

WHEN RECORDED MAIL TO:
WESTERN TITLE COMPANY INC.
1626 Hwy 395
Minden, NV 89423

Foreclosure No:
83730-ICF

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

IN MATTER OF DEED OF TRUST made by HOWARD W. HERZ and KREGG L. HERZ, husband and wife, as Joint Tenants, Trustor, to WESTERN TITLE COMPANY, INC., a Nevada corporation, Trustee, dated March 23, 1999 recorded March 29, 1999 as Document No. 0464442, in Book 0399 Page 6586, of Official Records, in the office of the County Recorder of DOUGLAS County, Nevada, securing among other obligations, (1) Note(s) for \$ 525,000.00, in favor of THOMAS E. DOWER and GAYLE DOWER, husband and wife as joint tenants as to an undivided 27.6190% interest (\$145,000.00) and WALLCE D. BENTON and CLARA M. BENTON, Trustees of THE BENTON FAMILY TRUST dated October 18, 1993, as to an undivided 19.0476% interest (\$100,000.00) and NATIONAL DIVIDED CLUB OF MILWAUKEE, a Milwaukee corporation as to an undivided 9.5238% (\$50,000.00) and FRED G. KENNEDY, JR. And KATHY L. KENNEDY, husband and wife as joint tenants as to an undivided 5.7143% interest (\$30,000.00) and WALTER C. SCHWARTZ and MARION SCHWARTZ, Trustees of the Schwartz Family Trust dated October 21, 1993, as to an undivided 38.0952% interest (\$200,000.00), Beneficiary

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

* NON-PAYMENT OF THAT CERTAIN MONTHLY INSTALLMENT WHICH BECAME DUE ON PLUS ADVANCES, IF ANY, MADE ON PRIOR ENCUMBRANCES, SPECIAL ASSESSMENTS, REAL ESTATE TAXES, FIRE INSURANCE PREMIUMS, ATTORNEY FEES, FORECLOSURE FEES AND LATE CHARGES, IF ANY.

There is now owing and unpaid on said not the sum of \$ 525,000.00
Principal and interest thereon from August 1, 2000

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

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 heretofor 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 HAS NO DEFAULT OCCURED. 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.

Property Address: 153 TAMBOURINE RANCH RD, GARDNERVILLE NV 89410
Also know as : Apr 19-041-25

SEE ATTACHED EXHIBIT "A" FOR THE COMPLETE LEGAL DESCRIPTION

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


STATE OF NEVADA
COUNTY OF DOUGLAS


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On October 6, 2000
before me, a notary public, personally appeared

DAVE ROBINSON, a Vice President, of/for
WESTERN TITLE COMPANY, INC.

personally known or proved to me to be the
subscribed to the above instrument who acknowledged
that executed the instrument.


DAVE ROBINSON
Vice President


Kathy Swain
Notary Public



0500927

BK1000PG1067

EXHIBIT "A"

All that certain lot, piece or parcel of land situate in the County of Douglas, State of Nevada, described as follows:

PARCEL 1:

All that certain lot, piece, parcel or portion of land situate, lying and being within the North 1/2 of the Southeast 1/4 of Section 4, Township 12 North, Range 19 East, M.D.B.&M. and more particularly described as follows:

A lot line adjustment between the following five (5) parcels of land: (1.) "Lot Line Adjustment parcel D" as described in deed filed for record in Book 190 at Page 1620, as document number 217902, Official Records of Douglas County, Nevada and shown as "Adjusted Parcel D" on that certain map entitled "Record of Survey for Howard W. Herz" filed for record in Book 190 at Page 1630, as document number 217903, Official Records of Douglas County, Nevada; (2.) Parcel D. as described in deed filed for record in Book 1287 at Page 2438, as document number 168986, Official Records of Douglas County, Nevada and subsequently adjusted by deed filed for record in Book 989 at Page 1226, as document number 210620, Official Records of Douglas County, Nevada and shown as "Adjusted Parcel E" on the aforesaid Record of Survey map; (3.) that certain parcel of land as described in deed filed for record in Book 1186 at Page 561, as document number 144657, Official Records of Douglas County, Nevada; (4.) that certain parcel of land as described as "Parcel B:" in deed filed for record in Book 1287 at Page 2438, as document number 168986, Official Records of Douglas County, Nevada; (5.) and that certain parcel of land as described as "Parcel A:" in deed filed for record in Book 1287 at Page 2438, as document number 168986, Official Records of Douglas County, Nevada; and also known as assessors parcel numbers 19-041-24, 19-041-19, 19-030-04, 19-031-05, and 19-020-04 respectively and more particularly described as follows:

