

DOC # 769314
08/26/2010 02:10PM Deputy: DW
OFFICIAL RECORD
Requested By:
MARQUIS TITLE
Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 6 Fee: 19.00
BK-810 PG-6008 RPTT: 0.00



A.P.N. 1219-13-000-034
Escrow # 102365
Recording Requested by:
Donald and Lois Thran

When recorded, Mail to
HENRY R. BUTLER
P.O. BOX 10989
Zephyr Cove, Nv. 89448

Mail tax statement to:
Donald and Lois Thran
745 Centerville Lane
Gardnerville, NV 89410

DEED IN LIEU OF FORECLOSURE

Mike Hickey Construction, Inc. a Nevada Corporation, GRANTOR, HEREBY, grants, bargains and sells to Donald E. Thran and Lois M. Thran, Trustees of the Thran Revocable Family Trust Dated March 2, 1988, as amended and restated on April 24, 2006 (whose address is 745 Centerville Lane, Gardnerville, Nv. 89460 (shown erroneously as 745 Mottsville, Lane on the Deed of trust)), GRANTEE, all that real property situated in Douglas County, State of Nevada described as follows:

Parcel A-2 of Parcel Map LDA #06-004 for Lois and Donald Thran, Trustees of The Thran Family Trust, filed for record with the Douglas County Recorder on June 29, 2006, in Book 0606, Page 10157, as Document No. 678311, Official Records of Douglas County, Nevada.

A.P.N. 1219-13-000-034

Including 2.02 Acre Feet Annually from the Water Appropriated under Capital Permit 60638 "Town of Minden" as shown in document No. 0675693 Recorded at book 8506 Page 9418 on May 24, 2006, in the official Records of Douglas County, Nevada.

And also including up to 20. Acre Feet of Surface Water Rights, provided that such Water rights "1" are currently owned by Grantor; and "2" can legally be transferred to Grantee.

This Deed is an absolute conveyance in consideration for the full satisfaction of all obligations secured by the Deed of Trust dated June 29, 2006 executed by Mike Hickey Construction, Inc. as Trustor to Donald E. Thran and Lois M. Thran, Trustees of the Thran Revocable Family Trust Dated March 2, 1988, as amended and restated on April 24, 2006, beneficiaries and Stewart Title of Douglas County, Inc. as Trustee, and recorded June 30, 2006 as document No. 678573 Official Records of Douglas County, Nevada.

Grantor declares that this conveyance was freely and fairly made in cancellation of such obligations, and that there are no agreements, oral or written, except as contained in this deed and in the contract to accept a deed in lieu of foreclosure with respect to the described real property.

Dated 8-23-10 Signed [Signature]
Mike Hickey Construction, Inc. a Nevada Corporation by James M Hickey, President



Dated 8-23-10 Signed Sylvia Hickey
Mike Hickey Construction, Inc. a Nevada Corporation by Sylvia Hickey, Secretary

STATE OF NEVADA) SS
COUNTY OF DOUGLAS)

On ~~Aug. 23, 2010~~ before me, Susan Lapin, a notary public personally appeared Mike Hickey 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 they executed the same in their authorized capacity(ies), and that by 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 Nevada that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature _____ (Seal)
Notary



STATE Nevada


COUNTY Douglas

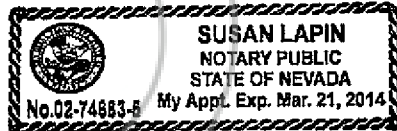
On August 23, 2010 before me, a Notary Public in and for said County and State, personally appeared

JAMES M. HICKEY and SYLVIA HICKEY

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/they executed the same in he /her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.


