

A. P. No. 1220-01-002-063  
Foreclosure No. 17263

When recorded mail to:  
Allied Foreclosure Services  
6121 Lakeside Drive, #150  
Reno, NV 89511



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

*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.*

**NOTICE OF DEFAULT  
AND ELECTION TO SELL**

TO WHOM IT MAY CONCERN:

WHEREAS, on June 2, 2006, D.A. DEVELOPMENT INCORPORATED executed as Trustor a Deed of Trust wherein STEWART TITLE OF DOUGLAS COUNTY, a Nevada corporation, is Trustee for JACK R. TUTTLE and NANCY R. TUTTLE, husband and wife, as joint tenants, as to an undivided 32.4675% interest; NICK CARANICA and STELLA CARANICA, husband and wife as joint tenants, as to an undivided 19.4805% interest; HAZEL M. SIMMONS, an unmarried woman, and MARJORIE M. JONES, and JAMES A. JONES, a married man as his sole and separate property, as to an undivided 16.2338% interest; HORST H. MOLLENHAUER and MARIA M. MOLLENHAUER, Trustees and their Successors under THE MOLLENHAUER FAMILY TRUST U/D/T 5/22/97, as to an undivided 9.7403% interest; PENSCO TRUST COMPANY, CUSTODIAN FBO KAY OSTERLUND IRA, as to an undivided 7.6623% interest; JAY R. SCHAEFFER, an unmarried man, as to an undivided 6.4935% interest; THE WHITNEY H. LAUREN FAMILY TRUST DATED 3/5/98, WHITNEY H. LAUREN, Trustee, as to an undivided 6.4935% interest; CETUS MORTGAGE LTD. 401 (K) PROFIT SHARING PLAN,



MARCILIN A. BENVIN, Trustee, as to an undivided 1.4286% interest; Beneficiary, as security for the payment of a Promissory Note made and executed by D.A. DEVELOPMENT INCORPORATE, and delivered on June 2, 2006, which said Deed of Trust was recorded June 16, 2006, as Document No. 677399, Official Records, Douglas County, Nevada; and

WHEREAS, the beneficial interest of HAZEL M. SIMMONS, and MARJORIE M. JONES, and JAMES A. JONES, a married man as his sole and separate property, consisting of an undivided 16.2338% interest in said Deed of Trust, was assigned to MARJORIE M. JONES, a married woman, as her sole and separate property, as evidenced by that certain Assignment of Deed of Trust recorded April 29, 2010, as Document No. 762762, Official Records, Douglas County, Nevada; and

WHEREAS, the beneficial interest of MARJORIE M. JONES, a married woman, as her sole and separate property, consisting of an undivided 16.2338% interest in said Deed of Trust, was assigned to GAYLE ROBINSON, a single woman, by document recorded concurrently or substantially concurrently herewith; and

WHEREAS, the beneficial interest of NICK CARANICA and STELLA CARANICA, husband and wife as joint tenants, consisting of an undivided 19.4805% interest in said Deed of Trust, was assigned to THE BANKRUPTCY ESTATE OF CETUS MORTGAGE, by document recorded concurrently or substantially concurrently herewith; and

WHEREAS, the beneficial interest of THE BANKRUPTCY ESTATE OF CETUS MORTGAGE, consisting of an undivided 19.4805% interest in said Deed of Trust, was assigned to THE HARDEN FAMILY TRUST, by document recorded concurrently or substantially concurrently herewith; and

WHEREAS, ALLIED 1031 EXCHANGE, a Nevada corporation, dba ALLIED FORECLOSURE SERVICES, was substituted as Trustee under said Deed of Trust in the place and stead of STEWART TITLE OF DOUGLAS COUNTY by document recorded concurrently herewith; 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 balance of



principal and interest due on June 16, 2007, 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 have 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 have 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 ALLIED FORECLOSURE SERVICES, 6121 Lakeside Drive, #150, Reno, Nevada 89511, Telephone No. (775) 851-0881, between the hours of 9:00 A.M. and 5:00 P.M., Monday through Friday.

