the name of the record owner of the Exhibit 'A' real property is HERBERT H. BORCHERS and MIMI G. BORCHERS, husband and wife, GAYLE HYDER, an unmarried woman and CAROLE BORCHERS, a single woman altogether as joint tenants with right of survivorship, and not as tenants in common; and

WHEREAS, a breach of the obligations for which the Claim of Lien is security has occurred in that default in annual assessment payments, in the amount of \$1,617.00 due 1/10/2000, have not been made, and \$339.64 in interest charges, and the amounts for the fees and costs incurred in the preparation and filing, have not been made pursuant to the declaration.

NOTICE IS HEREBY GIVEN that the undersigned has elected to sell, or cause to be sold, the real property described in said Exhibit 'A' to satisfy all obligations.

The sale of all said Exhibit 'A' real property will not occur if payment of the total of all outstanding assessments is made, together with payment of costs, fees and expenses incident to the making good of the deficiency in payment, if paid within 60 days following the day upon which this Notice of Default and Election to Sell is recorded in the Office of the County Recorder in which the property is located and a copy of the Notice of Default and Election to Sell is mailed by certified mail with postage prepaid to the owner of the Exhibit 'A' real property.

DATED MAY 1 9 2000

THE RIDGE TAHOE PROPERTY OWNER'S ASSOCIATION, a Nevada non-profit corporation

Dan Garrison, Co-Vice-President, Director

STATE OF NEVADA

SS

COUNTY OF DOUGLAS

On MAY 1 9 2000 , before me, a Notary Public, in and for said county and state, personally appeared Dan Garrison, who is the Co-Vice-President, Director of The Ridge Tahoe Property Owners' Association, a Nevada non-profit corporation, personally known to me to be the person who executed the above instrument on behalf of the said corporation, and who acknowledged that he executed the above instrument for the purposes therein stated.

**Notary Public** 

WHEN RECORDED, MAIL TO: STEWART TITLE OF DOUGLAS COUNTY 1702 COUNTY ROAD, SUITE B MINDEN, NV 89423 N Appoi

**TAMMY DAVIS** 

Notary Public - State of Nevada Appointment Recorded in County of Douglas My Appointment Expires Dec. 1, 2002 A TIMESHARE ESTATE COMPRISED OF:

### PARCEL ONE:

An undivided 1/51st interest in and to that certain condominium as follows:

- (A) An undivided 1/38th interest as tenants-in-common, in and to Lot 34 of Tahoe Village Unit No. 3 as shown on the Eighth Amended Map, recorded as Document No. 156903 of Official Records of Douglas County, State of Nevada. Except therefrom Units 001 to 038 as shown and defined on that certain Condominium Plan recorded June 22, Document No. 156903 of Official Records of Douglas County, State of Nevada.
- as shown and defined on said Condominium (B) Unit No. 006 Plan.

#### PARCEL TWO:

A non-exclusive right to use the real property known as Parcel "A" on the Official Map of Tahoe Village Unit No. 3, recorded January 22, 1973, as No. 63805, records of said county and state, for all those provided for in the Declaration of Covenants, Conditions and Restrictions recorded January 11, 1973, as Document No. 63681, 173, Page 229 of Official Records and in the modifications thereof recorded September 28, 1973, as Document No. 69063 in Book 973, Page 812 of Official Records and recorded July 2, 1976 as Document No. 1472 in Book 776, Page 87 of Official Records.

#### PARCEL THREE:

A non-exclusive easement for ingress and egress and recreational purposes and for the use and enjoyment and incidental purposes over, on and through Lots 29, 39, 40, and 41 as shown on Tahoe Village Unit No. 3 - Seventh Amended Map, recorded April 9, 1986 as Document No. 133178 of Official Records of Douglas County, State of Nevada for all those purposes provided the Fourth Amended and Restated Declaration of Covenants, Conditions and Restrictions, recorded February 14, 1984, as Document No. 96758 of Official Records of Douglas County, State of Nevada.

### PARCEL FOUR:

- A non-exclusive easement for roadway and public utility (A) purposes as granted to Harich Tahoe Developments in deed re-recorded December 8, 1981, as Document No. 63026, being over a portion of Parcel 26-A (described in Document No. Ø1112, recorded June 17, 1976) in Section 30, Township 13 North, Range 19 East, - and -
- An easement for ingress, egress and public utility (B) purposes, 32' wide, the centerline of which is shown and described on the Seventh Amended Map of Tahoe Village No. 3, recorded April 9, 1986, as Document No. 133178 of Official records, Douglas County, State of Nevada.

## PARCEL FIVE:

The exclusive right to use a unit of the same Unit Type as described in the Amended Declaration of Annexation of Phase Three Establishing Phase June 22, 1987, as Document No. 156904 of Official recorded on Douglas County, in which an interest is hereby conveyed in subparagraph (B) of Parcel One, and the non-exclusive right to and Parcels real property referred to in subparagraph (A) of Parcel One Two, Three and Four above for all of the Purposes provided for and Restated Declaration of Covenants, Conditions and Amended Restrictions of the Ridge Tahoe, recorded February 14, 1984, as Document 96758 of Official Records of Douglas County, during ONE use week in the "SWING season", as said quoted term is defined in the within the " SWING Amended Declaration of Annexation of Phase Three Establishing Phase Four.

The above described exclusive rights may be applied to any available unit of the same Unit Type on Lot 34 during said use week within season".

A Portion of APN 42-261-06

REQUESTED BY

STEWART TITLE of DOUGLAS COUNTY IN OFFICIAL RECORDS OF DOUGLAS CO., NEVADA

2000 MAY 22 AM 10: 40

LINDA SLATER RECORDER \$800 KD DEPUTY

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