Signature





ESTOPPEL AFFIDAVIT

STATE OF NEVADA
COUNTY OF DOUGLAS

Mike Hickey Homes, Inc., a Nevada Corporation, by Mike Hickey, its President being first duly sworn, deposes and says that they are the identical parties who made, executed and delivered that certain Deed to the Donald E. Thran and Lois M. Thran, Trustees of the Thran Revocable Family Trust Dated March 2, 1988, as amended and restated on April 24, 2006 (whose address is 745 Mottsville Ln., Gardnerville, Nv. 89460), dated June 29, 2006, conveying the following described property and all appurtenant easements and water rights, to-wit:

Parcel A-2 of Parcel Map LDA #06-004 for Lois and Donald Thran, Trustees of The Thran Family Trust, filed for record with the Douglas County Recorder on June 29, 2006, in Book 6066, Page 10157, as Document No. 678311, Official Records of Douglas County, Nevada.

A.P.N. 1219-13-000-034

Including 2.02 Acre Feet Annually from the Water Appropriated under Capital Permit 60638 "Town of Minden" as shown in document No. 0675693 Recorded at book 8506 Page 9418 on May 24, 2006, in the official Records of Douglas County, Nevada.

And also including up to 20. Acre Feet of Surface Water Rights, provided that such Water rights "1" are currently owned by Grantor; and "2" can legally be transferred to Grantee.

THAT affiant now is and at all times herein mentioned is a Nevada Corporation;

THAT the aforesaid Deed is intended to be and is an absolute conveyance of the title to said premises to the Grantee named therein, and was not and is not now intended as a mortgage, trust conveyance or security of any kind; that it was the intention of affiant as Grantor in said Deed to convey and by said Deed affiant did convey to the Grantee therein all their right, title and interest absolutely in and to said premises; that possession of said premises has been surrendered to the Grantee;

THAT in the execution and delivery of said Deed, affiant was not acting under any misapprehension as to the effect thereof, and acted freely and voluntarily and was not acting under coercion or duress;

THAT the consideration for said Deed was and is:

(1) The full satisfaction of all sums the Thran Trust or its beneficiaries owed to **Mike Hickey Construction, Inc.** or to any of its officers, directors, shareholders, employees, other agents, or affiliates for any and all reasons including improving the property and the parcels from which it was created; and

(2) The full cancellation of all debts, obligations, costs and charges secured by that certain Deed of Trust heretofore existing on said property executed by Trustors, to Stewart Title of Douglas County Trustee, for Donald E. Thran and Lois M. Thran, Trustees of the Thran Revocable Family Trust Dated March 2, 1988, as amended and restated on April 24, 2006 and recorded as Document No. 678573 Official Records of Douglas County, Nevada, and the reconveyance of said property under said Deed of Trust; That at the time of making said Deed, affiant believed and now believes that the aforesaid consideration therefore represents the fair value of the property so Deeded;

(3) Mike Hickey Construction assigns all water rights it owns which are appurtenant or necessary to the use of the property as a home to the Thran Trust and warrants to them that the water rights are valid and attached to that property.



(4) Mike Hickey appoints the Thran Trust as a member of the Bells Vista Subdivision architectural control committee. This right is contained in the CC&Rs for Bella Vista recorded as document # 0681442.

(5) Mike Hickey Construction has executed the attached easement to the Thran Trust.

This Affidavit is made for the protection and benefit of the Grantee in said Deed, their successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described, and particularly for the benefit of Marquis Title & Escrow, Inc., which is about to insure the title to said property in reliance thereon, and any other title company which may hereafter insure the title to said property.

THAT affiant will testify, declare, depose or certify before any competent tribunal, officer or person, in any case now pending or which may hereafter be instituted, to the truth of the particular facts hereinabove set forth.


MIKE HICKEY CONSTRUCTION, INC., A NEVADA CORPORATION

By: James M Hickey, President


MIKE HICKEY CONSTRUCTION, INC., A NEVADA CORPORATION

By: Sylvia Hickey, Secretary

STATE OF NEVADA) SS
COUNTY OF DOUGLAS)

On _____ before me, _____ a notary public personally appeared Mike Hickey 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 they executed the same in their authorized capacity(ies), and that by 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 Nevada that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature _____ (Seal)
Notary



STATE Nevada

COUNTY Douglas

On August 23, 2010 before me, a Notary Public in and for said County and State, personally appeared

JAMES M. HICKEY and SYLVIA HICKEY

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/they executed the same in he /her/their-authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Signature

