

A.P. No. 1418-03-301-008  
No. 24469-FCL

When recorded mail to:

WESTERN TITLE CO  
PO BOX 3059  
RENO, NV 89505

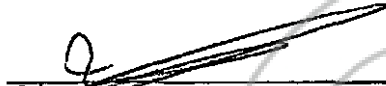


**AFFIRMATION PURSUANT TO  
NRS 111.312(1)(2) AND 239B.030(4)**

X Pursuant to NRS 239B.030, the undersigned, hereby affirm that the below document, including any exhibits, hereby submitted for recording does not contain the social security number of any person or persons.

-OR-

The undersigned, hereby affirm that this document, including any exhibits, hereby submitted for recording does contain the social security number of a person or persons as required by the following: \_\_\_\_\_

  
\_\_\_\_\_  
Signature  
  
JOY M. TAGHIOF  
\_\_\_\_\_  
Print Signature

Agent WESTERN TITLE CO  
Title FORECLOSURE OFFICER

**NOTICE OF DEFAULT  
AND ELECTION TO SELL**

TO WHOM IT MAY CONCERN:

WHEREAS, on October 30, 2006, CHAD SMITTKAMP and JEAN MERKELBACH, Trustees of THE ROCKWELL 1997 TRUST dated January 30, 1997, executed as Trustor a Deed of Trust wherein WESTERN TITLE COMPANY, INC., a Nevada corporation, is Trustee for WESTERN HIGHLAND MORTGAGE FUND 1, LLC, a California Financial Lender's License #6072161, Beneficiary, as security for the payment of a Promissory Note made, executed and delivered on October 30, 2006, which said Deed of Trust was recorded November 2, 2006, as Document No. 0687855, Official Records, Douglas County, Nevada; and

WHEREAS, WESTERN TITLE COMPANY, LLC, Nevada limited liability company, is the successor in interest to WESTERN TITLE COMPANY, INC., a Nevada corporation; and

WHEREAS, a breach of the obligation for which said transfer in trust as security was made has occurred in that default has been made in the failure to pay the installment of interest due on December 1, 2008, and in the failure to pay each such monthly installment that thereafter became due, and in the failure to perform any other term, covenant or condition contained in the Deed of Trust securing the Promissory Note and to be performed by Trustor, whether such failure to perform occurred prior to or subsequent to the date hereof, together with penalties and advances that have been incurred or made or will be incurred or made during the period of default;

NOTICE IS HEREBY GIVEN that the undersigned has elected to consider all of the unpaid balance of principal and interest to be due in consequence of said default, together with attorney's fees and costs that have been incurred and will hereafter accrue, all in accordance with the terms of said Promissory Note and Deed of Trust, and the undersigned has elected to sell or cause to be sold the real property described in said Deed of Trust to satisfy said obligation.

To obtain further information with respect to this Notice of Default and Election To Sell, contact the Foreclosure Office of Western Title Company, LLC, 241 Ridge Street, Reno, NV 89501, Telephone No. (775) 850-7176, between the hours of 9:00 A.M. and 5:00 P.M., Monday through Friday.

DATED: March 10, 2009, 2009.

WESTERN HIGHLAND MORTGAGE  
FUND, I, LLC

By: *[Signature]*

Its *manager*



STATE OF  
COUNTY OF

)  
) ss  
)

This instrument was acknowledged before me on \_\_\_\_\_, 2009, by \_\_\_\_\_ as \_\_\_\_\_ of/for WESTERN HIGHLAND MORTGAGE FUND, I, LLC.

\_\_\_\_\_  
Notary Public

SEE ATTACHED

COPY



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of El Dorado }

On 3.10.09 before me, Susan Poscic, Notary Public  
Date Here Insert Name and Title of the Officer

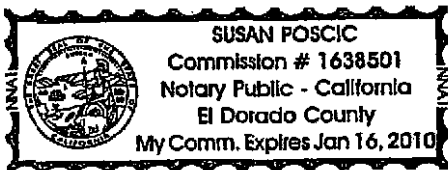
personally appeared Richard W. Schwarte  
Name(s) of Signer(s)

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 Susan Poscic  
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: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

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: \_\_\_\_\_

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: \_\_\_\_\_