DATED: 9-7, 2010.

Jack R. Tuttle  
Jack R. Tuttle

\_\_\_\_\_  
Horst H. Mollenhauer,  
Trustee

Nancy R. Tuttle  
Nancy R. Tuttle

\_\_\_\_\_  
Maria Mollenhauer, Trustee

\_\_\_\_\_  
Gayle Robinson

PENSCO TRUST COMPANY,  
CUSTODIAN FBO KAY OSTERLUND  
IRA

\_\_\_\_\_  
Esley D. Harden, Trustee

By \_\_\_\_\_

\_\_\_\_\_  
Marie Jeanne Harden, Trustee

Its \_\_\_\_\_



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Trustee

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\_\_\_\_\_  
Maria Mollenhauer, Trustee

Gayle Robinson  
Gayle Robinson

PENSCO TRUST COMPANY,  
CUSTODIAN FBO KAY OSTERLUND  
IRA

\_\_\_\_\_  
Esley D. Harden, Trustee

By \_\_\_\_\_

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Marie Jeanne Harden, Trustee

Its \_\_\_\_\_



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DATED: 9-7, 2010.

\_\_\_\_\_  
Jack R. Tuttle

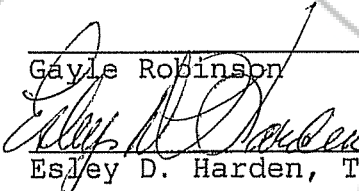
\_\_\_\_\_  
Horst H. Mollenhauer,  
Trustee

\_\_\_\_\_  
Nancy R. Tuttle

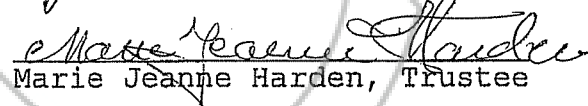
\_\_\_\_\_  
Maria Mollenhauer, Trustee

\_\_\_\_\_  
Gayle Robinson

PENSCO TRUST COMPANY,  
CUSTODIAN FBO KAY OSTERLUND  
IRA

  
\_\_\_\_\_  
Esley D. Harden, Trustee

By \_\_\_\_\_

  
\_\_\_\_\_  
Marie Jeanne Harden, Trustee

Its \_\_\_\_\_



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DATED: 9-7, 2010.

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Nancy R. Tuttle

\_\_\_\_\_  
Gayle Robinson

\_\_\_\_\_  
Esley D. Harden, Trustee

\_\_\_\_\_  
Marie Jeanne Harden, Trustee

*Horst H. Mollenhauer*

\_\_\_\_\_  
Horst H. Mollenhauer,  
Trustee

*Maria Mollenhauer*  
\_\_\_\_\_  
Maria Mollenhauer, Trustee

PENSCO TRUST COMPANY,  
CUSTODIAN FBO KAY OSTERLUND  
IRA

By \_\_\_\_\_

Its \_\_\_\_\_



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DATED: 9-7, 2010.

\_\_\_\_\_  
Jack R. Tuttle

\_\_\_\_\_  
Horst H. Mollenhauer,  
Trustee

\_\_\_\_\_  
Nancy R. Tuttle

\_\_\_\_\_  
Maria Mollenhauer, Trustee

\_\_\_\_\_  
Gayle Robinson

PENSCO TRUST COMPANY,  
CUSTODIAN FBO KAY OSTERLUND  
IRA

\_\_\_\_\_  
Esley D. Harden, Trustee

By Kay Osterlund

\_\_\_\_\_  
Marie Jeanne Harden, Trustee

Its Owner



*Jay R. Schaeffer*  
Jay R. Schaeffer

CETUS MORTGAGE LTD. 401(K)  
PROFIT SHARING PLAN

\_\_\_\_\_  
Whitney H. Lauren, Trustee

By \_\_\_\_\_  
Angelique Clark,  
Bankruptcy Trustee

STATE OF )  
  ) ss  
COUNTY OF )

This instrument was acknowledged before me on \_\_\_\_\_, 2010, by JACK R. TUTTLE and NANCY R. TUTTLE.

