

DOC # 730976
10/02/2008 04:11PM Deputy: GB
OFFICIAL RECORD
Requested By:
STEWART TITLE RENO
Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 9 Fee: 22.00
BK-1008 PG-372 RPTT: 9.75

RECORDING REQUESTED BY

HOUSEKEY FINANCIAL CORP
PO BOX 60145
CITY OF INDUSTRY, CA 91716

TAX STATEMENTS TO
AND WHEN RECORDED MAIL TO



BENEFICIAL MORTGAGE CO. OF NEVADA
ATTN: REO DEPT
931 CORPORATE CENTER DRIVE
POMONA, CA 91768

#806342

File No. DL-32195-4 Title Order No. Space above this line for recorder's use only
APN: 1220-22-310-203

GRANT DEED IN LIEU OF FORECLOSURE

THE UNDERSIGNED GRANTOR(S) DECLARE(S):

- 1) The grantee herein was the current beneficiary under two deeds of trust, the first deed of trust dated **09/21/2005** and the second deed of trust dated **05/11/2006**, both of which were executed by the undersigned Grantor(s) in favor of the lenders/beneficiaries stated in each respective deed of trust:
- 2) The amount of the unpaid debt together with costs was: **\$334,782.19** ~~\$2,450.00~~
- 3) The amount paid by the grantee over and above the unpaid debt was: **\$0.00**
- 4) The documentary transfer tax is: **\$9.75** ~~\$9.45~~
- 5) Said property is in: () unincorporated area: (X) City of **GARDNERVILLE**, County of **Douglas**, State of **NEVADA**;

and FOR VALUABLE CONSIDERATION, receipt and sufficiency of which is hereby acknowledged,

MAX R. SOUDER AND MARLA D. SOUDER, HUSBAND AND WIFE, AS JOINT TENANTS hereby grant(s) to **BENEFICIAL MORTGAGE CO. OF NEVADA** the following real property in the **County of Douglas, State of NEVADA**, described as:

SEE ATTACHED EXHIBIT "A"

MAX R. SOUDER AND MARLA D. SOUDER, HUSBAND AND WIFE, AS JOINT TENANTS and **BENEFICIAL MORTGAGE CO. OF NEVADA** agree that this **Grant Deed in Lieu of Foreclosure** and the transactions contemplated herein are mutual, full, and complete settlement, discharge and release of Grantor(s)' and Grantee's claims relating to the mortgage, including, without limitation, their rights and obligations with respect to the rescission of the mortgage pursuant to the Truth-in-Lending Act, Federal Reserve Regulation Z, or any other applicable law; and **MAX R. SOUDER AND MARLA D. SOUDER, HUSBAND AND WIFE, AS JOINT TENANTS** further acknowledge(s) that they have elected to proceed

with this **Grant Deed in Lieu of Foreclosure** and this transactions contemplated herein in lieu of any other rights or actions that they might pursue with respect to rescission either now or in the future.

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

Said property is commonly known as **1490 KATHY WAY, GARDNERVILLE, NV 89460**

Dated: 09/05/2008

Max Souder
By: **MAX R. SOUDER**, Grantor

Marla D. Souder
By: **MARLA D. SOUDER**, Grantor

STATE OF Calif

COUNTY OF San Diego

On 9-5-08 Before me, *Mary P. Campos MPC* ~~MAX + MARLA Souder~~, a Notary Public, personally appeared *MAX + MARLA Souder*, who

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of ~~NEVADA~~ Calif MPC that the foregoing is true and correct.

WITNESS my hand and official seal.

Signature *Mary P. Campos* (Seal)



BK-1008
PG-373

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Diego

On 9-5-08
Date

before me,

MARY P. CAMPOS
Here Insert Name and Title of the Officer

personally appeared

MAX R. Soudier
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Mary P. Campos

Signature of Notary Public

Place Notary Seal Above



OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Grant Deed in Lieu of Foreclosure

Document Date: 9-2-08

Number of Pages: 14

Signer(s) Other Than Named Above: _____

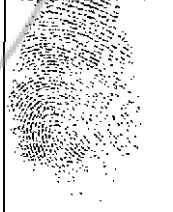
Capacity(ies) Claimed by Signer(s)

X Signer's Name: Max Soudier

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER

Top of thumb here



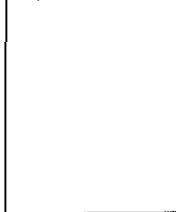
Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER

Top of thumb here



Signer Is Representing: _____



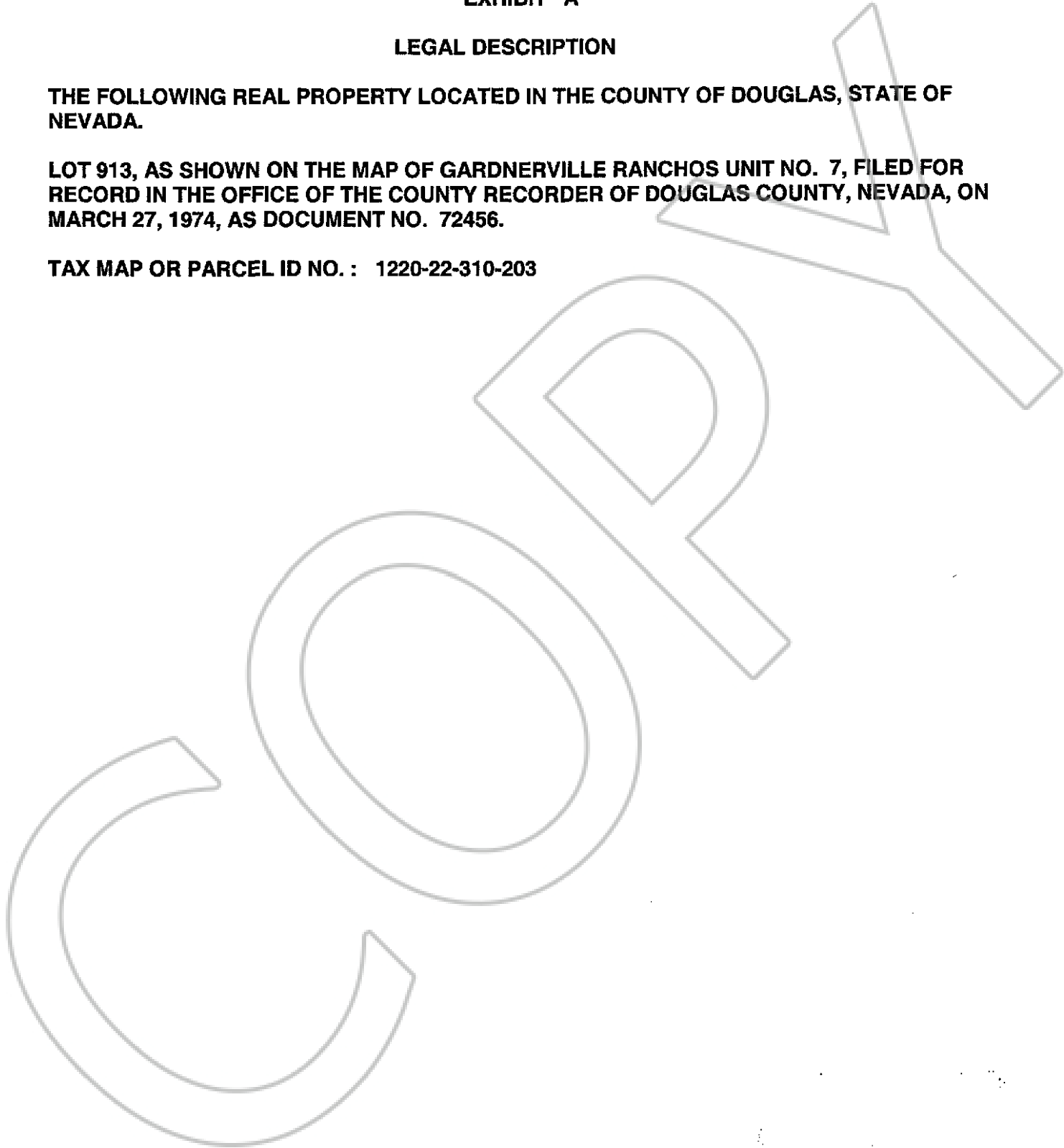
EXHIBIT "A"

LEGAL DESCRIPTION

THE FOLLOWING REAL PROPERTY LOCATED IN THE COUNTY OF DOUGLAS, STATE OF NEVADA.

LOT 913, AS SHOWN ON THE MAP OF GARDNERVILLE RANCHOS UNIT NO. 7, FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF DOUGLAS COUNTY, NEVADA, ON MARCH 27, 1974, AS DOCUMENT NO. 72456.

