

IN THE SUPREME COURT OF NEVADA

SATICOY BAY, LLC 34
INNISBROOK,

Appellant,

vs.

THORNBURG MORTGAGE
SECURITIES TRUST 2007-3; FRANK
TIMPA; MADELAINE TIMPA;
TIMPA TRUST; RED ROCK
FINANCIAL SERVICES, LLC;
SPANISH TRAIL MASTER
ASSOCIATION; REPUBLIC
SERVICES; AND LAS VEGAS
VALLEY WATER DISTRICT,

Respondents.

Supreme Court Case No. 80111

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Elizabeth A. Brown
Clerk of Supreme Court

JOINT APPENDIX VOLUME 5

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EXHIBIT F

1 DAVID R. KOCH
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4 Nevada Bar No. 9906
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11 Facsimile: (702) 318-5039

12 Attorneys for Counter-Defendant/Counterclaimant
13 Red Rock Financial Services

14
15 EIGHTH DISTRICT COURT
16 CLARK COUNTY, NEVADA

17 SATICOY BAY LLC SERIES 34 INNISBROOK,

18 Plaintiff,

19 vs.

20 THORNBURG MORTGAGE SECURITIES
21 TRUST 2007-3; RECONSTRUCT COMPANY,
22 N.A. a division of BANK OF AMERICA;
23 FRANK TIMPA and MADELAINE TIMPA,
24 individually and as trustees of the TIMPA
25 TRUST,

26 Defendants.

27 THORNBURG MORTGAGE SECURITIES
28 TRUST 2007-3,

Counterclaimant,

vs.

SATICOY BAY LLC SERIES 34 INNISBROOK,
a Nevada Limited-liability company; SPANISH
TRAIL MASTER ASSOCIATION, a Nevada
Non-Profit Corporation; RED ROCK
FINANCIAL SERVICES, LLC, an unknown
entity; FRANK TIMPA, an individual; DOES I
through X; and ROE CORPORATIONS I
through X, inclusive,

Counter-Defendants.

Case No.: A-14-710161-C
Dept.: XV

RED ROCK FINANCIAL
SERVICES, LLC AFFIDAVIT

1 RED ROCK FINANCIAL SERVICES,

2 Counterclaimant,

3 vs.

4 THORNBURG MORTGAGE SECURITIES
5 TRUST 2007-3; COUNTRYWIDE HOME
6 LOANS, INC.; ESTATES WEST AT SPANISH
7 TRAILS; MORTGAGE ELECTRONIC
8 REGISTRATION SYSTEM, INC.; REPUBLIC
9 SERVICES; LAS VEGAS VALLEY WATER
10 DISTRICT; FRANK TIMPA and MADELAINE
11 TIMPA, individually and as trustees of the
12 TIMPA TRUST U/T/D March 3, 1999; and
13 DOES 1-100, inclusive,

14 Counter-Defendants.

15 I, Julia Thompson, under penalty of perjury, declare as follows:

16 1. My name is Julia Thompson I have personal knowledge of and I am
17 competent to testify as to the matters stated herein by virtue of my position as supervisor
18 for Red Rock Financial Services LLC (Red Rock).

19 2. As a supervisor for Red Rock, I am familiar with Red Rock's systems that
20 contain data regarding collection accounts and Red Rock's policies and procedures. This
21 affidavit is based on my review of Red Rock's business records and knowledge as a Red
22 Rock employee.

23 3. Entries in Red Rock's systems and corresponding databases are made at or
24 near the time of the events recorded by, or from information transmitted by, persons
25 with knowledge. Red Rock's systems and databases are maintained and kept in the
26 course of Red Rock's regularly conducted business activity, and it is Red Rock's regular
27 practice to keep and maintain information regarding Red Rock's collection accounts. Red
28 Rock's systems and databases consist of records that were kept and maintained by Red
Rock in the course of its regularly conducted activities pursuant to its regular business
practice of creating such records. These systems and databases are Red Rock's business

1 records.

2 4. Exhibit 1 are true and correct copies from Red Rock's business records
3 regarding the file for Frank and Madelaine Timpa's account for the property located at 34
4 Innisbrook Avenue, Las Vegas, Nevada 89113.

5 5. Further your affiant sayth not.

6 Executed this 26 day of April, 2018

7 By [Signature]

8 Title Supervisor

9
10 State of Nevada

11 County of Clark

12 On 4/26/18 before me, Sara Trevino (insert name and
13 title of the officer) personally appeared Julia Thompson, who proved to
14 me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
15 subscribed to the within instrument and acknowledged to me that he/she/they executed
16 the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s)
17 on the instrument the person(s), or the entity upon behalf of which the person(s) acted,
18 executed the instrument. WITNESS my hand and official seal.

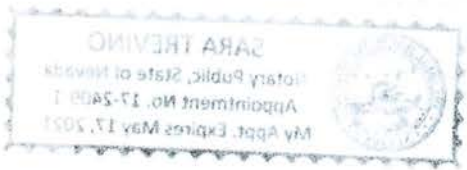
19
20
21
22
23
24
25
26
27
28
Signature [Signature]

(Seal)



36
Sara Trevino
Notary Public

215118
Sara Trevino
Notary Public



Red Rock Financial Services
Trust Account
4775 W. Teco Avenue, Suite 140
Las Vegas, NV 89118
(702) 932-6887

usbank
Five Star Service Guaranteed
www.usbank.com
94-0169/1212

50438

11/10/2014

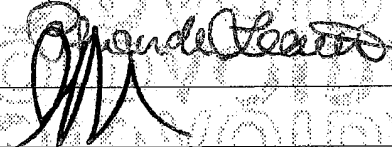
PAY TO THE
ORDER OF

Clark County District Court

\$**1,168,865.05

One Million One Hundred Sixty-Eight Thousand Eight Hundred Sixty-Five and 05/100***** DOLLARS

Clark County District Court



MEMO

34 Innisbrook Avenue Excess Funds

⑈050438⑈ ⑆1121201694⑆ 153751166148⑈

Red Rock Financial Services/Trust Account

50438

Clark County District Court

11/10/2014

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
11/10/2014	Bill	R74507	1,168,865.05	1,168,865.05		1,168,865.05
					Check Amount	1,168,865.05

Trust Account - NV 34 Innisbrook Avenue Excess Funds

1,168,865.05

Red Rock Financial Services/Trust Account

50438

Clark County District Court

11/10/2014

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
11/10/2014	Bill	R74507	1,168,865.05	1,168,865.05		1,168,865.05
					Check Amount	1,168,865.05

Trust Account - NV 34 Innisbrook Avenue Excess Funds

1,168,865.05

RRF\$A00019

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**
 Mgmt Account:
 Information as of: **November 10, 2014**

Account Information

Company: Spanish Trail Master Association
 Association: Spanish Trail Master Association
 Property Address: 34 Innisbrook Ave, Las Vegas NV 89113
 Owners: TIMPA TRUST U/T/D MARCH 3, 1999 (FRANK ANTHONY TIMPA AND MADELAINE TIMPA, TRUSTEES AND ANY SUCCESSOR TRUSTEE AS PROVIDED THEREIN)

Payment Summary

9 Allocations

Payment Processed	\$98,113.52
Allocation Categories	
Association	(\$8,442.00)
X Misc 1	1,000 + 240,000 + 240,000 + 120,000 ^{x5} + (\$87,865.05) = 1168865.05
RRFS	(\$1,806.47)
Total Allocations	(\$98,113.52)

