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03/23/2012 01:18 PM Deputy: PK

OFFICIAL RECORD

Requested By:

DAVID WALLEYS POA

RECORDING REQUESTED BY:  
David Walleys Property Owners Association

AND WHEN RECORDED MAIL TO:

David Walleys POA  
c/o Trading Places International  
23807 Aliso Creek Road  
Laguna Niguel, CA 92677

Douglas County - NV  
Karen Ellison - Recorder

Page: 1 Of 5 Fee: 18.00  
BK-0312 PG- 5544 RPTT: 0.00



Kelly, David J  
Po Box 319  
Tahoe Vista, CA 96148-0319  
Owner number: 188241

Contract No. 36021016252  
APN: 1319-15-000-015

### NOTICE OF FORECLOSURE SALE

YOU ARE IN DEFAULT UNDER ASSESSMENTS LIEN(S). UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT WILL 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 **APRIL 27** at **1:00 P.M.**, at **DAVID WALLEYS RESORT – MAIN OFFICE** the Board of Directors of David Walleys POA (or their designated agent) as the duly appointed Agent under and pursuant to the Claim of Lien for Delinquent Assessments recorded **02/09/2011** as Document No. **0778337** of Official Records in the Office of the Recorder of Douglas County, Nevada, **WILL SELL AT PUBLIC AUCTION TO THE HIGHEST BIDDER FOR CASH** (payable at time of sale in lawful money of the United States, by cash, a cashier's check drawn by a state or national bank, a check drawn by a state or federal credit union, or a check drawn by a state or federal savings and loan association, savings association, or savings bank specified in section 5102 of the Financial Code and authorized to do business in this State), an Interval Interest, all right, title and interest conveyed to and now held by it under said Claim of Lien for Delinquent Assessments in the property hereinafter described:

Association: **AURORA BUILDING 1 BI ANNUAL EXHIBIT "A" and "B"**

Name of Reputed Owner(s): **Kelly, David J**

Said Assessment Lien describes the following property: **See Exhibit "C" attached hereto.**

**The property heretofore descibed is being sold "AS IS".**

The street address and other common designation, if any, of the real property described above is purported to be: **A Timeshare located at: David Walleys Property Owners Asociation, 2001 Foothill Road, Genoa, Nevada.**

The undersigned Authorized Agent 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 unpaid Assessments, together with any interest, penalties, costs, attorney's fees, foreclosure fees and costs secured by said Assessment Lien to-wit: **\$1,461.02** (Estimated Opening Bid). Accrued interest, penalties, late charges and additional advances, if any, will increase this figure prior to sale.

Date: March 16, 2012

**AGENT OR PARTY CONDUCTING SALE:**

David Walleys Property Owners Asocaition (designated agent)

By: *Douglas L. Wilcox*  
Douglas L. Wilcox

State of California )  
County of Orange ) ss.

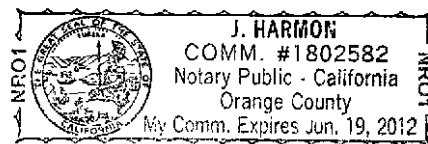
On **March 16, 2012**, before me, **J. Harmon**, Notary Public, personally appeared **Douglas L. Wilcox**, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal.

Signature of Notary \_\_\_\_\_

(Seal)



Inventory No.:

**EXHIBIT "A"**  
**(Walley's)**

A timeshare estate comprised of an undivided interest as tenants in common in and to that certain real property and improvements as follows:

An undivided 1/2142<sup>nd</sup> interest in and to all that real property situate in the County of Douglas, State of Nevada, described as follows:

**ADJUSTED PARCEL F:** A parcel of land located within a portion of the West one-half of the Northeast one-quarter (W1/2 NE1/4) of Section 22, Township 13 North, Range 19 East, Mount Diablo Meridian, more particularly described as follows:

Commencing at the one-quarter corner common to Sections 15 and 22, T13N, R19E, M.D.M., a found 1985 BLM brass cap as shown on the Record of Survey prepared by David D. Winchell and recorded September 28, 1989 in the office of the Recorder, Douglas County, Nevada as Document No. 211937; thence South 57°32'32" East, 640.57 feet to the POINT OF BEGINNING; thence North 80°00'00" East, 93.93 feet; thence North 35°00'00" East, 22.55 feet; thence North 10°00'00" West, 92.59 feet; thence North 80°00'00" East, 72.46 feet; thence South 16°00'00" East, 181.00 feet; thence South 80°00'00" West, 182.33 feet; thence North 10°00'00" West, 72.46 feet to the POINT OF BEGINNING.

(Reference is made to Record of Survey for Walley's Partners Ltd. Partnership, in the office of the County Recorder of Douglas County, Nevada, recorded September 17, 1998 in Book 998, at Page 3261, as Document No. 449576.)

