

05-410-05

## WARRANTY DEED

THIS INDENTURE, made this 22<sup>nd</sup> day of November, 2000, between **TAMERA SUE MITTIG**, a single woman, whose address is 802 1/2 Castaic Avenue, Bakersfield, California 92208, hereinafter referred to as GRANTOR, and **STEPHEN S. ELLIS, M.D., RETIREMENT TRUST**, of 162 Jayhawk Lane, Hamilton, Montana 59840, an undivided 50% interest, and **DOUGLAS S. HADNOT, TRUSTEE, FAMILY DENTAL GROUP, P.C., PROFIT SHARING AND PENSION PLAN**, of P.O. Box 278, Lolo, Montana 59847, an undivided 50% interest, hereinafter referred to as GRANTEES.

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) to it in hand paid by Grantees, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Grantees, and to their heirs and assigns, forever, all that tract or parcel of land lying and being in Eureka County, State of Nevada, to-wit:

**TOWNSHIP 24 NORTH, RANGE 48 EAST, M.D.B.&M.**

Section 21: N/4

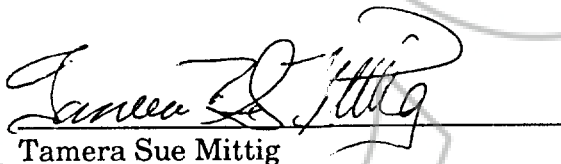
EXCEPTING THEREFROM all petroleum, oil, natural gas and products derived therefrom lying in and under said land, as reserved by Southern Pacific Land Company, in deed recorded in Book 24, Page 168, Deed Records, Eureka County, Nevada.

TOGETHER with all and singular the hereinbefore described premises together with all tenements, hereditaments, and appurtenances, thereto belonging or in anywise appertaining, and the version and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest; right of dower and right of homestead, possession claim, and demand whatsoever, as well in law as in equity, of the said Grantor of, in or the said premises, and every part and parcel thereof, with the appurtenances, thereto belonging,

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises unto Grantees, their heirs and assigns, forever.

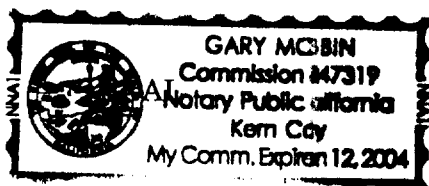
GRANTOR, AND HER SUCCESSORS, DO HEREBY COVENANT that they will forever warrant and defend right, title and interest in and to the above-described premises and the quiet and peaceful possession thereof, unto Grantees and their heirs and assigns, against all acts and deeds of the said Grantor, and all and every person and persons whomsoever lawfully coming or to claim the same.

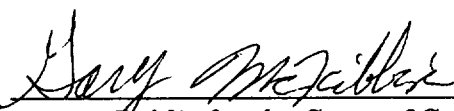
IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed the day and year first above written.

  
Tamera Sue Mittig

STATE OF CALIFORNIA )  
 ) ss  
County of KERN )

This instrument was acknowledged before me on the 22<sup>nd</sup> day of November, 2000, by Tamera Sue Mittig.



  
Notary Public for the State of California  
Residing at: BAKERSFIELD, CALIFORNIA  
My Commission Expires: 1-12-2004

# ESTOPPEL AFFIDAVIT

STATE OF CALIFORNIA )  
 : ss  
County of Kern )

**I, TAMERA SUE MITIG**, being first duly sworn, depose and state as follows:

1. That I am the maker of a Note dated June 10, 1999, payable to Stephen S. Ellis, M.D., Retirement Trust, of 52 Jayhawk Lane, Hamilton, Montana 59840, an undivided 50% interest, and Douglas Hadnot, Trustee, Family Dental Group, P.C., Profit Sharing and Pension Plan, of P.O. Box 278, Lolo, Montana 59847, an undivided 50% interest, for the original principal sum of Forty-Seven Thousand and No/100 Dollars (\$47,000.00) with interest of fifteen per cent (15%) per annum (copy attached).

2. That, according to pay-off statement issued by Escrow Services and dated September 6, 2000 (copy attached), the total principal balance together with accrued interest on my loan was \$48,613.13, the charges were \$60.00, and the total payoff amount was at that time \$48,882.13. The total payoff amount, as of September 6, 2000, was calculated as follows:

Principal	\$46,931.57
Interest	\$1,681.56
Late fees	\$60.00
Escrow Monthly fees	\$14.00
Escrow Default Service fee	\$20.00
Escrow Termination fee	\$25.00
Collection Service fee	<u>\$150.00</u>
	\$48,882.13

The total payoff amt excludes prepayment penalty and reconveyance fee. Interest accrues at \$19.286 pmiem.

3. The Note is secured by a Deed of Trust dated June 10, 1999, and recorded June 14, 1999, at Book 327, Page 435, under Document Number 172277, records of Eureka County, State of Nevada, and covers the following real property situated in the County of Eureka, State of Nevada:

**TOWNSHIP NORTH, RANGE 48 EAST, M.D.B.&M.**

Section 21: 21/4

EXCEPTING THEREFROM all petroleum, oil, natural gas and products derived therefrom lying in and under said land, as reserved by Southern Pacific Land Company, in deed recorded in Book 24, Page 168, Deed Records, Eureka County, Nevada.