Payment Detail

Total \$ 1,179,113.52

Date:	Description:	Code:	Amount:	Check:	Memo:
11/10/2014	Red Rock Paid in Full	PIFRR	98,113.52	CC	PIF HOA SALE -
				0743701189	SPLIT WITH 74509

* EXCESS FUNDS
 \$1,168,865.05
 Clark County
 District Court.

give to CLM

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**

Mgmt Account:

Information as of: **November 10, 2014**

Association Allocation Detail

11/10/2014 10:44:16 Processed By: Reporting

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**

Mgmt Account:

Information as of: **November 10, 2014**

Late Fee			Total: (\$950.00)
Date:	Description:	Code:	Amount:
08/16/2011	Late Fee	RRLF	-25.00
09/16/2011	Late Fee	RRLF	-25.00
10/16/2011	Late Fee	RRLF	-25.00
11/16/2011	Late Fee	RRLF	-25.00
12/15/2011	Late Fee	RRLF	-25.00
02/16/2012	Late Fee	RRLF	-25.00
03/16/2012	Late Fee	RRLF	-25.00
04/16/2012	Late Fee	RRLF	-25.00
05/16/2012	Late Fee	RRLF	-25.00
06/16/2012	Late Fee	RRLF	-25.00
07/16/2012	Late Fee	RRLF	-25.00
08/16/2012	Late Fee	RRLF	-25.00
09/16/2012	Late Fee	RRLF	-25.00
10/16/2012	Late Fee	RRLF	-25.00
11/16/2012	Late Fee	RRLF	-25.00
12/16/2012	Late Fee	RRLF	-25.00
01/16/2013	Late Fee	RRLF	-25.00
02/16/2013	Late Fee	RRLF	-25.00
03/16/2013	Late Fee	RRLF	-25.00
04/16/2013	Late Fee	RRLF	-25.00
05/16/2013	Late Fee	RRLF	-25.00
06/16/2013	Late Fee	RRLF	-25.00
07/16/2013	Late Fee	RRLF	-25.00
08/16/2013	Late Fee	RRLF	-25.00
09/16/2013	Late Fee	RRLF	-25.00
10/16/2013	Late Fee	RRLF	-25.00
11/16/2013	Late Fee	RRLF	-25.00
12/16/2013	Late Fee	RRLF	-25.00
01/16/2014	Late Fee	RRLF	-25.00
02/16/2014	Late Fee	RRLF	-25.00
03/16/2014	Late Fee	RRLF	-25.00
04/16/2014	Late Fee	RRLF	-25.00
05/16/2014	Late Fee	RRLF	-25.00
06/16/2014	Late Fee	RRLF	-25.00
07/16/2014	Late Fee	RRLF	-25.00
08/16/2014	Late Fee	RRLF	-25.00

11/10/2014 10:44:16 Processed By: Reporting

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**

Mgmt Account:

Information as of: **November 10, 2014**

09/16/2014	Late Fee	RRLF	-25.00
10/16/2014	Late Fee	RRLF	-25.00
Assessment			Total: (\$7,472.00)
Date:	Description:	Code:	Amount:
03/01/2012	Assessment	MAHOA	-42.00
04/01/2012	Assessment	MAHOA	-225.00
05/01/2012	Assessment	MAHOA	-225.00
06/01/2012	Assessment	MAHOA	-225.00
07/01/2012	Assessment	MAHOA	-225.00
08/01/2012	Assessment	MAHOA	-225.00
09/01/2012	Assessment	MAHOA	-225.00
10/01/2012	Assessment	MAHOA	-225.00
11/01/2012	Assessment	MAHOA	-225.00
12/01/2012	Assessment	MAHOA	-225.00
01/01/2013	Assessment	MAHOA	-235.00
02/01/2013	Assessment	MAHOA	-235.00
03/01/2013	Assessment	MAHOA	-235.00
04/01/2013	Assessment	MAHOA	-235.00
05/01/2013	Assessment	MAHOA	-235.00
06/01/2013	Assessment	MAHOA	-235.00
07/01/2013	Assessment	MAHOA	-235.00
08/01/2013	Assessment	MAHOA	-235.00
09/01/2013	Assessment	MAHOA	-235.00
10/01/2013	Assessment	MAHOA	-235.00
11/01/2013	Assessment	MAHOA	-235.00
12/01/2013	Assessment	MAHOA	-235.00
01/01/2014	Monthly Assessment	ASMA	-235.00
02/01/2014	Monthly Assessment	ASMA	-235.00
03/01/2014	Monthly Assessment	ASMA	-235.00
04/01/2014	Monthly Assessment	ASMA	-235.00
05/01/2014	Monthly Assessment	ASMA	-235.00
06/01/2014	Monthly Assessment	ASMA	-235.00
07/01/2014	Monthly Assessment	ASMA	-235.00
08/01/2014	Monthly Assessment	ASMA	-235.00
09/01/2014	Monthly Assessment	ASMA	-235.00
10/01/2014	Monthly Assessment	ASMA	-235.00
11/01/2014	Monthly Assessment	ASMA	-235.00

11/10/2014 10:44:16 Processed By: Reporting

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**

Mgmt Account:

Information as of: **November 10, 2014**

Other			Total:	(\$20.00)
Date:	Description:	Code:	Amount:	
04/30/2014	Association Misc. Charge	ASMIS	-20.00	

Misc 1 Allocation Detail

Misc 1			Total:	(\$87,865.05)
Date:	Description:	Code:	Amount:	
11/10/2014	Misc. Charge	3PRTY	-87,865.05	

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**

Mgmt Account:

Information as of: **November 10, 2014**

RRFS Allocation Detail

RRFS			Total: (\$1,806.47)
Date:	Description:	Code:	Amount:
07/28/2011	Lien for Delinquent Assessment	LIEN	-146.84
11/29/2011	NOD Mailing Costs	MAIL3	-19.60
11/29/2011	NOD Release	RLNOD	-30.00
11/29/2011	NOD Release Recording Costs	RSNOD	-17.00
01/26/2012	Payoff Demand	PYOFF	-150.00
02/17/2012	Intent to NOS	INNOS	-90.00
05/04/2012	Payment Plan	PPLAN	-30.00
06/25/2012	Payment Plan	PPLAN	-30.00
08/06/2012	Payment Breach Letter	RRPBL	-25.00
02/08/2013	Payment Plan	PPLAN	-30.00
03/27/2014	Payment Breach Letter	RRPBL	-25.00
05/08/2014	Intent to Conduct Foreclosure	RRICF	-25.00
09/11/2014	NOS Mailing Costs	MAIL4	-8.96
09/11/2014	NOS Mailing Costs	MAIL4	-8.96
09/11/2014	NOS Mailing Costs	MAIL4	-8.96
09/11/2014	NOS Mailing Costs	MAIL4	-8.96
09/11/2014	NOS Mailing Costs	MAIL4	-8.96
09/11/2014	NOS Mailing Costs	MAIL4	-8.96
09/11/2014	NOS Mailing Costs	MAIL4	-8.96
09/11/2014	NOS Mailing Costs	MAIL4	-8.96
09/11/2014	NOS Mailing Costs	MAIL4	-8.96
09/11/2014	NOS Mailing Costs	MAIL4	-8.96
09/11/2014	NOS Mailing Costs	MAIL4	-8.96
09/11/2014	NOS Mailing Costs	MAIL4	-8.96
09/11/2014	NOS Mailing Costs	MAIL4	-8.96
09/11/2014	NOS Mailing Costs	MAIL4	-8.96
09/11/2014	NOS Mailing Costs	MAIL4	-8.96
09/11/2014	NOS Mailing Costs	MAIL4	-8.96
09/11/2014	Notice of Sale	NOS	-275.00
09/11/2014	NOS Recording Costs	RCNOS	-23.00
09/11/2014	Publishing and Posting Costs	PUBLISHING	-496.67
11/07/2014	Conduct Foreclosure Sale	RRCFS	-125.00
11/07/2014	Prepare and Record Trustee Deed	RRRTD	-125.00

