

Official Record

Recording requested By
MICHAEL C VAN

Eureka County - NV

Mike Rebaleati - Recorder

Fee: \$18.00

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RPTT:

Recorded By: FES

Book- 0486 Page- 0341



0213243

Tax Parcel Nos.: 007-070-01, 006-360-03, 006-360-01
MASTER APN: 007-070-01
INCLUDING ALL WATER RIGHTS &
GRAZING RIGHTS ASSOCIATED THEREWITH.

WHEN RECORDED RETURN TO:

MICHAEL C. VAN, ESQ.
SHUMWAY VAN LAW, CHTD.
8985 S. Eastern Avenue, Suite 160
Las Vegas, NV 89123
Telephone: (702) 478-7770
Facsimile: (702) 478-7779

Space above for County Recorder's Use

NOTICE OF DEFAULT AND ELECTION TO SELL

NOTICE IS HEREBY GIVEN of the default of that certain Deed of Trust, Assignment of Rents and Leases, Security Agreement and Fixture Filing ("Deed of Trust"), together with the indebtedness secured thereby, which is dated August 5, 2008 and granted by **CEDAR RANCHES, LLC**, as trustor ("Trustor"), with **MICHAEL C. VAN, ESQ.**, of the law firm of Shumway - Van Law, Chtd., whose address is 8985 S. Eastern Avenue, Suite 160, Las Vegas, Nevada 89123, as successor trustee ("Successor Trustee"), and those certain individuals/entities listed on the attached Exhibit "A", which is incorporated herein by this reference, by and through their servicing agent, **PRIVATE CAPITAL GROUP, INC.**, a Utah corporation (collectively, the "Beneficiary"). The Deed of Trust was recorded on August 22, 2008, as Entry No. 0212284, in the Official Records of the County Recorder of Eureka County, State of Nevada. The property subject to the Deed of Trust is situated in Eureka County, and is more particularly described on the attached Exhibit "B", which is incorporated herein by this reference ("Trust Property").

FURTHER NOTICE IS HEREBY GIVEN that a breach of that certain Secured Promissory Note, dated August 5, 2008, ("Note"), between Trustor and Beneficiary, the obligation for which the Trust Property was given as security has occurred. The Beneficiary has elected to have Successor Trustee sell or cause the Trust Property to be sold to satisfy the obligations secured by the Deed of Trust, including, but not limited to, appropriate fees, charges, and expenses incurred by the Trustee, advances, if any, under the terms of the Deed of Trust, interest thereon, and the unpaid principal, accrued interest, late fees and charges, and attorneys fees and costs of the Note secured by the Deed of Trust.

The nature of such default and breach of the obligation secured by the Deed of Trust is the failure of the Trustor to pay amounts to Beneficiary when due as provided for in the Note and Deed of Trust. The Note and the principal sum of **FIVE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$550,000.00)**, together with any and all accrued interest, late fees and charges, and all costs and fees including attorneys' fees have been declared to be due and

payable, subject to any rights the Trustor may have to cure the delinquency as provided by Nevada law.

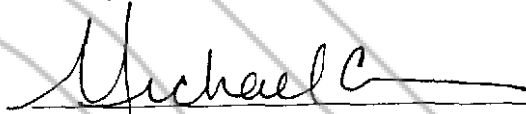
The purpose of this Notice is to collect a debt and any information obtained may be used for that purpose. Trustor is also notified of the following pursuant to the Fair Debt Collection Practices Act:

Unless you notify the Beneficiary or the Trustee, within thirty (30) calendar days after receiving this Notice, that you dispute the above-described debt or any portion thereof, we will presume that the debt is valid. If you dispute the debt in writing within thirty (30) calendar days from receiving this Notice, we will obtain verification of the debt and a copy of such verification will be mailed to you. Also, if you make a request to the Beneficiary or the Trustee in writing within thirty (30) calendar days after receiving this Notice, we will provide you with the name and address of the original creditor, if different from the current creditor.

You are further notified that during the 30-day period described above, this foreclosure proceeding will continue, except as provided by Nevada law.

DATED this 16 day of April, 2009

TRUSTEE:



MICHAEL C. VAN, ESQ.

SHUMWAY VAN LAW, CHTD.

8985 S. Eastern Avenue, Suite 160

Las Vegas, NV 89123

Telephone: (702) 478-7770

Facsimile: (702) 478-7779

Office Hours 8:30 a.m. to 5:00 p.m.



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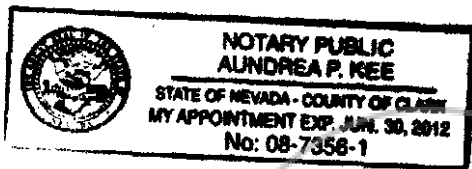
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State of Nevada)

:SS.

County of Clark)

On April 16-2009, before me, Aundrea Kee, a notary public in and for said state, personally appeared MICHAEL C. VAN, ESQ., an active member of the Nevada State Bar residing in Las Vegas, Nevada, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within NOTICE OF DEFAULT AND ELECTION TO SELL and acknowledged to me that he executed the same in his authorized capacity as Successor Trustee under the aforementioned Deed of Trust, and that by his signature on the instrument, he acted and executed the NOTICE OF DEFAULT AND ELECTION TO SELL.



