

WHEN RECORDED MAIL TO :
WAYNE TOLBERT
MARY K. TOLBERT
2430 TELLURIDE
RENO NV 89511

FORECLOSURE NO. 84845-ICF

R.P.P.T. \$141.05
xx based on full value
APN 1420-07-616-039

TRUSTEE'S DEED

THIS INDENTURE, made and entered into on the 17th day of September, 2001, and between WESTERN TITLE COMPANY, INC., a Nevada corporation, as Trustee, party of the first part, and WAYNE TOLBERT and MARY K. TOLBERT, husband and wife as Joint Tenants, party of the second part, whose address is 2430 Telluride, Reno NV 89511

WITNESSETH

WHEREAS, JERRY L. SMITH and DOROTHY J. SMITH, husband and wife executed a Promissory Note payable to the order of WAYNE TOLBERT and MARY K. TOLBERT, husband and wife as Joint Tenants

in the principal sum of \$100,951.76 and bearing interest, and as security for the payment of said Promissory Note, JERRY L. SMITH and DOROTHY J. SMITH, husband and wife, said, Trustor, executed a certain Deed of Trust to WESTERN TITLE COMPANY, INC., a Nevada corporation, as original Trustee for WAYNE TOLBERT and MARY K. TOLBERT, husband and wife as Joint Tenants as Beneficiary, which Deed of Trust was dated March 3rd, 2000, and was recorded on March 3rd, 2000, in book 0300, page 741, document no. 0487405 of official records of DOUGLAS County, Nevada; and

WHEREAS, breach of obligation for which such transfer in trust as security was made occurred in that default was made in the failure to pay the balance of the installment of principal and interest due from **March 1, 2001** and in the failure to pay each payment of principal and interest that thereafter became due together with attorney's fees, foreclosure fees and costs; and

WHEREAS, WAYNE TOLBERT and MARY K. TOLBERT, husband and wife as Joint Tenants

executed and acknowledged a Notice of Default and Election to Sell the property described in said Deed of Trust to satisfy said indebtedness, and said Notice of Default and Election to Sell recorded on June 19, 2001, in book 0601, page 4865, as document no. 0516733, of official records of DOUGLAS county, Nevada; and

WHEREAS, on JUNE 21, 2001, a copy of said Notice of Default and Election to Sell was mailed by certified mail to the then owner of the property hereinafter described and to all other parties entitled by law to such notice; and

WHEREAS, by direction of the Beneficiary herein, said WESTERN TITLE COMPANY, INC., a Nevada corporation, as Trustee, gave due and legal notice in each and every manner required by said Deed of Trust and provided by law that it would be on the 17TH day of OCTOBER, 2001, at the hour of 11:00 o'clock am sell at the location of Douglas County Administration Bldg, 1616 Eight Street, Minden, NV, at public auction to the highest cash bidder in lawful money of the United States of America, the realty described in said Deed of Trust to satisfy the indebtedness due under said Deed of Trust and the Promissory Note secured by it; that said Notice of Sale was published in The Record Courier, Nevada, in its issues dated

September 26th, 2001, October 3rd, 2001 & October 10th, 2001

and said Notice of Sale was posted in (3) three public places in **DOUGLAS** County namely, at the lobby of the Douglas County Court House, Douglas County Clerks's Office & Douglas County Administration

WHEREAS, on the 17th day of September, 2001, a copy of said Notice of Sale was mailed by registered mail to the then owner of the property hereinafter described and to all other parties entitled by law to such notice; and

WHEREAS, at the time and place so set for said sale said party of the second part did bid the sum of \$ **108,334.15**, for said property, and said sum was highest and best bid therefore;

NOW THEREFORE; for and in consideration of said sum of \$ **108,334.15**, the said party of the first part, as Trustee, under and by virtue of the authority vested in it by said Deed of Trust, does hereby grant, bargain, sell and convey, without warranty, unto the party of the second part, and to its successors and assigns forever, all that certain real property situate in the County of **Douglas**, state of Nevada, that is described as follows:

0525724

BK 1001 PG 6570

APN 1420-07-616-039
Apn (old) 13-226-23

Lot 89, in Block B, of Highland Estate Unit No. 2, according to the map thereof, filed in the office of the County Recorder of Douglas County, State of Nevada, on January 27, 1978, in Book 178, Page 1633, as Document No. 17090.

TOGETHER WITH, the improvements thereon, and all other singular the tenements hereditaments and appurtenances thereunto belonging or appertaining, and the reversion and reversions, remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, the said remises, together the appurtenances, unto the said party of the second part, and to its successors and assigns forever.

IN WITNESS WHEREOF, the party of the first part has caused this conveyance to be executed the day and year first above written.

Dated: October 19, 2001

STATE OF NEVADA

WESTERN TITLE COMPANY, INC.


DAVE ROBINSON
Senior Vice President

County of DOUGLAS)
on *Oct. 19, 2001*) SS.

This instrument was acknowledged before me

by DAVE ROBINSON, as SENIOR VICE PRESIDENT of/for WESTERN TITLE COMPANY, INC., a Nevada corporation

MAIL TAX STATEMENT TO:
SAME AS ABOVE

.....
FOR RECORDER'S USE


Notary Public



REQUESTED BY
WESTERN TITLE COMPANY, INC.

IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2001 OCT 19 PM 12:45

LINDA SLATER
RECORDER

\$15⁰⁰ PAID *Kg* DEPUTY

0525724
BK 1001 PG 6571