11/10/2014 10:44:16 Processed By: Reporting

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**
Mgmt Account:
Information as of: **November 10, 2014**

Account Information

Company: Spanish Trail Master Association
Association: Spanish Trail Master Association
Property Address: 34 Innisbrook Ave, Las Vegas NV 89113
Owners: TIMPA TRUST U/T/D MARCH 3, 1999 (FRANK ANTHONY TIMPA AND MADELAINE TIMPA, TRUSTEES AND ANY SUCCESSOR TRUSTEE AS PROVIDED THEREIN)

Payment Summary

Payment Processed	\$120,000.00
Allocation Categories	
Misc 1	(\$120,000.00)
Total Allocations	(\$120,000.00)

Payment Detail

Date:	Description:	Code:	Amount:	Check:	Memo:
11/10/2014	Red Rock Paid in Full	PIFRR	120,000.00	CC 0743701214	PIF HOA SALE

Misc 1 Allocation Detail

Misc 1		Total:	(\$120,000.00)
Date:	Description:	Code:	Amount:
11/10/2014	Misc. Charge	3PRTY	-120,000.00

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**
Mgmt Account:
Information as of: **November 10, 2014**

Account Information

Company: Spanish Trail Master Association
Association: Spanish Trail Master Association
Property Address: 34 Innisbrook Ave, Las Vegas NV 89113
Owners: TIMPA TRUST U/T/D MARCH 3, 1999 (FRANK ANTHONY TIMPA AND MADELAINE TIMPA, TRUSTEES AND ANY SUCCESSOR TRUSTEE AS PROVIDED THEREIN)

Payment Summary

Payment Processed	\$120,000.00
Allocation Categories	
Misc 1	(\$120,000.00)
Total Allocations	(\$120,000.00)

Payment Detail

Date:	Description:	Code:	Amount:	Check:	Memo:
11/10/2014	Red Rock Paid in Full	PIFRR	120,000.00	CC 0743701186	PIF HOA SALE

Misc 1 Allocation Detail

Misc 1	Total:	(\$120,000.00)	
Date:	Description:	Code:	Amount:
11/10/2014	Misc. Charge	3PRTY	-120,000.00

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**
Mgmt Account:
Information as of: **November 10, 2014**

Account Information

Company: Spanish Trail Master Association
Association: Spanish Trail Master Association
Property Address: 34 Innisbrook Ave, Las Vegas NV 89113
Owners: TIMPA TRUST U/T/D MARCH 3, 1999 (FRANK ANTHONY TIMPA AND MADELAINE TIMPA, TRUSTEES AND ANY SUCCESSOR TRUSTEE AS PROVIDED THEREIN)

Payment Summary

Payment Processed	\$120,000.00
Allocation Categories	
Misc 1	(\$120,000.00)
Total Allocations	(\$120,000.00)

Payment Detail

Date:	Description:	Code:	Amount:	Check:	Memo:
11/10/2014	Red Rock Paid in Full	PIFRR	120,000.00	CC 0743701187	PIF HOA SALE

Misc 1 Allocation Detail

Misc 1		Total:	(\$120,000.00)
Date:	Description:	Code:	Amount:
11/10/2014	Misc. Charge	3PRTY	-120,000.00

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**
Mgmt Account:
Information as of: **November 10, 2014**

Account Information

Company: Spanish Trail Master Association
Association: Spanish Trail Master Association
Property Address: 34 Innisbrook Ave, Las Vegas NV 89113
Owners: TIMPA TRUST U/T/D MARCH 3, 1999 (FRANK ANTHONY TIMPA AND MADELAINE TIMPA, TRUSTEES AND ANY SUCCESSOR TRUSTEE AS PROVIDED THEREIN)

Payment Summary

Payment Processed	\$120,000.00
Allocation Categories	
Misc 1	(\$120,000.00)
Total Allocations	(\$120,000.00)

Payment Detail

Date:	Description:	Code:	Amount:	Check:	Memo:
11/10/2014	Red Rock Paid in Full	PIFRR	120,000.00	CC 0743701188	PIF HOA SALE

Misc 1 Allocation Detail

Misc 1		Total:	(\$120,000.00)
Date:	Description:	Code:	Amount:
11/10/2014	Misc. Charge	3PRTY	-120,000.00

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**
Mgmt Account:
Information as of: **November 10, 2014**

Account Information

Company: Spanish Trail Master Association
Association: Spanish Trail Master Association
Property Address: 34 Innisbrook Ave, Las Vegas NV 89113
Owners: TIMPA TRUST U/T/D MARCH 3, 1999 (FRANK ANTHONY TIMPA AND MADELAINE TIMPA, TRUSTEES AND ANY SUCCESSOR TRUSTEE AS PROVIDED THEREIN)

Payment Summary

Payment Processed	\$120,000.00
Allocation Categories	
Misc 1	(\$120,000.00)
Total Allocations	(\$120,000.00)

Payment Detail

Date:	Description:	Code:	Amount:	Check:	Memo:
11/10/2014	Red Rock Partial Payment	PPRR	120,000.00	CC	PIF HOA SALE
				0743701190	

Misc 1 Allocation Detail

Misc 1		Total:	(\$120,000.00)
Date:	Description:	Code:	Amount:
11/10/2014	Misc. Charge	3PRTY	-120,000.00

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**
Mgmt Account:
Information as of: **November 10, 2014**

Account Information

Company: Spanish Trail Master Association
Association: Spanish Trail Master Association
Property Address: 34 Innisbrook Ave, Las Vegas NV 89113
Owners: TIMPA TRUST U/T/D MARCH 3, 1999 (FRANK ANTHONY TIMPA AND MADELAINE TIMPA, TRUSTEES AND ANY SUCCESSOR TRUSTEE AS PROVIDED THEREIN)

Payment Summary

Payment Processed	\$240,000.00
Allocation Categories	
Misc 1	(\$240,000.00)
Total Allocations	(\$240,000.00)

Payment Detail

Date:	Description:	Code:	Amount:	Check:	Memo:
11/10/2014	Red Rock Paid in Full	PIFRR	240,000.00	CC 0743701208	PIF HOA SALE

Misc 1 Allocation Detail

Misc 1		Total:	(\$240,000.00)
Date:	Description:	Code:	Amount:
11/10/2014	Misc. Charge	3PRTY	-240,000.00

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**
Mgmt Account:
Information as of: **November 10, 2014**

Account Information

Company: Spanish Trail Master Association
Association: Spanish Trail Master Association
Property Address: 34 Innisbrook Ave, Las Vegas NV 89113
Owners: TIMPA TRUST U/T/D MARCH 3, 1999 (FRANK ANTHONY TIMPA AND MADELAINE TIMPA, TRUSTEES AND ANY SUCCESSOR TRUSTEE AS PROVIDED THEREIN)

