

DOC # 771698  
10/05/2010 03:07PM Deputy: GB  
OFFICIAL RECORD  
Requested By:  
WESTERN TITLE COMPANY  
Douglas County - NV  
Karen Ellison - Recorder  
Page: 1 of 5 Fee: 18.00  
BK-1010 PG-765 RPTT: 1,647.75

A. P. No. 1320-33-402-061  
No. 32307-FCL

R.P.T.T. \$ 1,647.75

When recorded mail to:  
UMPQUA BANK  
3490 S. Virginia St.  
Reno, NV 89502

Mail tax statements to:  
same as above



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.

TRUSTEE'S DEED

THIS INDENTURE, made and entered into on September 29, 2010, by and between WESTERN TITLE COMPANY, LLC, a Nevada limited liability company, as Trustee, party of the first part, and UMPQUA BANK, an Oregon corporation, party of the second part, whose address is: 3490 S. Virginia St. Reno, NV 89502.

W I T N E S S E T H:

WHEREAS, NEVADA JOHNSON VENTURES, INC., a Nevada corporation, executed a Promissory Note payable to the order of NORTHERN NEVADA BANK, organized and existing under the laws of the State of Nevada, in the principal sum of \$1,470,000.00, and bearing interest, and as security for the payment of said Promissory Note said NEVADA JOHNSON VENTURES, INC., a Nevada corporation, as Trustor, executed a certain Deed of Trust to MARQUIS TITLE & ESCROW, INC., a Nevada corporation, Trustee for NORTHERN NEVADA BANK, organized and existing under the laws of the State of Nevada, Beneficiary, which Deed of Trust was dated March 6, 2002, and was recorded March 8, 2002, as Document No. 0536472, Official Records, Douglas County, Nevada; and



WHEREAS, an additional advance secured by said Deed of Trust was made and evidenced by that certain Debt Modification Agreement dated May 19, 2004, and that certain Modification of Deed of Trust recorded on May 26, 2004 as Document No. 0614341, Official Records, Douglas County, Nevada; and

WHEREAS, the terms and conditions of the obligation secured by said Deed of Trust were amended and modified pursuant to those three Change in Terms Agreements dated October 1, 2008, October 10, 2008, and July 10, 2009, respectively, each executed by the Trustors; 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 MARQUIS TITLE & ESCROW, INC., a Nevada corporation, by document recorded April 14, 2010, as Document No. 762013, Official Records, 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 installment of principal and interest due on November 10, 2009, and in the failure to pay each payment of principal and interest that thereafter became due; and

WHEREAS, NEVADA SECURITY BANK formerly known as NORTHERN NEVADA BANK 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 April 14, 2010, as Document No. 762014, Official Records, Douglas County, Nevada; and

WHEREAS, on April 15, 2010, 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, FEDERAL DEPOSIT INSURANCE CORPORATION, as Receiver for NEVADA SECURITY BANK, formerly known as NORTHERN NEVADA BANK, assigned its interest in the Note and Deed of Trust to UMPQUA BANK as evidenced by that certain Assignment of Deed of Trust recorded July 22, 2010, as Document No. 767374, Official Records, Douglas County, Nevada; and



WHEREAS, by direction of UMPQUA BANK the said WESTERN TITLE COMPANY, LLC, a Nevada limited liability company, 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 26th day of August, 2010, at the hour of 11:00 o'clock A.M., at the steps of the Douglas County Courthouse, located at 1625 8<sup>th</sup> 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 on August 4, 2010, as Document No. 768074, Official Records, Douglas County, Nevada; that said Notice of Sale was published in the Record Courier in its issues dated August 4, 2010, August 11, 2010, and August 18, 2010, and said Notice of Sale was posted in three public places, in Minden, Nevada, namely, at the Douglas County Administration Building, the Douglas County Human Resources Department, and the Douglas County Courthouse, on August 6, 2010; and at the time and place appointed for said sale, by proclamation, the time of the holding of said sale was continued to September 9, 2010 at the hour of 11:00 o'clock A.M., at which time, by proclamation, the time for the holding of said sale was further continued to September 23, 2010 at the hour of 11:00 o'clock A.M.; at which time, by proclamation, the time for the holding of said sale was further continued to September 29, 2010 at the hour of 11:00 o'clock A.M.; and

WHEREAS, on August 4, 2010, 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 FOUR HUNDRED TWENTY-TWO THOUSAND FOUR HUNDRED TWELVE AND NO/ DOLLARS (\$422,412.00) for said property, and said sum was the highest and best bid therefor;

NOW, THEREFORE, for and in consideration of the said sum of \$422,412.00, 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 their successors and assigns, all that certain real property being a portion of Section 33, Township 13 North, Range 20 East, M.D.B.&M., situate in Douglas County, State of Nevada, that is described as follows:

COMMENCING at the record location of the Dettling Town Monument per the map for AUGUSTINE BORDA in Gardnerville, dated February 21, 1949, Douglas County Records;  
thence North  $41^{\circ}46'34''$  West 636.76 feet to the interection of the Northerly right-of-way line of U.S. Highway 395 (Main Street) and the Westerly right-of-way line of Eddy Street, said point being the TRUE POINT OF BEGINNING;  
thence along the Northerly right-of-way line of U.S. Highway 395, North  $44^{\circ}54'00''$  West, 115.51 feet;  
thence leaving said right-of-way line North  $46^{\circ}19'20''$  East 87.00 feet;  
thence North  $43^{\circ}40'40''$  West, 1.46 feet;  
thence North  $45^{\circ}39'10''$  East, 187.50 feet to a point on the Southerly right-of-way line of Courthouse Alley;  
thence along said Southerly right-of-way line of Courthouse Alley, South  $45^{\circ}17'30''$  East, 118.20 feet to the intersection of the Southerly right-of-way line of Courthouse Alley and the Westerly right-of-way line of Eddy Street;  
thence along the Westerly right-of-way line of Eddy Street, South  $46^{\circ}07'01''$  West, 275.35 feet to the TRUE POINT OF BEGINNING.

BASIS OF BEARING: The Basis of Bearing is the South line of Parcels 1 and 2, as shown on the map for MRS. AUGUSTINE BORDA dated February 21, 1949, Douglas County Records (North  $44^{\circ}59'00''$ ).

Said parcel being further delineated on Record of Survey for Nevada Johnson Ventures, Inc. recorded September 8, 1999, in Book 999, Page 1097, Document No. 476063, Official Records of Douglas County, Nevada.

NOTE: PER NRS 111.312, this legal description was previously recorded on March 8, 2002, in Book 0302, at Page 2717, as Document No. 536472, of Official Records.