TAX MAP OR PARCEL ID NO. : 1220-22-310-203



BK-1008
PG-375

EXHIBIT "B"

ESTOPPEL AFFIDAVIT

THAT THE AFORESAID DEED IS INTENDED TO BE AND IS AN ABSOLUTE CONVEYANCE OF THE TITLE TO SAID PREMISES TO THE GRANTEE NAMED THEREIN AND WAS NOT AND IS NOT NOW INTENDED AS A MORTGAGE, TRUST CONVEYANCE OR SECURITY OF ANY KIND; THAT IT WAS INTENTION OF THE AFFIANTS AS GRANTORS IN SAID DEED OF CONVEYANCE, AND BY SAID DEED THESE AFFIANTS DID CONVEY TO THE GRANTEE THEREIN ALL THEIR RIGHT, TITLE, AND INTEREST ABSOLUTELY IN AND TO SAID PREMISES; **THAT POSSESSION OF SAID PREMISES HAS BEEN SURRENDERED TO THE GRANTEE;**

THAT IN EXECUTION AND DELIVERY OF SAID DEED, AFFIANTS WERE NOT ACTING UNDER ANY MISAPPREHENSION AS TO THE EFFECT THEREOF, AND ACTED FREELY AND VOLUNTARILY AND WERE NOT ACTING UNDER COERCION OR DURESS;

THAT THE CONSIDERATION FOR SAID DEED WAS AND IS PAYMENT TO AFFIANTS THE SUM OF \$00.00, BY GRANTEE AND THE FULL CANCELLATION OF ALL DEBTS, OBLIGATIONS, COSTS AND CHARGES SECURED BY TWO DEEDS OF TRUST HERETOFORE EXISTING ON SAID PROPERTY EXECUTED BY, MAX R. SOUDER AND MARLA D. SOUDER, HUSBAND AND WIFE, AS JOINT TENANTS AS GRANTOR, AS FOLLOWS:

DEED OF TRUST #1 BENEFICIAL MORTGAGE CO. OF NEVADA, ORIGINAL TRUSTEE, BENEFICIAL MORTGAGE CO OF NEVADA, ORIGINAL BENEFICIARY, AS LENDER, RECORDED 09/23/2005, INSTRUMENT #0655863, OFFICIAL RECORDS OF THE COUNTY OF Douglas STATE OF NEVADA, The beneficial interest having been assigned to **BENEFICIAL MORTGAGE CO. OF NEVADA**, the grantee, herein, AND THE RECONVEYANCE OF SAID PROPERTY UNDER SAID DEED OF TRUST.

DEED OF TRUST #2 BENEFICIAL MORTGAGE CO. OF NEVADA, ORIGINAL TRUSTEE, BENEFICIAL MORTGAGE CO OF NEVADA, ORIGINAL BENEFICIARY, AS LENDER, RECORDED 06/02/2006, INSTRUMENT #0676406, OFFICIAL RECORDS OF THE COUNTY OF Douglas, STATE OF NEVADA, The beneficial interest having been assigned to **BENEFICIAL MORTGAGE CO OF NEVADA**, the grantee, herein. AND THE RECONVEYANCE OF SAID PROPERTY UNDER SAID DEED OF TRUST;

THAT AT THE TIME OF MAKING SAID DEED AFFIANTS BELIEVED AND NOW BELIEVE THAT THE AFORESAID CONSIDERATION THEREFORE REPRESENTS THE FAIR VALUE OF THE PROPERTY SO DEEDED;

THIS AFFIDAVIT IS MADE FOR THE PROTECTION AND BENEFIT OF THE GRANTEE IN SAID DEED, HIS SUCCESSORS AND ASSIGNS, AND ALL OTHER PARTIES HEREAFTER DEALING WITH OR WHO MAY ACQUIRE AN INTEREST IN THE PROPERTY HEREIN DESCRIBED, AND PARTICULARLY FOR THE BENEFIT OF ANY TITLE COMPANY WHICH WILL INSURE THE TITLE TO SAID PROPERTY IN RELIANCE THEREON AND ANY OTHER TITLE COMPANY WHICH MAY HEREAFTER INSURE THE TITLE TO SAID PROPERTY;

THAT AFFIANTS, AND EACH OF THEM WILL TESTIFY DECLARE, DEPOSE, OR CERTIFY



BK-1008
PG-376

BEFORE ANY COMPETENT TRIBUNAL, OFFICER OR PERSON IN ANY CASE NOW PENDING OR WHICH MAY HEREAFTER BE INSTITUTED, TO THE TRUTH OF THE PARTICULAR FACTS HEREINABOVE SET FORTH.

Dated: 9/5/08

[Signature]
By: INSERT Max R. Souder, Grantor

[Signature]
By: INSERT Marla D. Souder, Grantor

STATE OF Calif

COUNTY OF San Diego

On 9-5-08 before Mary P. Campos me, a Notary Public, personally appeared, Max + MARLA Souder

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of INSERT STATE that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Mary P. Campos (SEAL)



EXHIBIT "B"

(continued)

RECITALS IN DEEDS

DEEDS GIVEN BY GRANTORS PERSONALLY LIABLE FOR PAYMENT OF THE INDEBTEDNESS SECURED BY THE ENCUMBRANCE:

Whereas, MAX R. SOUDER AND MARLA D. SOUDER, HUSBAND AND WIFE, AS JOINT TENANTS and BENEFICIAL MORTGAGE CO. OF NEVADA agree that this Grant Deed in Lieu of Foreclosure and the transactions contemplated herein are mutual, full, and complete settlement, discharge and release of Grantor(s)' and Grantee's claims relating to the mortgage, including, without limitation, their rights and obligations with respect to the rescission of the mortgage pursuant to the Truth-in-Lending Act, Federal Reserve Regulation Z, or any other applicable law; and MAX R. SOUDER AND MARLA D. SOUDER, HUSBAND AND WIFE, AS JOINT TENANTS further acknowledge(s) that they have elected to proceed with this Grant Deed in Lieu of Foreclosure and this transactions contemplated herein in lieu of any other rights or actions that they might pursue with respect to rescission either now or in the future.

"THIS DEED IS AN ABSOLUTE CONVEYANCE, THE GRANTORS HAVING SOLD SAID LAND TO THE GRANTEE FOR A FAIR AND ADEQUATE CONSIDERATION, SUCH CONSIDERATION IN ADDITION TO THAT ABOVE RECITED, BEING FULL SATISFACTION OF ALL OBLIGATIONS SECURED BY TWO DEEDS OF TRUST EXECUTED BY MAX R. SOUDER AND MARLA D. SOUDER, HUSBAND AND WIFE, AS JOINT TENANTS, AS TRUSTOR AS FOLLOWS:

DEED OF TRUST #1 BENEFICIAL MORTGAGE CO. OF NEVADA, ORIGINAL TRUSTEE, BENEFICIAL MORTGAGE CO OF NEVADA, ORIGINAL BENEFICIARY, AS LENDER, RECORDED 09/23/2005, INSTRUMENT #0655863, OFFICIAL RECORDS OF THE COUNTY OF Douglas STATE OF NEVADA, The beneficial interest having been assigned to BENEFICIAL MORTGAGE CO. OF NEVADA, the grantee, herein, AND THE RECONVEYANCE OF SAID PROPERTY UNDER SAID DEED OF TRUST.

DEED OF TRUST #2 BENEFICIAL MORTGAGE CO. OF NEVADA, ORIGINAL TRUSTEE, BENEFICIAL MORTGAGE CO OF NEVADA, ORIGINAL BENEFICIARY, AS LENDER, RECORDED 06/02/2006, INSTRUMENT #0676406, OFFICIAL RECORDS OF THE COUNTY OF Douglas, STATE OF NEVADA, The beneficial interest having been assigned to BENEFICIAL MORTGAGE CO OF NEVADA, the grantee, herein. AND THE RECONVEYANCE OF SAID PROPERTY UNDER SAID DEED OF TRUST;

"GRANTORS DECLARE THAT THIS CONVEYANCE IS FREELY AND FAIRLY MADE BETWEEN GRANTORS AND GRANTEE WITH RESPECT TO SAID LAND."



BK-1008
PG-378

DATED: 9-5-08

GRANTOR(S):

[Signature]
By: MAX R. SOUDER, Grantor

[Signature]
By: MARLA D. SOUDER, Grantor

DATED:

BENEFICIAL MORTGAGE CO. OF NEVADA, Grantee

Accepted By: [Signature]
Representative of Grantee

Print Name Henry J. Wisniewski

STATE OF Calif

COUNTY OF San Diego

On 9-5-08 before me MARY P. CAMPOS
max + MARLA Souder, a Notary Public, personally appeared,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of NEVADA that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Mary P Campos (Seal)



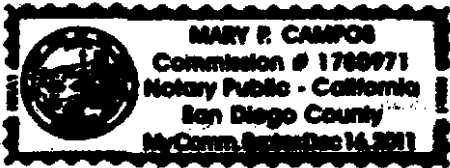
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Diego

On 9-5-08 before me, MARY P. CAMPOS
Date Here Insert Name and Title of the Officer

personally appeared MARLA O. Soudner
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Mary P. Campos
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Trust Deed in Lieu of Foreclosure

Document Date: 9-2-2008 Number of Pages: 14

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Marla O. Soudner

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