Aundrea Kee
NOTARY PUBLIC



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EXHIBIT "A"

LIST OF BENEFICIARIES

- i. Michael & Beth Burke with a zero and fifty-five-million-nine-hundred-forty-seven-thousand-six-hundred-thirty-seven hundred millionths percent (0.55947637) interest;
- ii. Marvin & Pamela Clinch with a zero and ninety--million-nine-hundred-nine-thousand-ninety-one hundred millionths percent (0.90909091) interest;
- iii. Daniel Gerszewski with a zero and ninety-three-million-four-hundred-seventy-three-thousand-ninety-one hundred millionths percent (0.93473091) interest;
- iv. David Burke with a zero and ninety-eight-million-five-hundred-twenty-seven-thousand-ninety-one hundred millionths percent (0.98527091) interest;
- v. Peralta, LLC with a one and eight-million-one-hundred-eighty-one-thousand-eight-hundred-nineteen ten millionths percent (1.81818190) interest;
- vi. Corey & Brenda Enloe with a two and three-million-six-hundred-thirty-six-thousand-three-hundred-sixty-four ten millionths percent (2.36363640) interest;
- vii. Linette Rollins with a two and three-million-six-hundred-thirty-six-thousand-three-hundred-sixty-four ten millionths percent (2.36363640) interest;
- viii. Martin Daniels with a two and eight-million-four-hundred-eighty-four-thousand-eight-hundred-thirty-seven ten millionths percent (2.84848370) interest;
- ix. Gerald C. Cole with a three and six-million-three-hundred-sixty-three-thousand-six-hundred-thirty-seven ten millionths percent (3.63636370) interest;
- x. Tom A. Thomsen with a four and five-million-four-hundred-fifty-four-thousand-five-hundred-forty-six ten millionths percent (4.54545460) interest;
- xi. Brian S. Frederickson with a four and five-million-four-hundred-fifty-four-thousand-five-hundred-forty-six ten millionths percent (4.54545460) interest;
- xii. Cache Private Capital, LLC with a four and nine-hundred-nine-thousand-ninety-one millionths percent (4.90909100) interest;
- xiii. Gerszewski Living Trust, James Gerszewski, Trustee, with a five and nine-million-four-hundred-forty-seven-thousand-six-hundred-fifty-five ten millionths percent (5.94476550) interest;
- xiv. Beyond Expectations, LLC with a nine and nine-hundred-nine-thousand-ninety-one ten millionths percent (9.09090910) interest;
- xv. Equity Trust Company Custodian FBO Maureen G. Mulvaney IRA with a nine and nine-hundred-nine-thousand-ninety-one ten millionths percent (9.09090910) interest;
- xvi. Charles & Margaret F. Cindric with a nine and nine-hundred-nine-thousand-ninety-one ten millionths percent (9.09090910) interest;
- xvii. PJC Ventures, LLC with a nine and nine-hundred-nine-thousand-ninety-one ten millionths percent (9.09090910) interest;
- xviii. Heather Nelson with a nine and nine-hundred-nine-thousand-ninety-one ten millionths percent (9.09090910) interest; and
- xix. R.E.D. Inc with an eighteen and one-hundred-eighty-one-thousand-eight-hundred-nineteen millionths percent (18.18181900) interest.



EXHIBIT "B"

DESCRIPTION OF THE PROPERTY

LEGAL DESCRIPTION: TOWNSHIP 23 NORTH, RANGE 54 EAST, M.D.B.&M.

Section 3: SW1/4NE1/4; Lot 4; S1/2NW1/4; S1/2;

Section 4: Lots 1, 2 and 3, S1/2N1/2; S1/2;

Section 9: NE1/4;

Section 10: N1/2NE1/4; SW1/4NE1/4; W1/2;

TOWNSHIP 24 NORTH, RANGE 54 EAST, M.D.B.&M.

Section 22: W1/2NE1/4; S1/2NW1/4; N1/2SW1/4;

Section 27: S1/2SW1/4;

Section 34: E1/2NW1/4; W1/2SE1/4; E1/2SW1/4;

TAX ID No.:

ASSESSOR PARCEL NOS. : 007-070-01, 006-360-03, 006-360-01

MASTER APN: 007-070-01

WATER RIGHTS

Basin	App	Cert	File Date	Status	Source	POD	POD	POD	POD	POD	Div	Type	Ann Duty	Units
47	1820	51	9/14/1910	CER	SPG	NW	NW	31	24N	55E	0.01	STK	3.53	AFA
153	6914	1147	6/13/1923	CER	SPR	SW	SW	1	23N	54E	0.025	STK	17.92238	AFS
153	V01114		7/6/1912	VST	SPR	SW	SW	11	23N	54E	0	IRR	4	AFA
153	V01115		7/6/1912	VST	SPR	NE	SE	3	23N	54E	3.12	IRR	4	AFA
153	V01319		7/16/1914	VST	SPR	SE	NW	31	24N	55E	0.025	STK		
153	V01521		11/1/1917	VST	SPR	NE	SW	13	23N	54E	0.025	STK	2.52	AFS
153	V02845		12/9/1974	VST	STR	NW	NW	2	23N	54E	0	IRR		
153	V02846		12/9/1974	VST	SPR	NW	SE	34	24N	54E	0	IRR		
153	V02847		12/9/1974	VST	STR	SW	NE	34	24N	54E	0	IRR		
153	13726	4116	5/18/1951	CER	UG	SW	SW	28	25N	54E	0.009	STK	6.51	AFA
153	13727	4117	5/18/1951	CER	UG	NW	SE	9	25N	54E	0.012	STK	8.68	AFA
153	7982	1885	1/19/2027	CER	SPR	NE	SE	11	25N	54E	0.013	STK	5.55	AFS
153	7983	1886	1/19/2027	CER	SPR	NW	SW	12	25N	54E	0.013	STK	5.55	AFS
153	7984	1887	1/19/2027	CER	SPR	NE	SW	12	25N	54E	0.013	STK	5.55	AFS
153	8000	1888	2/7/2027	CER	SPR	NE	SW	12	25N	54E	0.013	STK	5.55	AFS