Payment Summary

Payment Processed	\$240,000.00
Allocation Categories	
Misc 1	(\$240,000.00)
Total Allocations	(\$240,000.00)

Payment Detail

Date:	Description:	Code:	Amount:	Check:	Memo:
11/10/2014	Red Rock Paid in Full	PIFRR	240,000.00	CC 0743701207	PIF HOA SALE

Misc 1 Allocation Detail

Misc 1		Total:	(\$240,000.00)
Date:	Description:	Code:	Amount:
11/10/2014	Misc. Charge	3PRTY	-240,000.00

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**
Mgmt Account:
Information as of: **November 10, 2014**

Account Information

Company: Spanish Trail Master Association
Association: Spanish Trail Master Association
Property Address: 34 Innisbrook Ave, Las Vegas NV 89113
Owners: TIMPA TRUST U/T/D MARCH 3, 1999 (FRANK ANTHONY TIMPA AND MADELAINE TIMPA, TRUSTEES AND ANY SUCCESSOR TRUSTEE AS PROVIDED THEREIN)

Payment Summary

Payment Processed	\$1,000.00
Allocation Categories	
Misc 1	(\$1,000.00)
Total Allocations	(\$1,000.00)

Payment Detail

Date:	Description:	Code:	Amount:	Check:	Memo:
11/10/2014	Red Rock Paid in Full	PIFRR	1,000.00	CC 0743701449	PIF HOA SALE

Misc 1 Allocation Detail

Misc 1	Total:	(\$1,000.00)	
Date:	Description:	Code:	Amount:
11/10/2014	Misc. Charge	3PRTY	-1,000.00

Red Rock Financial Services
Trust Account
4775 W. Taco Avenue, Suite 140
Las Vegas, NV 89118
(702) 932-6887

usbank
Five Star Service Guaranteed
www.usbank.com
94-0169/1212

50438

11/10/2014

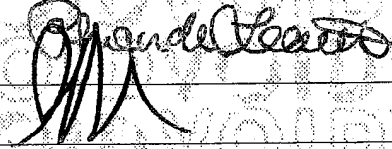
PAY TO THE
ORDER OF

Clark County District Court

\$**1,168,865.05

One Million One Hundred Sixty-Eight Thousand Eight Hundred Sixty-Five and 05/100***** DOLLARS**

Clark County District Court



MEMO

34 Innisbrook Avenue Excess Funds

⑈050438⑈ ⑆121201694⑆ 153751166148⑈

Red Rock Financial Services/Trust Account

50438

Clark County District Court

11/10/2014

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
11/10/2014	Bill	R74507	1,168,865.05	1,168,865.05		1,168,865.05
					Check Amount	1,168,865.05

TO
Christie
M.

Trust Account - NV 34 Innisbrook Avenue Excess Funds

1,168,865.05

Red Rock Financial Services/Trust Account

50438

Clark County District Court

11/10/2014

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
11/10/2014	Bill	R74507	1,168,865.05	1,168,865.05		1,168,865.05
					Check Amount	1,168,865.05

Trust Account - NV 34 Innisbrook Avenue Excess Funds

1,168,865.05

RRFSA00034



Red Rock Financial Services
Accounting Ledger
 Information as of: November 13, 2014

Account Number: 74507
Association: Spanish Trail Master Association
Property Address: 34 Innisbrook Ave, Las Vegas, NV 89113
Ledger Balance: \$0.00
Homeowner(s): TIMPA TRUST U/T/D MARCH 3, 1999 (FRANK ANTHONY TIMPA AND MADELAINE TIMPA, TRUSTEES AND ANY SUCCESSOR TRUSTEE AS PROVIDED THEREIN)

Posting	Description	Amount	Balance	Pmt Ref	Memo
7/1/2010	Assessment	\$225.00	\$225.00		
8/1/2010	Assessment	\$225.00	\$450.00		
8/16/2010	Late Fee	\$25.00	\$475.00		
9/1/2010	Assessment	\$225.00	\$700.00		
9/15/2010	Assessment	\$825.00	\$1,525.00		Rsrv Assessment
9/16/2010	Late Fee	\$25.00	\$1,550.00		
10/1/2010	Assessment	\$225.00	\$1,775.00		
10/16/2010	Late Fee	\$25.00	\$1,800.00		
11/1/2010	Assessment	\$225.00	\$2,025.00		
11/16/2010	Late Fee	\$25.00	\$2,050.00		
12/1/2010	Assessment	\$225.00	\$2,275.00		
12/2/2010	Association Misc. Charge	\$200.00	\$2,475.00		Admin Fee/ Spanish Trail Master Association
12/16/2010	Late Fee	\$25.00	\$2,500.00		
12/21/2010	Mailing Costs	\$9.00	\$2,509.00		Timpa Trust u/t/d/ March 3, 1999 (Frank Anthony Timpa and Madelaine Timpa, Trustees and any successor Trustee as provided therein)/
12/21/2010	Intent to Lien Letter	\$125.00	\$2,634.00		
12/21/2010	Mailing Costs	\$9.00	\$2,643.00		Timpa Trust u/t/d/ March 3, 1999 (Frank Anthony Timpa and Madelaine Timpa, Trustees and any successor Trustee as provided therein)/
1/1/2011	Assessment	\$225.00	\$2,868.00		
1/16/2011	Late Fee	\$25.00	\$2,893.00		
2/1/2011	Assessment	\$225.00	\$3,118.00		
2/16/2011	Late Fee	\$25.00	\$3,143.00		
3/1/2011	Assessment	\$225.00	\$3,368.00		Assesesment
3/1/2011	Assessment	\$825.00	\$4,193.00		Rsrv Assessment
3/16/2011	Late Fee	\$25.00	\$4,218.00		



Red Rock Financial Services
Accounting Ledger
 Information as of: November 13, 2014

Account Number: 74507
Association: Spanish Trail Master Association
Property Address: 34 Innisbrook Ave, Las Vegas, NV 89113
Ledger Balance: \$0.00
Homeowner(s): TIMPA TRUST U/T/D MARCH 3, 1999 (FRANK ANTHONY TIMPA AND MADELAINE TIMPA, TRUSTEES AND ANY SUCCESSOR TRUSTEE AS PROVIDED THEREIN)

