

APN 1220-09-710-040

✓ Recording requested by and mail documents
and tax statements to:
Stephen and Jana Orear
P O Box 528
Genoa, NV 89411

Douglas County - NV
Karen Ellison - Recorder
Page: 1 Of 2 Fee: 65.00
BK-0110 PG- 5184 RPTT: # 0



The undersigned hereby affirms that this document submitted for recording does not contain a social security number of any person or persons.


MICHAEL G. MILLWARD

SECOND NOTICE OF DEFAULT AND ELECTION TO SELL

TO WHOM IT MAY CONCERN:

WHEREAS, it being necessary to provide notice of the Default and Election to Sale recorded April 23, 2009, under Document Number 0741881, of the Official Records of Douglas County, Nevada, STEPHEN AND JANA OREAR execute and submit for recording this Second Notice of Default and Election to Sell.

WHEREAS, on November 1, 2006, KIM POSNIEN CONSTRUCTION AND DEVELOPMENT COMPANY, a Nevada corporation, executed a Deed of Trust wherein STEWART TITLE OF DOUGLAS COUNTY, is a trustee for STEPHEN AND JANA OREAR, Trustees of that Declaration of Trust dated May 7, 1993, Beneficiaries, as security for the payment of a Promissory Note made, executed and delivered on November 1, 2006, which said Date of Trust was recorded November 6, 2006, as Document Number 0688032, Official Records, Douglas County, Nevada; and

WHEREAS, the Deed of Trust secures the payment of indebtedness evidenced by a Promissory Note dated November 1, 2006, in the original principal amount of \$425,000.00 executed by Trustor in favor of Beneficiaries, and

WHEREAS, a breach of the obligation secured by the Deed of Trust as security has occurred and that default has been made in the failure to pay in full the principal with interest accrued under the Promissory Note on November 1, 2007, and in the failure to perform any other terms, covenants or conditions 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 amounts of the principal and interest to be due in consequence of said defaults, 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 obligations.

To obtain further information with respect to this notice of default and election to sell, contact Michael G. Millward, Esq., 1591 Mono Avenue, Minden, Nevada 89423, Telephone No. 775-782-4611, between the hours of 9:00 a.m. and 4:00 p.m., Monday through Thursday.

DATED: January 26, 2010.


STEPHEN OREAR


JANA OREAR

STATE OF NEVADA)
)§
COUNTY OF DOUGLAS)

On this 26th day of January 2010, personally appeared before me, a Notary Public, STEPHEN OREAR and JANA OREAR, personally known or proved to me to be the persons whose names are subscribed to the above instrument and who acknowledged that they executed the above instrument.


NOTARY PUBLIC

