

BOOK *415* PAGE *335-338*
OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Cow County Title
2005 JUN 10 PM 1:18

EUREKA COUNTY, NEVADA
M.N. REBALEATI, RECORDER
FILE NO. FEES *17⁰⁰*

APN 07-080-22,05-240-02 & 03

APN _____

APN _____

17029453

199343

TRUSTEE'S DEED UPON SALE

(Title of Document)

This cover page must be typed or printed.

06/09/2005 04:00 PM

OFFICIAL RECORD

Requested By:

COW COUNTY TITLE

APN: 07-080-02, 05-240-02 & 03
No.: 041507755
RPTT:\$258.38 as to Eureka County
\$258.38 as to Lander County

Lander County - NV
Idonna M. Trevino - Recorder

Page: 1 Of 3 Fee: 16.00
BK-542 PG- 823 RPTT: 259.35



When recorded mail to:
Mail Tax Statements to:
Benjamin J. Solomon and
Margaret C. Solomon, Trustees
P.O. Box 3303
Incline Village, NV 89450

17629453

(Space Above For Recorder's Use Only)

TRUSTEE'S DEED UPON SALE

THIS INDENTURE, made June 2, 2005 between STEWART TITLE OF NORTHERN NEVADA, a Nevada corporation, as the duly appointed Trustee or substituted Trustee under the hereinafter mentioned Deed of Trust (herein called TRUSTEE), and Benjamin J. Solomon and Margaret C. Solomon, Trustees of the Solomon Family Trust (herein called GRANTEE)

WITNESSETH:

WHEREAS, by Deed of Trust dated April 8, 2002, and recorded April 25, 2002, in Book 500, at Page 604, as Document No. 222300, of Official Records of Lander County and April 25, 2002 in Book 347, at Page 58, as Document No. 178069 of Official Records of Eureka County, State of Nevada, Underwood Livestock, Inc., a Nevada corporation did grant and convey the property herein described to Cow County Title Co., a Nevada corporation upon the Trusts therein expressed, to secure, among other obligations, payment of that certain promissory note and interest, according to the terms thereof; other sums of money advanced, and interest thereon; and

WHEREAS, breach and default occurred under the terms of said Deed of Trust in the particulars set forth in the Notice of Default and Election to Sell, to which reference is hereinafter made; and

WHEREAS, on July 13, 2004 the Owner of said note executed and delivered to Trustee written Declaration of Default and Demand for Sale, and pursuant thereto a Notice of Default and Election to cause Trustee to sell said property to satisfy the obligation secured by said Deed of Trust was recorded July 22, 2004, in Book 284 at Page 18, as Document No. 188387, of Official Records of Eureka County and July 22, 2004, in Book 530, at Page 772, as Document No. 232324 of Official Records of Lander County, State of Nevada; and

WHEREAS, in consequence of said Declaration of Default, Election, Demand for Sale and in compliance with the terms of said Deed of Trust, Trustee executed its Notice of Trustee's Sale stating that said Trustee, by virtue of the authority in it vested, would sell at public auction to the highest bidder for cash, in lawful money of the United States of America, the property particularly therein and hereinafter described, said property being in the Counties of Eureka and Lander, State of Nevada, and fixing the time and place of sale as December 13, 2004, at 10:30 o'clock A.M. at the office of the Trustee located at 401 Ryland Street, Reno, Nevada, and caused a copy of said Notice to be posted for twenty days successively in three public places in the City or Township of Austin and Eureka where said property is located, and in

three public places in the City of Reno, where said property was to be sold; and said Trustee caused a copy of said Notice to be published once a week for three successive weeks before the date of sale in Battle Mountain Bugle, Eureka Sentinel and the Reno Gazette Journal, newspapers of general circulation printed and published in the County in which said real property is situated, the first date of such publication being November 18, 2004; Said sale was orally postponed by mesne postponements to June 2, 2005; and,

WHEREAS, copies of said recorded Notice of Default and said Notice of Sale were mailed to all those who were entitled thereto in accordance with Section 107.090 of Nevada Revised Statutes; and

WHEREAS, all applicable statutory provisions of the State of Nevada and all of the provisions of said Deed of Trust have been complied with as to acts to be performed and notices to be given; and

WHEREAS, at the time and place fixed as aforesaid, Trustee did sell at public auction, the property hereinafter described, to Grantee, the highest bidder, for the sum of \$132,051.85 paid in lawful money of the United States of America by the satisfaction of the indebtedness then secured by the said Deed of Trust, pro tanto.

