

OFFICIAL RECORD

Requested By:
FRED SCARPELLO

A. P. No. 1220-09-310-011
No. 24885-FCL

R.P.T.T. \$ 5.85

Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 4 Fee: 17.00
BK-0809 PG- 5860 RPTT: 5.85

When recorded mail to:

FRED SCARPELLO
600 E. WILLIAM ST # 300
CARSON CITY, NV 89701

Mail tax statements to:

same as above

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

X Pursuant to NRS 239B.030, the undersigned, hereby affirm(s) 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(s) 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

TRUSTEE'S DEED

THIS INDENTURE, made and entered into on August 13, 2009, by and between WESTERN TITLE COMPANY, LLC, a Nevada limited liability company, as Trustee, party of the first part, and FRED SCARPELLO, a married man, as his sole and separate property, party of the second part, whose address is: c/o SCARPELLO & HUSS, LTD., 600 E. William Street, Suite 300, Carson City, Nevada 89701.

W I T N E S S E T H :

WHEREAS, KIM POSNIEN CONSTRUCTION AND DEVELOPMENT COMPANY, a Nevada corporation, executed a Promissory Note payable to the order of FRED SCARPELLO, a married man, as his sole and separate property, in the principal sum of \$100,000.00, and bearing interest, and as security for the payment of said Promissory Note said KIM POSNIEN CONSTRUCTION AND DEVELOPMENT COMPANY, a Nevada corporation, as Trustor, executed a certain Deed of Trust to STEWART TITLE OF NEVADA HOLDINGS, INC., a Nevada corporation, Trustee for FRED SCARPELLO, a married man, as his sole and separate property, Beneficiary, which Deed of Trust was dated November 27, 2007, and was recorded December 10, 2007, as Document No. 714599, Official Records, Douglas County, Nevada; and

WHEREAS, WESTERN TITLE COMPANY, LLC, a Nevada limited liability company, was substituted as Trustee under said Deed of Trust in the place and stead of STEWART TITLE OF NEVADA HOLDINGS, INC., by document recorded April 2, 2009, as Document No. 740733, Douglas County, Nevada; and

WHEREAS, a breach of the obligation for which such transfer in trust as security was made occurred in that default was made in the failure to pay the monthly installments due under the Promissory Note on October 10, 2008, and November 10, 2008, and in the failure to the balance of principal and interest due on December 10, 2008; and

WHEREAS, FRED SCARPELLO 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 was recorded January 30, 2009, as Document No. 736765, and re-recorded on April 2, 2009, as Document No. 740734, Official Records, Douglas County, Nevada; and

WHEREAS, on April 7, 2009, 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 FRED SCARPELLO the said WESTERN TITLE COMPANY, LLC, Trustee, gave due and legal notice in each and every manner required by said Deed of Trust and provided by law that it would on the 13th day of August, 2009, at the hour of 10:00 o'clock A.M., sell at the entrance to the Douglas County Courthouse, located at 1625 8th Street,

in Minden, Nevada, 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 recorded July 15, 2009, as Document No. 747182, Official Records, Douglas County, Nevada; that said Notice of Sale was published in the Record Courier in its issues dated July 17, 2009, July 24, 2009, and July 31, 2009, and said Notice of Sale was posted in three public places, namely, at the Douglas County Administration Building, the Douglas County Clerk's Office and the Douglas County Courthouse, in Minden, Nevada, on July 16, 2009; and

WHEREAS, on July 15, 2009, a copy of said Notice of Sale 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, at the time and place so set for said sale said party of the second part did bid the sum of ONE HUNDRED AND NO/100 DOLLARS (\$100.00) for said property, and said sum was the highest and best bid therefor;

NOW, THEREFORE, for and in consideration of the said sum of \$100.00, 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 his heirs, successors and assigns, all that certain real property situate in County of Douglas, State of Nevada, that is described as follows:

Lot 25, as set forth on that certain Final Map PD 04-009 for CEDAR CREEK, a Planned Development, filed for record on March 9, 2006 in Book 306 at Page 3246, as Document No. 669544 of Official Records.

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

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said party of the second part, and to his heirs, successors and assigns forever.