Posting	Description	Amount	Balance	Pmt Ref	Memo
3/17/2011	Red Rock Fee Adjustment	(\$348.96)	\$3,869.04		
3/17/2011	Mailing Costs	\$7.98	\$3,877.02		Timpa Trust u/t/d/ March 3, 1999 (Frank Anthony Timpa and Madelaine Timpa, Trustees and any successor Trustee as provided therein)/
3/17/2011	Lien for Delinquent Assessment	\$275.00	\$4,152.02		
3/17/2011	Lien Release	\$30.00	\$4,182.02		
3/17/2011	Lien Recording Costs	\$28.00	\$4,210.02		
3/17/2011	Mailing Costs	\$7.98	\$4,218.00		
					Timpa Trust u/t/d/ March 3, 1999 (Frank Anthony Timpa and Madelaine Timpa, Trustees and any successor Trustee as provided therein/
4/1/2011	Assessment	\$225.00	\$4,443.00		
4/16/2011	Late Fee	\$25.00	\$4,468.00		
5/1/2011	Assessment	\$225.00	\$4,693.00		
5/16/2011	Late Fee	\$25.00	\$4,718.00		
6/1/2011	Assessment	\$225.00	\$4,943.00		
6/16/2011	Late Fee	\$25.00	\$4,968.00		
7/1/2011	Assessment	\$225.00	\$5,193.00		
7/16/2011	Late Fee	\$25.00	\$5,218.00		
7/28/2011	Mailing Costs	\$8.96	\$5,226.96		
7/28/2011	Lien for Delinquent Assessment	\$275.00	\$5,501.96		
7/28/2011	Lien Release	\$30.00	\$5,531.96		
7/28/2011	Lien Recording Costs	\$28.00	\$5,559.96		
7/28/2011	Mailing Costs	\$8.96	\$5,568.92		
8/1/2011	Assessment	\$225.00	\$5,793.92		
8/16/2011	Late Fee	\$25.00	\$5,818.92		
9/1/2011	Assessment	\$225.00	\$6,043.92		
9/15/2011	Assessment	\$825.00	\$6,868.92		



Red Rock Financial Services
Accounting Ledger
Information as of: November 13, 2014

Account Number: 74507
Association: Spanish Trail Master Association
Property Address: 34 Innisbrook Ave, Las Vegas, NV 89113
Ledger Balance: \$0.00
Homeowner(s): TIMPA TRUST U/T/D MARCH 3, 1999 (FRANK ANTHONY TIMPA AND MADELAINE TIMPA, TRUSTEES AND ANY SUCCESSOR TRUSTEE AS PROVIDED THEREIN)

Posting	Description	Amount	Balance	Pmt Ref	Memo
9/16/2011	Late Fee	\$25.00	\$6,893.92		
10/1/2011	Assessment	\$225.00	\$7,118.92		
10/16/2011	Late Fee	\$25.00	\$7,143.92		
10/27/2011	Intent to NOD	\$90.00	\$7,233.92		
10/27/2011	Intent to NOD	\$90.00	\$7,323.92		
11/1/2011	Assessment	\$225.00	\$7,548.92		
11/16/2011	Late Fee	\$25.00	\$7,573.92		
11/28/2011	Adjustment	(\$90.00)	\$7,483.92		
11/29/2011	NOD Mailing Costs	\$17.92	\$7,501.84		
11/29/2011	Notice of Default	\$375.00	\$7,876.84		
11/29/2011	NOD Mailing Costs	\$89.60	\$7,966.44		
11/29/2011	NOD Release	\$30.00	\$7,996.44		
11/29/2011	Trustee Sale Guarantee	\$350.00	\$8,346.44		
11/29/2011	NOD Recording Costs	\$17.00	\$8,363.44		
11/29/2011	NOD Release Recording Costs	\$17.00	\$8,380.44		
12/1/2011	Assessment	\$225.00	\$8,605.44		
12/15/2011	Late Fee	\$25.00	\$8,630.44		
1/1/2012	Assessment	\$225.00	\$8,855.44		
1/26/2012	Payoff Demand	\$150.00	\$9,005.44		Miles Legal
2/1/2012	Assessment	\$225.00	\$9,230.44		
2/3/2012	Red Rock Partial Payment	(\$250.00)	\$8,980.44	MO 290104375	Partial Payment
2/16/2012	Late Fee	\$25.00	\$9,005.44		
2/17/2012	Intent to NOS	\$90.00	\$9,095.44		
3/1/2012	Assessment	\$225.00	\$9,320.44		
3/16/2012	Late Fee	\$25.00	\$9,345.44		
3/20/2012	Red Rock Partial Payment	(\$250.00)	\$9,095.44	CC 290104868	Partial payment
4/1/2012	Assessment	\$225.00	\$9,320.44		
4/16/2012	Late Fee	\$25.00	\$9,345.44		



Red Rock Financial Services
Accounting Ledger
 Information as of: November 13, 2014

Account Number: 74507
Association: Spanish Trail Master Association
Property Address: 34 Innisbrook Ave, Las Vegas, NV 89113
Ledger Balance: \$0.00
Homeowner(s): TIMPA TRUST U/T/D MARCH 3, 1999 (FRANK ANTHONY TIMPA AND MADELAINE TIMPA, TRUSTEES AND ANY SUCCESSOR TRUSTEE AS PROVIDED THEREIN)

Posting	Description	Amount	Balance	Pmt Ref	Memo
4/25/2012	Red Rock Partial Payment	(\$250.00)	\$9,095.44	CC 290109104	Partial payment
5/1/2012	Assessment	\$225.00	\$9,320.44		
5/4/2012	Payment Plan	\$30.00	\$9,350.44		
5/16/2012	Late Fee	\$25.00	\$9,375.44		
6/1/2012	Assessment	\$225.00	\$9,600.44		
6/16/2012	Late Fee	\$25.00	\$9,625.44		
6/25/2012	Payment Plan	\$30.00	\$9,655.44		
7/1/2012	Assessment	\$225.00	\$9,880.44		
7/16/2012	Late Fee	\$25.00	\$9,905.44		
8/1/2012	Assessment	\$225.00	\$10,130.44		
8/6/2012	Payment Breach Letter	\$25.00	\$10,155.44		
8/16/2012	Late Fee	\$25.00	\$10,180.44		
9/1/2012	Assessment	\$225.00	\$10,405.44		
9/16/2012	Late Fee	\$25.00	\$10,430.44		
10/1/2012	Assessment	\$225.00	\$10,655.44		
10/16/2012	Late Fee	\$25.00	\$10,680.44		
10/22/2012	Red Rock Partial Payment	(\$500.00)	\$10,180.44	MO 300040335	Partial payment
11/1/2012	Assessment	\$225.00	\$10,405.44		
11/16/2012	Late Fee	\$25.00	\$10,430.44		
12/1/2012	Assessment	\$225.00	\$10,655.44		
12/16/2012	Late Fee	\$25.00	\$10,680.44		
1/1/2013	Assessment	\$235.00	\$10,915.44		
1/16/2013	Late Fee	\$25.00	\$10,940.44		
2/1/2013	Assessment	\$235.00	\$11,175.44		
2/8/2013	Payment Plan	\$30.00	\$11,205.44		
2/13/2013	Red Rock Partial Payment	(\$500.00)	\$10,705.44	CC 290117061	Partial Payment
2/13/2013	Red Rock Partial Payment	(\$500.00)	\$10,205.44	CC 290117060	Partial Payment
2/16/2013	Late Fee	\$25.00	\$10,230.44		

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**
Mgmt Account:
Information as of: **December 13, 2013**

Account Information

Company: Spanish Trail Master Association
Association: Spanish Trail Master Association
Property Address: 34 Innisbrook Ave, Las Vegas NV 89113
Owners: Timpa Trust u/t/d/ March 3, 1999; Timpa Trust u/t/d/ March 3, 1999; THORNBURG MORTGAGE SECURITIES TRUST 2007-3; COUNTRYWIDE HOME LOANS, INC.; ESTATES WEST AT SPANISH TRAIL ASSOCIATION; MERS; REPUBLIC SERVICES; SPANISH TRAIL MASTER ASSOCIATION; COUNTRYWIDE HOME LOANS, INC.; MADELAINE TIMPA, TRUSTEE; FRANK ANTHONY TIMPA, TRUSTEE; MERS

Payment Summary

Payment Processed	\$500.00
Allocation Categories	
Association	(\$446.84)
RRFS	(\$53.16)
Total Allocations	(\$500.00)

Payment Detail

Date:	Description:	Code:	Amount:	Check:	Memo:
12/13/2013	Red Rock Partial Payment	PPRR	500.00	CC 290133793	Partial payment

Association Allocation Detail

Assessment			Total:	(\$421.84)
Date:	Description:	Code:	Amount:	
06/01/2011	Assessment	MAHOA	-196.84	
08/01/2011	Assessment	MAHOA	-225.00	

Late Fee			Total:	(\$25.00)
Date:	Description:	Code:	Amount:	
06/16/2011	Late Fee	RRLF	-25.00	

RRFS Allocation Detail

RRFS			Total:	(\$53.16)
Date:	Description:	Code:	Amount:	
07/28/2011	Lien for Delinquent Assessment	LIEN	-53.16	

12/13/2013 12:27:17 Processed By: Reporting

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**

Mgmt Account:

Information as of: **November 08, 2013**

Account Information

Company: Spanish Trail Master Association
 Association: Spanish Trail Master Association
 Property Address: 34 Innisbrook Ave, Las Vegas NV 89113
 Owners: Timpa Trust u/t/d/ March 3, 1999; Timpa Trust u/t/d/ March 3, 1999; THORNBURG MORTGAGE SECURITIES TRUST 2007-3; COUNTRYWIDE HOME LOANS, INC.; ESTATES WEST AT SPANISH TRAIL ASSOCIATION; MERS; REPUBLIC SERVICES; SPANISH TRAIL MASTER ASSOCIATION; COUNTRYWIDE HOME LOANS, INC.; MADELAINE TIMPA, TRUSTEE; FRANK ANTHONY TIMPA, TRUSTEE; MERS

Payment Summary

Payment Processed	\$250.00
Allocation Categories	
Association	(\$250.00)
Total Allocations	(\$250.00)

Payment Detail

Date:	Description:	Code:	Amount:	Check:	Memo:
11/08/2013	Red Rock Partial Payment	PPRR	250.00	CC 290129959	Partial Payment

Association Allocation Detail

Assessment		Total:	(\$225.00)
Date:	Description:	Code:	Amount:
07/01/2011	Assessment	MAHOA	-225.00

Late Fee		Total:	(\$25.00)
Date:	Description:	Code:	Amount:
07/16/2011	Late Fee	RRLF	-25.00

11/8/2013 3:31:40 PM Processed By: Reporting

RRFS 74507 11/08/2013

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**
Mgmt Account:
Information as of: **October 21, 2013**

Account Information

Company: Spanish Trail Master Association
Association: Spanish Trail Master Association
Property Address: 34 Innisbrook Ave, Las Vegas NV 89113
Owners: Timpa Trust u/t/d/ March 3, 1999; Timpa Trust u/t/d/ March 3, 1999; THORNBURG MORTGAGE SECURITIES TRUST 2007-3; COUNTRYWIDE HOME LOANS, INC.; ESTATES WEST AT SPANISH TRAIL ASSOCIATION; MERS; REPUBLIC SERVICES; SPANISH TRAIL MASTER ASSOCIATION; COUNTRYWIDE HOME LOANS, INC.; MADELAINE TIMPA, TRUSTEE; FRANK ANTHONY TIMPA, TRUSTEE; MERS

Payment Summary

Payment Processed	\$250.00
Allocation Categories	
Association	(\$232.08)
RRFS	(\$17.92)
Total Allocations	(\$250.00)

Payment Detail

Date:	Description:	Code:	Amount:	Check:	Memo:
10/21/2013	Red Rock Partial Payment	PPRR	250.00	CC 290129665	Partial payment

Association Allocation Detail

Late Fee			Total:	(\$75.00)
Date:	Description:	Code:	Amount:	
03/16/2011	Late Fee	RRLF	-25.00	
04/16/2011	Late Fee	RRLF	-25.00	
05/16/2011	Late Fee	RRLF	-25.00	
Assessment			Total:	(\$157.08)
Date:	Description:	Code:	Amount:	
05/01/2011	Assessment	MAHOA	-128.92	
06/01/2011	Assessment	MAHOA	-28.16	

RRFS Allocation Detail

RRFS			Total:	(\$17.92)
Date:	Description:	Code:	Amount:	
11/29/2011	NOD Mailing Costs	MAIL3	-17.92	

10/21/2013 10:01:10 Processed By: Reporting

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**
Mgmt Account:
Information as of: **September 20, 2013**

Account Information

Company: Spanish Trail Master Association
Association: Spanish Trail Master Association
Property Address: 34 Innisbrook Ave, Las Vegas NV 89113
Owners: Timpa Trust u/t/d/ March 3, 1999; Timpa Trust u/t/d/ March 3, 1999; THORNBURG MORTGAGE SECURITIES TRUST 2007-3; COUNTRYWIDE HOME LOANS, INC.; ESTATES WEST AT SPANISH TRAIL ASSOCIATION; MERS; REPUBLIC SERVICES; SPANISH TRAIL MASTER ASSOCIATION; COUNTRYWIDE HOME LOANS, INC.; MADELAINE TIMPA, TRUSTEE; FRANK ANTHONY TIMPA, TRUSTEE; MERS

Payment Summary

Payment Processed	\$500.00
Allocation Categories	
Association	(\$430.00)
RRFS	(\$70.00)
Total Allocations	(\$500.00)

Payment Detail

Date:	Description:	Code:	Amount:	Check:	Memo:
09/20/2013	Red Rock Partial Payment	PPRR	500.00	CC 290129483	Partial Payment

Association Allocation Detail

Other	Total:	(\$200.00)
Date: Description: Code: Amount:		
12/02/2010 Association Misc. Charge ASMIS		-200.00

Assessment	Total:	(\$230.00)
Date: Description: Code: Amount:		
04/01/2011 Assessment MAHOA		-133.92
05/01/2011 Assessment MAHOA		-96.08

RRFS Allocation Detail

RRFS	Total:	(\$70.00)
Date: Description: Code: Amount:		
11/29/2011 NOD Mailing Costs MAIL3		-70.00

9/20/2013 2:03:52 PM Processed By: Reporting

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**

Mgmt Account:

Information as of: **August 13, 2013**

Account Information

Company: Spanish Trail Master Association
 Association: Spanish Trail Master Association
 Property Address: 34 Innisbrook Ave, Las Vegas NV 89113
 Owners: Timpa Trust u/t/d/ March 3, 1999; Timpa Trust u/t/d/ March 3, 1999; THORNBURG MORTGAGE SECURITIES TRUST 2007-3; COUNTRYWIDE HOME LOANS, INC.; ESTATES WEST AT SPANISH TRAIL ASSOCIATION; MERS; REPUBLIC SERVICES; SPANISH TRAIL MASTER ASSOCIATION; COUNTRYWIDE HOME LOANS, INC.; MADELAINE TIMPA, TRUSTEE; FRANK ANTHONY TIMPA, TRUSTEE; MERS

Payment Summary

Payment Processed	\$500.00
Allocation Categories	
Association	(\$475.00)
RRFS	(\$25.00)
Total Allocations	(\$500.00)

Payment Detail

Date:	Description:	Code:	Amount:	Check:	Memo:
08/13/2013	Red Rock Partial Payment	PPRR	500.00	CC 290129318	Partial Payment