Together with those easements appurtenant thereto and such easements and use rights described in the Declaration of Time Share Covenants, Conditions and Restrictions for David Walley's Resort recorded September 23, 1998, as Document No. 0449993, and as amended by Document Nos. 0466255, 0485265, 0489957, 0509920 and 0521436, and subject to said Declaration; with the exclusive right to use said interest for one Use Period within a UNIT every other year in \_-numbered years in accordance with said Declaration.

Together with a perpetual non-exclusive easement of use and enjoyment in, to and throughout the Common Area and a perpetual non-exclusive easement for parking and pedestrian and vehicular access, ingress and egress as set forth in Access Easement and Relocation recorded on May 26, 2006, in Book 0506 at Page 10729, as Document No. 0676008; and Access Easement recorded on July 26, 2006, in Book 0706 at Page 9371, as Document No. 0680633, all of Official Records, Douglas County, Nevada.

A Portion of APN: 1319-15-000-025

**EXHIBIT "B"**

Inventory Control No.: <SEE EXHIBIT C>  
Unit Type: <SEE EXHIBIT C>  
Type of Timeshare Interest: <SEE EXHIBIT C>

A timeshare estate comprised of an undivided interest as a tenant in common in and to that certain real property and improvements as follows:

An undivided <SEE EXHIBIT C> interest in and to all that real property situate in the County of Douglas, State of Nevada, more particularly described as follows:

Parcel E-1 of the Final Subdivision Map LDA # 98-05 for David Walley's Resort, a Commercial Subdivision, filed for record with the Douglas County Recorder on October 19, 2000 in Book 1000 at Page 3464 as Document No. 0501638 and by Certificate of Amendment recorded November 3, 2000 in Book 1100 at Page 467 as Document No. 0502689, Official Records of Douglas County, Nevada.

Together with permanent non-exclusive easement for utilities and access for the benefit of Parcel E-1 as set forth in Quitclaim Deed recorded September 17, 1998 in Book 998 at Page 3250 as Document No. 0449574, Official Records, Douglas County, Nevada.

Together with those easements appurtenant thereto and such easements and use rights described in Declaration of Time Share Covenants, Conditions and Restrictions for David Walley's Resort recorded September 23, 1998 as Documents No. 0449993 and as amended by Document Nos. 0466255, 0485265, 0489957, 0509920, and 0521436 and subject to said Declaration; with the exclusive right to use said interest for on Use Period within <SEE EXHIBIT C> unit <SEE EXHIBIT C> in accordance with said Declaration.

Together with a perpetual non-exclusive easement for use and enjoyment in, to and throughout the Common Area and a perpetual non-exclusive easement for parking and pedestrian and vehicular access, ingress and egress as set forth in Access Easement and Abandonment Deed recorded September 20, 2002 in Book 0902, Page 06242 as Document No. 0552534, Official Records, Douglas County, Nevada.

**EXHIBIT "C"**  
**AURORA BUILDING ONE BI ANNUAL**

36021006462	172395	2 Bedroom	1/2142	BI - ANNUAL - EVEN
36021001171	193354	2 Bedroom	1/2142	BI - ANNUAL - ODD
36021018412	188383	2 Bedroom	1/2142	BI - ANNUAL - EVEN
36021015011	188141	2 Bedroom	1/2142	BI - ANNUAL - ODD
36021001102	193348	2 Bedroom	1/2142	BI - ANNUAL - EVEN
36021005022	187557	2 Bedroom	1/2142	BI - ANNUAL - EVEN
36021008442	187787	2 Bedroom	1/2142	BI - ANNUAL - EVEN
36021006461	187683	2 Bedroom	1/2142	BI - ANNUAL - EVEN
36021010411	187916	2 Bedroom	1/2142	BI - ANNUAL - ODD
36021005312	187595	2 Bedroom	1/2142	BI - ANNUAL - EVEN
36021013352	188069	2 Bedroom	1/2142	BI - ANNUAL - EVEN
36021008342	187771	2 Bedroom	1/2142	BI - ANNUAL - EVEN
36021009231	187830	2 Bedroom	1/2142	BI - ANNUAL - ODD
36021013481	188086	2 Bedroom	1/2142	BI - ANNUAL - ODD
36021003132	193493	2 Bedroom	1/2142	BI - ANNUAL - EVEN
36021015392	188189	2 Bedroom	1/2142	BI - ANNUAL - EVEN
36021008042	172396	2 Bedroom	1/2142	BI - ANNUAL - EVEN
36021020212	188488	2 Bedroom	1/2142	BI - ANNUAL - EVEN
36021005172	187577	2 Bedroom	1/2142	BI - ANNUAL - EVEN
36021016252	188241	2 Bedroom	1/2142	BI - ANNUAL - EVEN
36021006501	187689	2 Bedroom	1/2142	BI - ANNUAL - ODD