



The undersigned hereby affirms that there are no Social Security Numbers contained within this document

Assessor Parcel Numbers (APN's):  
1420-29-612-003, 013, 018, 020  
023, 025, 030, 031, 032, 036, 041, 042; and,  
1420-29-715-002, 003, 004, 006, 007  
008, 009, 015, 017, 021, 026, 028.

RECORDING REQUESTED BY:

Alan B. Rabkin, as Successor Trustee

WHEN RECORDED MAIL TO:

Alan B. Rabkin, Esq.  
c/o Jones Vargas Law Firm  
P.O. Box 281, 100 W. Liberty, 12<sup>th</sup> Floor  
Reno, NV 89504  
(775) 786-5000

*D01091363756*

[SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY]

**NOTICE OF TRUSTEE'S SALE**

**YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED DECEMBER 19, 2007. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDINGS AGAINST YOU, YOU SHOULD CONTACT A LAWYER.**

On November 12, 2009 at 11:00 a.m., or as may be further continued, Alan B. Rabkin, Attorney At Law, as the duly appointed Successor Trustee under and pursuant to Deed of Trust dated December 19, 2007 and recorded on December 20, 2007 in Book 1207, Page 4413 as Document No. 0715081 of official records in the Office of the Recorder of Douglas County, State of Nevada, executed by **MERRILL CONSTRUCTION, INC.**, a Nevada corporation, as Grantor or Trustor, and to secure certain obligations in favor of **CARSON RIVER COMMUNITY BANK**, as Beneficiary, **WILL SELL AT PUBLIC AUCTION TO THE HIGHEST BIDDER FOR CASH** (unless otherwise agreed in advance with the Successor Trustee in writing or as otherwise announced at sale) payable at the time of sale in lawful money of the United States or by cashier's or certified check drawn on a recognized state or federal financial institution authorized to do business in the State of Nevada in lawful money of the United States. **THE SALE WILL BE CONDUCTED OUTSIDE THE GROUND FLOOR ENTRANCE TO THE JUDICIAL AND LAW ENFORCEMENT CENTER (DOUGLAS COUNTY DISTRICT COURTHOUSE), 1625 8TH STREET, MINDEN, NEVADA 89423**



**WHICH IS LOCATED IN THE TOWN OF MINDEN, COUNTY OF DOUGLAS, STATE OF NEVADA.**

The property heretofore described is being sold "as is" and "where is" (and is sold subject to any superior liens or encumbrances). The sale shall include all right, title and interest conveyed to and now held by Beneficiary, or its assignee, pursuant to said Deed of Trust which describes the land therein as:

**SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED  
HEREIN BY THIS REFERENCE AS IF SET FORTH IN FULL**

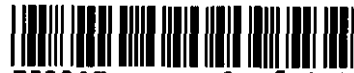
The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown herein. Said sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the Note(s) secured by said Deed of Trust, with interest thereon, as provided in said Note(s), advances, if any, under the terms of the Deed of Trust, attorneys and trustees fees, costs, charges and expenses of the Trustee and of the trusts created by said Deed of Trust.

The amount of the unpaid balance of the obligation secured by the property to be sold and reasonable estimated costs, expenses and advances as of October 1, 2009 is: \$4,005,167.89 consisting of \$3,834,986.41 in principal; \$154,489.56 in accrued interest to October 1, 2009 (and \$1,198.43 for each day thereafter); \$1,500.00 in trustee sale guaranty, recording and mailing costs and expenses; and, \$14,191.92 in attorney and trustee fees. In addition, taxes are due and unpaid in the sum of approximately \$66,254.00 and homeowners' association assessments are due and unpaid in the sum of approximately \$37,534.00 and each unpaid item constitutes an additional default in the obligation secured and are not, as yet, advanced. Accrued interest and additional advances, late charges, costs, and expenses, including additional legal and trustee fees, if any, will increase this figure prior to sale.

**A person who purchases property pursuant to every sale made under the provisions of NRS Chapter 107, is not a bona fide purchaser and the sale may be declared void if the Successor Trustee or other person authorized to conduct the sale does not substantially comply with the provisions of NRS Chapter 107.**

**If the Successor Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Successor Trustee and the successful bidder shall have no further recourse.**

The Beneficiary under said Deed of Trust heretofore executed and delivered to the undersigned a written Declaration of Default and Demand for Sale, and the Successor Trustee previously recorded a written Notice of Default and Election to Sell. The undersigned caused said Notice of Default and Election to Sell to be recorded in

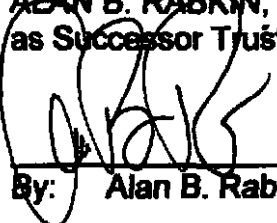


the County where the real property is located on July 8, 2009 as Document 746678 which is more than three months have elapsed since such recordation.

If you require information regarding this sale or pay-off information regarding the obligation secured, please contact the SUCCESSOR TRUSTEE, Alan B. Rabkin, between the hours of 9:00 a.m. and 4:00 p.m. on regular business days at 100 West Liberty Street, 12<sup>th</sup> Floor, P.O. Box 281, Reno, Nevada 89504, Telephone: (775) 785-5000; or, the Beneficiary, CARSON RIVER BANK, Attention: Edward C. Foster, Telephone: (775) 783-3224, between the hours of 9:00 a.m. and 4:00 p.m. on regular business days or at the following address: P.O. Box 2890, Minden, NV 89423.

DATED: October 14, 2009

ALAN B. RABKIN, Attorney At Law,  
as Successor Trustee

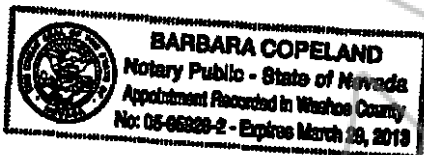
  
By: Alan B. Rabkin

STATE OF NEVADA        )  
                                  ) ss.  
COUNTY OF WASHOE    )

On October 14, 2009, before me, the undersigned notary public, personally appeared ALAN B. RABKIN, personally known to me (or 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 executed the same.

Stamp or Seal:

  
Notary Public





**EXHIBIT "A"**

**Legal Description**

**Lot 280 in Block A; Lot 313 in Block B; Lots 290, 295, 297 & 300 in Block C; Lots 302, 307, 308, & 309 in Block D; Lots 333 & 335 in Block E; Lots 342, 344 & 347 in Block F; and Lots 351, 352, 354, 355, 356, 358, 359, 360 & 361 in Block G, as shown on the Final Map #PD99-02-08 of SARATOGA SPRINGS ESTATES UNIT 8, A PLANNED DEVELOPMENT, filed in the Office of the Douglas County Recorder on October 18, 2004, as Document No. 626992.**

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