NOW THEREFORE, Trustee, in consideration of the premises recited and by virtue of the authority vested in it by said Deed of Trust, does, by these presents, GRANT AND CONVEY, unto Grantee, but without any covenant, or warranty, expressed or implied, all that certain property situate in the Counties of Eureka and Lander, State of Nevada, described as follows:

EUREKA COUNTY, NEVADA
TOWNSHIP 22 NORTH, RANGE 48 EAST, M.D.B.&M.
Section 21: Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼)

LANDER COUNTY, NEVADA
TOWNSHIP 22 NORTH, RANGE 47 EAST, M.D.B.&M.
Section 12: South Half (S1/2) of the Northwest Quarter (NW ¼)
TOWNSHIP 22 NORTH, RANGE 48 EAST, M.D.B.&M.
Section 17: Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼)

EXCEPTING THEREFROM the above parcels and undivided one-half interest in and to all petroleum, oil, natural gas or other hydro-carbon substances and any and all other mineral, minerals, or mineral rights, in, upon, or under said lands owned or possessed by the First Party, together with the right to enter on said land to prospect for, recorder, and remove the same as reserved in Deed from Pete Etchverry, a widower, to Filbert Etcheverry and Michel Etcheverry, a Co-partnership doing business under the firm name and style of Eureka Livestock company, recorded April 30, 1965 in Book 7 of Official Records, page 260, Lander County, Nevada records.

Grazing rights and water rights: application # 7424; 4758; 4613; 7893; 9058

Stewart Title of Northern Nevada, a Nevada Corporation.

 **JENNY KEEFE**
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No:04-91245-2 - Expires September 3, 2008

BOOK 4 | 5 PAGE 338

STATE OF NEVADA DECLARATION OF VALUE

1. Assessor Parcel Number (s)

- a) 07-080-02 - Buerca
b) 05-240-02 - Lannon
c) 05-240-03 - "
d) _____

FOR RECORDERS OPTIONAL USE ONLY

Document/Instrument#: 199343
Book: 415 Page: 335-338
Date of Recording: 6-10-05
Notes: _____

2. Type of Property:

- | | | | |
|--|--------------|-----------------------------|-----------------|
| a) <input type="checkbox"/> | Vacant Land | b) <input type="checkbox"/> | Single Fam Res. |
| c) <input type="checkbox"/> | Condo/Twnhse | d) <input type="checkbox"/> | 2-4 Plex |
| e) <input type="checkbox"/> | Apt. Bldg. | f) <input type="checkbox"/> | Comm'l/Ind'l |
| g) <input checked="" type="checkbox"/> | Agricultural | h) <input type="checkbox"/> | Mobile Home |
| i) <input type="checkbox"/> | Other | | |

3. Total Value/Sales Price of Property:

Deed in Lieu of Foreclosure Only (value of property) \$ 132,051.85
Transfer Tax Value: \$ 132,051.85
Real Property Transfer Tax Due: 258.38 259.35 50% Buerca Co
259.35 50% Lannon Co.

4. If Exemption Claimed:

- a. Transfer Tax Exemption, per NRS 375.090, Section: _____
b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: _____ %

The undersigned 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 disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature Phillip E. Frink Capacity Trustee
Signature [Signature] Capacity _____

SELLER (GRANTOR) INFORMATION

(REQUIRED)

Print Name: Stewart Title
Address: 401 Ryland St
City: Reno
State: Nevada Zip: 89502

BUYER (GRANTEE) INFORMATION

(REQUIRED)

Print Name: Benjamin Adelman Soloway, Jr.
Address: P.O. Box 3303
City: Incline Village
State: NV Zip: 89450

COMPANY/PERSON REQUESTING RECORDING

(REQUIRED IF NOT THE SELLER OR BUYER)

Print Name: Stewart Title of Northern NV Escrow # 041507755
Address: 401 Ryland St.
City: Reno State: NV Zip: 89502

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED)