

DOC # 0734956  
12/24/2008 01:56 PM Deputy: GB  
OFFICIAL RECORD  
Requested By:  
MARQUIS & TITLE & ESCROW

Assessor's Parcel No.: 1318-23-401,040

039  
041

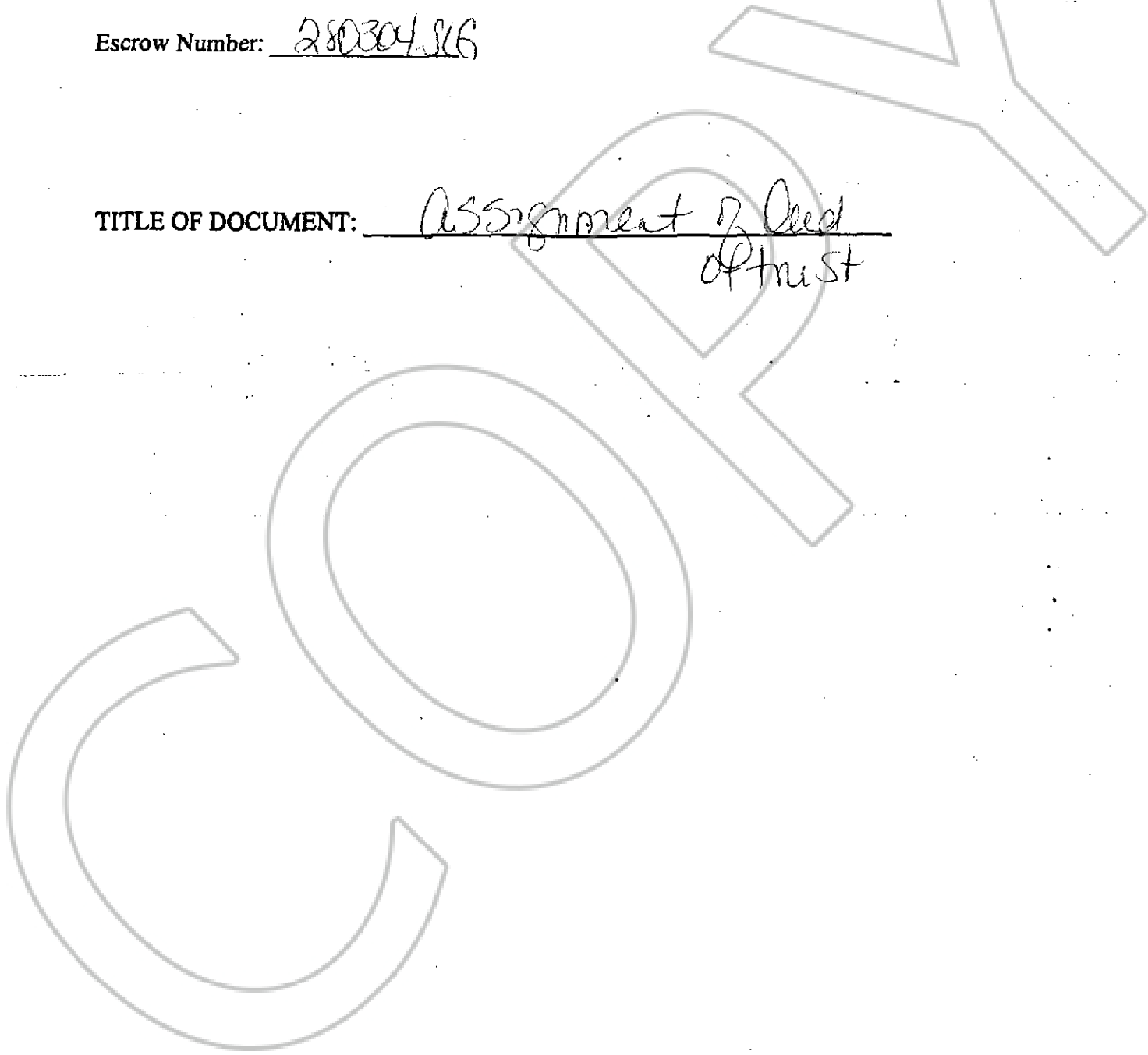
Recording Requested by:  
Marquis Title & Escrow, Inc.  
1520 U.S. Highway 395 North  
Gardnerville, NV 89410

Douglas County - NV  
Karen Ellison - Recorder  
Page: 1 Of 4 Fee: 17.00  
BK-1208 PG- 4793 RPTT: 0.00



Escrow Number: 280304,816

TITLE OF DOCUMENT: Assignment of Deed of Trust



State of Nevada:  
County of Douglas:

**ASSIGNMENT OF DEED OF TRUST, ASSIGNMENT OF RENTS  
AND OTHER LOAN DOCUMENTS**

KNOW ALL PERSONS BY THESE PRESENTS: That **Colonial Bank**, an Alabama banking corporation as successor by conversion to Colonial Bank, N.A. ("Assignor"), in consideration of the sum of **TEN AND NO/100 (\$10.00) DOLLARS**, and other valuable consideration received from or on behalf of **SS Management, LLC** ("Assignee"), at or before the ensembling and delivery of these presents, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, assign, transfer and set over unto Assignee all of Assignor's, rights, title and interests in and to that certain Mortgage and Security Agreement, dated April 20, 2004 made by **Chad Smittkamp and Jean Merkelbach**, (jointly and severally "Borrower") in favor of Assignor, and recorded at **Instrument Number 0610905, Book 0404, Page 10620 et. al.**, of the Public Records of Douglas County, Nevada, on April 22, 2004, upon the following described piece or parcel of land, situated and being in said County and State, to wit:

**SEE "EXHIBIT A" AS INCOPORATED HEREIN BY REFERENCE**

Together with that certain Assignment of Rents, also recorded on April 22, 2004 at **Instrument Number 0610906, Book 0404, page 10638 et. al.**; and Assignor does further grant, bargain, sell, assign, transfer and set over unto Assignee all of Assignor's, rights, title and interests in and to the promissory note dated April 20, 2004, from Borrower to Assignor in the original principal amounts of \$3,300,000.00, and all rights and interests of Assignor in any and all loan agreements, security agreements and UCC financing statements, together with any and all other loan documents, title policies and casualty insurance policies evidencing, securing or relating to any of the foregoing.

**TO HAVE AND TO HOLD** the same unto Assignee and its legal representatives, successors and assigns forever. This assignment is as-is, without recourse, warranty or representation of any nature or kind whatsoever, whether express or implied, except as expressly set forth in that certain Mortgage Loan Purchase Agreement between Assignor and Assignee dated December 8, 2008.

**IN WITNESS WHEREOF**, party of the first part has set its hand and seal this 9<sup>th</sup> day of December, 2008.





**Exhibit "A"**  
**DESCRIPTION**

All that real property situated in the County of Douglas, State of Nevada, bounded and described as follows:

A portion of the Southwest 1/4 of the Southwest 1/4 of Section 23, Township 13 North, Range 18 East, M.D.B.&M., more particularly described as follows:

**PARCEL 1:**

COMMENCING at the Northwestern corner of that certain 22.60 acre parcel of land conveyed to Tahoe Village Properties, Inc., by Deed dated April 19, 1955, recorded July 30, 1959 in Book E1 of Deeds, Page 360, File No. 14708, Douglas County, Nevada Records; thence from said Point of Commencing East, a distance of 313 feet along the Northerly line of said parcel, so conveyed to Tahoe Village Properties, Inc.; thence leaving said line South, a distance of 50.00 feet to the True Point of Beginning; thence continuing South a distance of 100 feet; thence West a distance of 310.18 feet, more or less, to a point on the Easterly right-of-way line of U.S. Highway 50; thence Northerly along said Easterly right-of-way line along the arc of a curve, concave to the West, having a radius of 25.40 feet, through a central angle of 4°30'47" for an arc distance of 100.02 feet; thence East, a distance of 311.07 feet, more or less, to the Point of Beginning.

**PARCEL 2:**

BEGINNING at the Northwestern corner of that certain 22.60 acre parcel of land, conveyed to Tahoe Village Properties, Inc., dated April 19, 1955, recorded July 30, 1959 in Book E1 of Deeds, Page 360, File No. 14708, Douglas County, Nevada Records; thence from said Point of Beginning South 89°56'24" East, 312.94 feet along the Northerly line of said parcel, so conveyed to Tahoe Village Properties, Inc.; thence leaving said line South 0°03'41" West, 50.00 feet; thence North 89°56'19" West, 310.97 feet to a point on the Easterly right-of-way line of U.S. Highway 50; thence Northerly along said Easterly right-of-way line along a curve to the left, having a radius of 25°40'00" through a central angle of 1°07'43", an arc distance of 50.03 feet to the Point of Beginning.

**PARCEL 3:**

COMMENCING at the Northwestern corner of that certain 22.60 acre parcel of land conveyed to Tahoe Village Properties, Inc., by Deed dated April 19, 1955, recorded July 30, 1959 in Book E1 of Deeds, Page 360, File No. 14708, Douglas County, Nevada Records; thence from said Point of Commencing East, a distance of 313.00 feet along the Northerly line of said parcel, so conveyed to Tahoe Village Properties, Inc.; thence leaving said line South, a distance of 150 feet to the Point of Beginning; thence continuing South, a distance of 100 feet; thence West, a distance of 313.22 feet to a point on the Easterly right-of-way line of U.S. Highway 50; thence Northerly along said Easterly right-of-way line along the arc of a curve, concave to the West, having a radius of 25.40 feet through a central angle of 4°30'47" for an arc distance of 100.05 feet; thence East a distance of 310.18 feet to the Point of Beginning.

Reference is made to Record of Survey filed October 12, 1976 as File No. 3893, Official Records, Douglas County, Nevada.

The above metes and bounds description appeared previously in that certain document recorded November 9, 1995 in Book 1195, Page 1550 as Instrument No. 374534.

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BK- 1208  
PG- 4796

0610905  
BK 0404 PG 10637