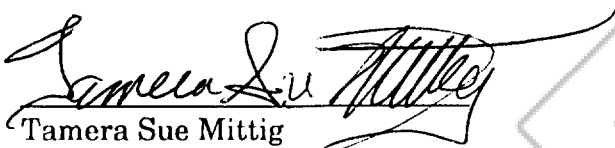
4. Contemporaneous with this Affidavit, I have executed a Warranty Deed as an absolute conveyance of the title to the real property described above in Paragraph 3 to Stephen S. Ellis, M.D., Retirement Trust, an undivided 50% interest, and Douglas S. Hadnot, Trustee, Family Dental Group, P.C., Profit Sharing and Pension Plan, an undivided 50% interest. The Warranty Deed not intended as a mortgage, trust conveyance, or security of any kind. It is my intent as Grantor under the Warranty Deed to convey all my right, title, and interest in and to the subject property and the appurtenances thereof; that possession of the subject property is immediately surrendered to Stephen S. Ellis, M.D., Retirement Trust, an undivided 50% interest, and Douglas S. Hadnot, Trustee, Family Dental Group, P.C., Profit Sharing and Pension Plan, an undivided 50% interest; and that all of my interest in the property is extinguished.

5. That in the execution and delivery of the Warranty Deed, I have acted freely and voluntarily and not under coercion, duress, or undue influence. I understand that the effect of the Warranty Deed is to transfer the property to Stephen S. Ellis, M.D., Retirement Trust, an undivided 1/3 interest, and Douglas S. Hadnot, Trustee, Family Dental Group, P.C., Profit Sharing and Pension Plan, an undivided 50% interest.

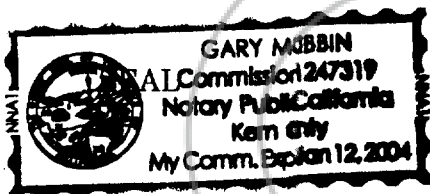
6. The Warranty Deed is not given as a preference against any other creditors. As of the date of this Affidavit, there are no other person or persons, firms or corporations, other than Stephen S. Ellis, M. Retirement Trust, an undivided 50% interest, and Douglas S. Hadnot, Trustee, Faly Dental Group, P.C., Profit Sharing and Pension Plan, an undivided 50% interest interested either directly or indirectly in the subject property. I am currently solvent, am not contemplating bankruptcy and have no other creditors whose rights would be prejudiced by the Warranty Deed. I am not obligated upon any bond or other mortgage where any lien has been created or exists against the property described in the Warranty Deed.


7. I declare and acknowledge that prior to the execution of this Estoppel Affidavit, I have been apprised of sufficient relative data, either through experts or other sources of my own selection, such that I might exercise my own judgment in deciding upon the contents of this Estoppel Affidavit.

8. I hereby stipulate and declare, under the penalties of perjury, that the facts stated in this Affidavit are personally known to me, and that they are true. I agree to testify, declare, depose, or testify 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.

  
Tamera Sue Mittig

Signed and sworn to (affirmed) before me, a notary public in and for said State, on this 22<sup>nd</sup> day of November, 2000, by Tamera Sue Mittig.



  
Notary Public for the State of California  
Residing at: BAKERS FIELD, CALIFORNIA  
My Commission Expires: 12-12-2004

BOOK 339 PAGE 119  
OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
Questa Mortgage  
00 DEC 11 AM 8:26

EUREKA COUNTY NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO. FEES 9.00

175652

State of Nevada  
Declaration of Value

1. Assessor Parcel Number(s)  
a) 05-410-05  
b) \_\_\_\_\_  
c) \_\_\_\_\_  
d) \_\_\_\_\_

2. Type of Property:  
a) ☐ Vacant Land                      b) ☐ Single Fam. Res.  
c) ☐ Condo/Twnhse                      d) ☐ 2-4 Plex  
e) ☐ Apt. Bldg.                      f) ☐ Comm'l/Ind'l  
g) ☐ Agricultural                      h) ☐ Mobile Home  
i) ☐ Other \_\_\_\_\_

3. Total Value/Sales Price of Property: \$ 48,882.13  
Deduct Assumed Liens and/or encumbrances: (                      )

(Provide recording information: Doc/Instrument #: \_\_\_\_\_ Book: \_\_\_\_\_ Page: \_\_\_\_\_)  
Transfer Tax Value per NRS 371.0, Section 2: \$ 48,882.13  
Real Property Transfer Tax Due: \$ 63.70

4. **If Exemption Claimed:**  
a. Transfer Tax Exemption, NRS 375.090, Section: \_\_\_\_\_  
b. Explain Reason for Exemption: \_\_\_\_\_  
\_\_\_\_\_

5. Partial Interest: Percentage being transferred: \_\_\_\_\_ %

The undersigned Seller (Grantor)/Buyer (Grantee), declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax, may result in a penalty of 10% of the tax due plus interest at 1 1/2% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

**SELLER (GRANTOR) INFORMATION**  
Seller Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: (    ) \_\_\_\_\_  
Capacity: \_\_\_\_\_

**COMPANY R**  
Co. Name: \_\_\_\_\_  
(A PUBLIC RECORD 1

**FOR RECORDERS OPTIONAL USE ONLY**  
Document/Instrument #: 175652  
Book: 339 Page: 119  
Date of Recording: 12-11-00  
Notes: \_\_\_\_\_

\$ 48,882.13  
(                      )  
Book: \_\_\_\_\_ Page: \_\_\_\_\_  
\$ 48,882.13  
\$ 63.70

**BUYER (GRANTEE) INFORMATION**  
Christy Brandon  
Signature of Declarant  
Christy Brandon  
Name (Please Print)  
Questa Mortgage, P.O. Box 1856  
Address  
Bigfork, MT 59911  
City State Zip