Commencing at the east 1/4 corner of aforesaid Section 4 as shown on aforesaid map; thence along the true north line of the southeast 1/4 of said Section 4, South 89°53'42" West a distance of 767.42 feet to the most northeasterly corner of Adjusted parcel D as shown on said map which point is the TRUE POINT OF BEGINNING; thence along the boundary of Adjusted Parcel D as shown on said map the following courses and distances:

South 00°27'24" West a distance of 233.78 feet: thence
South 00°11'00" East a distance of 180.46 feet: thence
South 89°59'01" West a distance of 114.57 feet: thence
South 00°00'59" East a distance of 324.74 feet: thence
South 00°05'56" East a distance of 133.00 feet: thence
South 89°59'01" West a distance of 419.06 feet to the west line of the northeast 1/4 of the southeast 1/4 of said Section 4: thence along said line South 00°02'44" East a distance of 448.79 feet to the southeast corner of the northwest 1/4 of the southeast 1/4 of said Section 4; thence along the south line of the northwest 1/4 of the southeast 1/4 of said Section 4
North 89°49'22" West a distance of 580.00 feet to the most westerly corner of that parcel referenced above as (4.); thence along the northerly line thereof North 55°51'02" East a distance of 579.69 feet; thence leaving said line North 00°02'44" West a distance of 599.30 feet; thence North 89°59'01" East a distance of 613.62 feet; thence North 00°11'44" East a distance of 394.21 feet; thence North 89°53'42" East a

(Continued)

distance 20.00 feet; to the TRUE POINT OF BEGINNING.

PARCEL 2:

Together with an easement for roadway and access purposes as shown on aforesaid map over Adjusted Parcels B and C and more particularly described as follows:

Commencing at the ^{east} 1/4 corner of said Section 4 as shown on aforesaid map thence, South 89°49'29" West a distance of 644.60 feet to the westerly right-of-way line of State Highway 207 (Kingsbury Grade); thence along said westerly line South 44°27'00" East a distance of 644.70 feet to the northwest corner of that parcel described in deed filed for record in Book 884 at Page 1904 as document number 105319, Official Records of Douglas County, Nevada which point is the TRUE POINT OF BEGINNING; thence, South 10°56'20" West a distance 240.79 feet to the southeast corner of "Adjusted Parcel B" as shown on the aforesaid map; thence along the south line thereof South 89°59'01" West a distance of 348.67 feet; thence leaving said south line South 89°59'01" West a distance of 50.00 feet; thence North 00°14'51" East a distance of 103.90 feet; thence North 70°15'00" West a distance of 112.67 feet; thence along a tangent curve to the left having a central angle of 31°45'00" a radius of 140.00 feet and an arc length of 77.58 feet; thence South 78°00'00" West a distance of 72.33 feet to the west line of the above described "Herz Remainder Parcel 1"; thence along said line, North 00°00'59" West a distance of 51.11 feet; thence leaving said west line, North 78°00'00" East a distance of 61.72 feet; thence along a tangent curve to the right having a central angle of 31°45'00", a radius of 190.00 feet and an arc length of 105.29 feet; thence, South 70°15'00" East a distance of 148.00 feet; thence South 00°14'51" West a distance of 89.00 feet; thence North 89°59'01" East a distance of 307.19 feet; thence North 10°56'20" East a distance of 198.05 feet to the aforesaid westerly right-of-way line; thence along said line South 44°27'00" East a distance of 60.75 feet to the TRUE POINT OF BEGINNING.

PARCEL 3:

Together with an easement 10 feet in width for public underground utility purposes lying westerly and northerly of, adjacent to the parallel with the following described line:

Commencing at the east 1/4 corner of said Section 4 as shown on the aforesaid map; thence South 89°49'29" West a distance of 644.60 feet to the westerly right-of-way line of State Highway 207 (Kingsbury Grade); thence along said westerly line South 44°27'00" East a distance of 326.60 feet; thence South 45°33'00" West a distance of 229.20 feet to the TRUE POINT OF BEGINNING; thence South 00°14'51" West a distance of 267.74 FEET; thence South 00°05'56" East a distance of 77.00 feet; thence South 89°59'01" West a distance of 302.83 feet to the terminus point of this 10 foot wide easement.

A.P.N. 19-041-25

REQUESTED BY
WESTERN TITLE COMPANY, INC.

IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2000 OCT -6 PM 12:30

LINDA SLATER
RECORDER

\$ 9.00 PAID *KZ* DEPUTY

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BK 1000 PG 1069