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

STATE OF )  
  ) ss  
COUNTY OF )

This instrument was acknowledged before me on \_\_\_\_\_, 2010, by GAYLE ROBINSON.

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





CETUS MORTGAGE LTD. 401(K)  
PROFIT SHARING PLAN

\_\_\_\_\_  
Jay R. Schaeffer

By \_\_\_\_\_  
Angelique Clark,  
Bankruptcy Trustee

*Whitney H. Lauren*  
\_\_\_\_\_  
Whitney H. Lauren, Trustee  
*Trustee*

STATE OF )  
                  ) ss  
COUNTY OF )

This instrument was acknowledged before me on  
\_\_\_\_\_, 2010, by JACK R. TUTTLE and NANCY R.  
TUTTLE.

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

STATE OF )  
                  ) ss  
COUNTY OF )

This instrument was acknowledged before me on  
\_\_\_\_\_, 2010, by GAYLE ROBINSON.

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





CETUS MORTGAGE LTD. 401(K)  
PROFIT SHARING PLAN

\_\_\_\_\_  
Jay R. Schaeffer

By \_\_\_\_\_  
Angelique Clark,  
Bankruptcy Trustee

\_\_\_\_\_  
Whitney H. Lauren, Trustee

STATE OF *Nevada* )  
 ) ss  
COUNTY OF *Washoe* )

This instrument was acknowledged before me on  
7/26, 2010, by JACK R. TUTTLE and NANCY R.  
TUTTLE.

Colleen R. Woll  
Notary Public



STATE OF )  
 ) ss  
COUNTY OF )

This instrument was acknowledged before me on  
\_\_\_\_\_, 2010, by GAYLE ROBINSON.

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

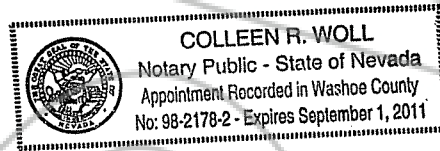




STATE OF Nevada )  
 ) ss  
COUNTY OF Washoe )

This instrument was acknowledged before me on  
8/4, 2010, by ESLEY D. HARDEN and MARIE JEANNE  
HARDEN, Trustees of THE HARDEN FAMILY TRUST.

Colleen R. Woll  
Notary Public



STATE OF )  
 ) ss  
COUNTY OF )

This instrument was acknowledged before me on  
\_\_\_\_\_, 2010, by HORST H. MOLLENHAUER and MARIA M.  
MOLLENHAUER, Trustees under THE MULLENHAUER FAMILY TRUST  
U/D/T 5/22/97.

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

STATE OF )  
 ) ss  
COUNTY OF )

This instrument was acknowledged before me on  
\_\_\_\_\_, 2010, by \_\_\_\_\_ as  
\_\_\_\_\_  
of/for PENSICO TRUST COMPANY, CUSTODIAN  
FBO KAY OSTERLUND IRA.

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



STATE OF )  
 ) ss  
COUNTY OF )

This instrument was acknowledged before me on \_\_\_\_\_, 2010, by ESLEY D. HARDEN and MARIE JEANNE HARDEN, Trustees of THE HARDEN FAMILY TRUST.

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

STATE OF *Nevada* )  
 ) ss  
COUNTY OF *Washoe* )

This instrument was acknowledged before me on 7/29, 2010, by HORST H. MOLLENHAUER and MARIA M. MOLLENHAUER, Trustees under THE MULLENHAUER FAMILY TRUST U/D/T 5/22/97.

*Colleen R. Woll*  
\_\_\_\_\_  
Notary Public



STATE OF )  
 ) ss  
COUNTY OF )

This instrument was acknowledged before me on \_\_\_\_\_, 2010, by \_\_\_\_\_ as  
\_\_\_\_\_ of/for PENSICO TRUST COMPANY, CUSTODIAN  
FBO KAY OSTERLUND IRA.

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



STATE OF )  
 ) ss  
COUNTY OF )

This instrument was acknowledged before me on \_\_\_\_\_, 2010, by ESLEY D. HARDEN and MARIE JEANNE HARDEN, Trustees of THE HARDEN FAMILY TRUST.

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

STATE OF )  
 ) ss  
COUNTY OF )

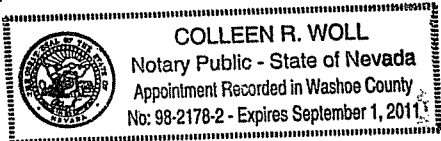
This instrument was acknowledged before me on \_\_\_\_\_, 2010, by HORST H. MOLLENHAUER and MARIA M. MOLLENHAUER, Trustees under THE MULLENHAUER FAMILY TRUST U/D/T 5/22/97.

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

STATE OF *Nevada* )  
 ) ss  
COUNTY OF *Washoe* )

This instrument was acknowledged before me on *7/27*, 2010, by *Kay Osterlund* as ~~\_\_\_\_\_~~ *owner* of for PENSICO TRUST COMPANY, CUSTODIAN FBO KAY OSTERLUND IRA

*Colleen R. Woll*  
\_\_\_\_\_  
Notary Public

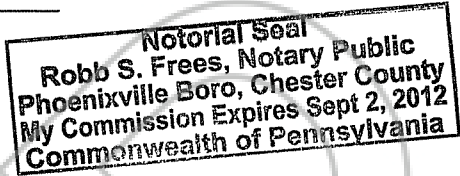




STATE OF Pa )  
 ) ss  
COUNTY OF CHESTER )

This instrument was acknowledged before me on 7/28, 2010, by JAY R. SCHAEFFER.

[Signature]  
Notary Public



STATE OF )  
 ) ss  
COUNTY OF )

This instrument was acknowledged before me on \_\_\_\_\_, 2010, by WHITNEY H. LAUREN, Trustee of THE WHITNEY H. LAUREN FAMILY TRUST DATED 3/5/98.

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

STATE OF )  
 ) ss  
COUNTY OF )

This instrument was acknowledged before me on \_\_\_\_\_, 2010, by ANGELIQUE L.M. CLARK as Bankruptcy Trustee for CETUS MORTGAGE LTD. 401(K) PROFIT SHARING PLAN.

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





STATE OF )  
 ) ss  
COUNTY OF )

This instrument was acknowledged before me on \_\_\_\_\_, 2010, by JAY R. SCHAEFFER.

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

STATE OF )  
 ) ss  
COUNTY OF )

This instrument was acknowledged before me on August 23, 2010, by WHITNEY H. LAUREN, Trustee of THE WHITNEY H. LAUREN FAMILY TRUST DATED 3/5/98.

Janna Winters  
Notary Public



STATE OF )  
 ) ss  
COUNTY OF )

This instrument was acknowledged before me on \_\_\_\_\_, 2010, by ANGELIQUE L.M. CLARK as Bankruptcy Trustee for CETUS MORTGAGE LTD. 401(K) PROFIT SHARING PLAN.

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



STATE OF )  
 ) ss  
COUNTY OF )

This instrument was acknowledged before me on \_\_\_\_\_, 2010, by JAY R. SCHAEFFER.

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

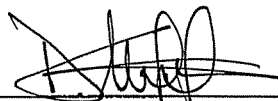
STATE OF )  
 ) ss  
COUNTY OF )

This instrument was acknowledged before me on \_\_\_\_\_, 2010, by WHITNEY H. LAUREN, Trustee of THE WHITNEY H. LAUREN FAMILY TRUST DATED 3/5/98.

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

STATE OF Nevada )  
 ) ss  
COUNTY OF Washoe )

This instrument was acknowledged before me on August 13, 2010, by ANGELIQUE L.M. CLARK as Bankruptcy Trustee for CETUS MORTGAGE LTD. 401(K) PROFIT SHARING PLAN.

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