Association Allocation Detail

Assessment	Total:	
	(\$475.00)	
Date:	Description:	Code:
03/01/2011	Assessment	MAHOA
		Amount:
		-475.00

RRFS Allocation Detail

RRFS	Total:	
	(\$25.00)	
Date:	Description:	Code:
07/28/2011	Lien for Delinquent Assessment	LIEN
		Amount:
		-25.00

PAYMENT ALLOCATION REPORT

RRFS Account: **74507**
 Mgmt Account:
 Information as of: **July 09, 2013**

Account Information

Company: Spanish Trail Master Association
 Association: Spanish Trail Master Association
 Property Address: 34 Innisbrook Ave, Las Vegas NV 89113
 Owners: Timpa Trust u/t/d/ March 3, 1999; Timpa Trust u/t/d/ March 3, 1999; THORNBURG MORTGAGE SECURITIES TRUST 2007-3; COUNTRYWIDE HOME LOANS, INC.; ESTATES WEST AT SPANISH TRAIL ASSOCIATION; MERS; REPUBLIC SERVICES; SPANISH TRAIL MASTER ASSOCIATION; COUNTRYWIDE HOME LOANS, INC.; MADELAINE TIMPA, TRUSTEE; FRANK ANTHONY TIMPA, TRUSTEE; MERS

Payment Summary

Payment Processed	\$500.00
Allocation Categories	
Association	(450.00)
RRFS	(50.00)
Total Allocations	(\$500.00)

Payment Detail

Date:	Description:	Code:	Amount:	Check:	Memo:
07/09/2013	Red Rock Partial Payment	PPRR	500.00	CC 290125492	Partial payment

Association Allocation Detail

Late Fee		Total:	(\$100.00)
Date:	Description:	Code:	Amount:
11/16/2010	Late Fee	RRLF	-25.00
12/16/2010	Late Fee	RRLF	-25.00
01/16/2011	Late Fee	RRLF	-25.00
02/16/2011	Late Fee	RRLF	-25.00

Assessment		Total:	(\$350.00)
Date:	Description:	Code:	Amount:
03/01/2011	Assessment	MAHOA	-350.00

RRFS Allocation Detail

RRFS		Total:	(\$50.00)
Date:	Description:	Code:	Amount:
07/28/2011	Lien for Delinquent Assessment	LIEN	-50.00

7/9/2013 12:27:55 PM Processed By: Reporting



Red Rock Financial Services

Numbers of Pages 5

January 26, 2012

Miles, Bauer, Bergstrom & Winters LLP

Attn: Alexander Bham

Via Email: abham@mileslegal.com

Re: 34 Innisbrook Ave, Las Vegas, NV 89113
Spanish Trail Master Association / R74507

Red Rock Financial Services is a debt collector and is attempting to collect a debt. Any information obtained will be used for that purpose.

In response to your request for payoff figures for the above reference account, the following accounting ledger is a breakdown for the payoff request.

The current balance is \$9,255.44 **(Please collect additional \$200.00 transfer fee for new owner payable to: Spanish Trail Master Association)**. This demand and its balance due will expire on 2/10/12. You MUST request an update as this balance will only be valid through the date above. Payment received after the expiration date will not be accepted if the balance has changed. Failure to remit the balance by the expiration date may result in the continuation of the collection process at an additional cost. Check(s) should be made payable to Red Rock Financial Services and mailed to the address below.

Spanish Trail Master Association and/or the Management Company's transfer fees as well as other fees and costs may not be included. You must contact Spanish Trail Master Association directly for those additional amounts at 702-367-8747.

If you have any questions, please contact our office at 702-932-6887.

Regards,

Red Rock Financial Services

Red Rock Financial Services

■ 7251 Amigo Street, Suite 100 Las Vegas, NV 89119

www.rrfs.com

■ Phone: 702-932-6887 Toll Free: 888-319-9460 Fax: 702.341.7733

By sending your check, please be aware that you are authorizing Red Rock Financial Services to use the information on your check to make a one-time electronic debit from your account at the financial institution indicated on your check. This electronic debit will be for the amount of your check; no additional amount will be added to the amount. (If we cannot collect your electronic payment, we will issue a draft against your account.) Please contact the Accounts Receivable department at (702) 932-6887 to learn about other payment options should you prefer to not have your payment processed in this manner.

RRFS000569

74507

DOUGLAS E. MILES *
Also Admitted in California and
Illinois
RICHARD J. BAUER, JR. *
JEREMY T. BERGSTROM
Also Admitted in Arizona
FRED TIMOTHY WINTERS*
KEENAN E. McCLENAHAN*
MARK T. DOMEYER*
Also Admitted in District of
Columbia & Virginia
TAMI S. CROSBY*
L. BRYANT JAQUEZ *
GINA M. CORENA
WAYNE A. RASH *
ROCK K. JUNG
VY T. PHAM *
KRISTA J. NIELSON
HADI R. SEYED-ALI *
JORY C. GARABEDIAN
THOMAS M. MORLAN
Admitted in California
BRIAN H. TRAN *
ANNA A. GHAJAR *
CORI B. JONES *
STEVEN E. STERN
Admitted in Arizona & Illinois
ANDREW H. PASTWICK
Also Admitted in Arizona and
California
CATHERINE K. MASON *
CHRISTINE A. CHUNG *
HANH T. NGUYEN *
THOMAS B. SONG *
S. SHELLY RAISZADEH *
SHANNON C. WILLIAMS *
ABTIN SHAKOURI *
LAWRENCE R. BOIVIN *



MILES, BAUER, BERGSTROM & WINTERS, LLP
ATTORNEYS AT LAW SINCE 1985

2200 Paseo Verde Parkway, Suite 250
Henderson, NV 89052
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Fax: (702) 369-4955

* CALIFORNIA OFFICE
1231 E. DYER ROAD
SUITE 100
SANTA ANA, CA 92705
PHONE (714) 481-9100
FACSIMILE (714) 481-9141



December 23, 2011

Estates West at Spanish Trail Association
Red Rock Financial Services
7251 Amigo Street, Suite 100
Las Vegas, NV 89119

SENT VIA FIRST CLASS MAIL

Re: *Property Address: 34 Innisbrook Avenue, Las Vegas, NV 89113*
MBBW File No. 11-H2280

Dear Sirs:

This letter is in response to your Notice of Default with regard to the HOA assessments purportedly owed on the above described real property. This firm represents the interests of MERS as nominee for Bank of America, N.A., as successor by merger to BAC Home Loans Servicing, LP (hereinafter "BANA") with regard to these issues. BANA is the beneficiary/servicer of the first deed of trust loan secured by the property.

As you know, NRS 116.3116 governs liens against units for assessments. Pursuant to NRS 116.3116:

The association has a lien on a unit for:

...

any penalties, fees, charges, late charges, fines and interest charged pursuant to paragraphs (j) to (n), inclusive, of subsection 1 of NRS 116.3102 are enforceable as assessments under this section

While the HOA may claim a lien under NRS 116.3102 Subsection (1), Paragraphs (j) through (n) of this Statute clearly provide that such a lien is JUNIOR to first deeds of trust to the extent the lien is for fees and charges imposed for collection and/or attorney fees, collection costs, late fees, service charges and interest. See Subsection 2(b) of NRS 116.3116, which states in pertinent part:

RRFSA00576

H 74507 2/14 Int nos M

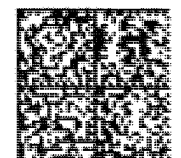
MILES, BAUER,
BERGSTROM & WINTERS, LLP

A T T O R N E Y S A T L A W

2200 Paseo Verde Parkway, Suite 250
Henderson, Nevada 89052

8911984375 0006

|||||



UNITED STATES POSTAGE
PITNEY BOWES
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MAILED FROM ZIP CODE 89052

RRF5000579



Red Rock Financial Services

December 14, 2011

VIA CERTIFIED AND FIRST CLASS MAIL

SPANISH TRAIL MASTER ASSOCIATION
7495 W. MISSION HILLS DR.
LAS VEGAS, NV 89113

Re: 34 Innisbrook Ave Las Vegas, NV 89113
Spanish Trail Master Association / R74507

Dear SPANISH TRAIL MASTER ASSOCIATION:

Red Rock Financial Services is a debt collector and is attempting to collect a debt. Any information obtained will be used for that purpose.

Red Rock Financial Services correspondence to you stated that failure to reinstate the above account would result in the ***Notice of Default and Election to Sell*** being prepared and recorded on the above referenced property. Noted in the correspondence, additional fees and costs have been added to the account balance. Enclosed, please find a copy of the ***Notice of Default and Election to Sell***.

Please contact Red Rock Financial Services to obtain an "up to date" account balance or to discuss alternative payment arrangements. All Payments must be in the form of a cashier's check or money order. Please ensure the account number is listed on any payments remitted to our office. If we receive partial payments, they will be credited to your account, however, we will continue with the collection process on the balance owed as described above.

Additional information regarding this account can be obtained at www.rrfs.com. Please contact Red Rock Financial Services at 702-932-6887 with any questions.

Regards,

Red Rock Financial Services

Red Rock Financial Services

7251 Amigo Street, Suite 100 Las Vegas, NV 89119

www.rrfs.com

Phone: 702-932-6887 Toll Free: 888-319-9460 Fax: 702.341.7733

By sending your check, please be aware that you are authorizing Red Rock Financial Services to use the information on your check to make a one-time electronic debit from your account at the financial institution indicated on your check. This electronic debit will be for the amount of your check; no additional amount will be added to the amount. (If we cannot collect your electronic payment, we will issue a draft against your account.) Please contact the Accounts Receivable department at (702) 932-6887 to learn about other payment options should you prefer to not have your payment processed in this manner.

RRFS000548

DOUGLAS E. MILES
Also Admitted in California &
Illinois
JEREMY T. BERGSTROM
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California



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HANH T. NGUYEN
S. SHELLY RAISZADEH
SHANNON C. WILLIAMS
ABTIN SHAKOUBI
LAWRENCE R. BOIVIN

February 9, 2012

RED ROCK FINANCIAL SERVICES
7251 Amigo Street, Suite 100
Las Vegas, NV 89119



Re: *Property Address:* 34 Innisbrook Avenue
ACCT NO.: R74507
LOAN #: 138344335
MBBW File No. 12-H0207

Dear Sir/Madame:

As you may recall, this firm represents the interests of Bank of America, N.A., as successor by merger to BAC Home Loans Servicing, LP (hereinafter "BANA") with regard to the issues set forth herein. We have received correspondence from your firm regarding our inquiry into the "Super Priority Demand Payoff" for the above referenced property. The Statement of Account provided by you in regards to the above-referenced address shows a full payoff amount of \$9,255.44. BANA is the beneficiary/servicer of the first deed of trust loan secured by the property and wishes to satisfy its obligations to the HOA. Please bear in mind that:

NRS 116.3116 governs liens against units for assessments. Pursuant to NRS 116.3116:

The association has a lien on a unit for:

...
any penalties, fees, charges, late charges, fines and interest charged pursuant to paragraphs (j) to (n), inclusive, of subsection 1 of NRS 116.3102 are enforceable as assessments under this section

While the HOA may claim a lien under NRS 116.3102 Subsection (1), Paragraphs (j) through (n) of this Statute clearly provide that such a lien is JUNIOR to first deeds of trust to the extent the lien is for fees and charges imposed for collection and/or attorney fees, collection costs, late fees, service charges and interest. See Subsection 2(b) of NRS 116.3116, which states in pertinent part:

RRFS000649

2. A lien under this section is prior to all other liens and encumbrances on a unit except:
(b) A first security interest on the unit recorded before the date on which the assessment sought to be enforced became delinquent...

The lien is also prior to all security interests described in paragraph (b) to the extent of the assessments for common expenses...which would have become due in the absence of acceleration during the 9 months immediately preceding institution of an action to enforce the lien.

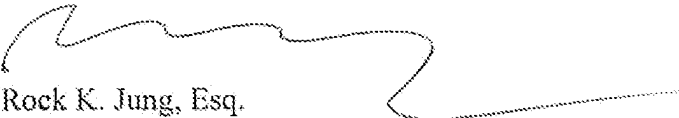
Based on Section 2(b), a portion of your HOA lien is arguably prior to BANA's first deed of trust, specifically the nine months of assessments for common expenses incurred before the date of your notice of delinquent assessment. As stated above, the payoff amount stated by you includes many fees that are junior to our client's first deed of trust pursuant to the aforementioned NRS 116.3102 Subsection (1), Paragraphs (j) through (n).

Our client has authorized us to make payment to you in the amount of \$2,025.00 to satisfy its obligations to the HOA as a holder of the first deed of trust against the property. Thus, enclosed you will find a cashier's check made out to Red Rock Financial Services in the sum of \$2,025.00, which represents the maximum 9 months worth of delinquent assessments recoverable by an HOA. This is a non-negotiable amount and any endorsement of said cashier's check on your part, whether express or implied, will be strictly construed as an unconditional acceptance on your part of the facts stated herein and express agreement that BANA's financial obligations towards the HOA in regards to the real property located at 34 Innisbrook Avenue have now been "paid in full".

Thank you for your prompt attention to this matter. If you have any questions or concerns, I may be reached by phone directly at (702) 942-0412.

Sincerely,

MILES, BAUER, BERGSTROM & WINTERS, LLP


Rock K. Jung, Esq.

RRFS000634

Miles, Bauer, Bergstrom & Winters, LLP Trust Acct 12-H0207 Initials: SRN
 Payee: RED ROCK FINANCIAL SERVICES Check #: 13298 Date: 2/6/2012 Amount: 2,025.00

Inv. Date	Reference #	Description	Inv. Amount	Case #	Matter Description	Cost Amount
2/3/2012	R74507	To Cure HOA Deficiency	2,025.00			

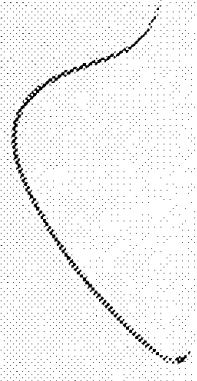
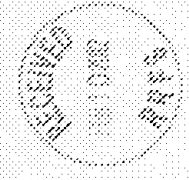
Miles, Bauer, Bergstrom & Winters, LLP
 Trust Account
 1231 E. Dyer Road, #100
 Santa Ana, CA 92705
 Phone: (714) 481-9100

Bank of America
 1100 N. Green Valley Parkway
 Henderson, NV 89074
 16-661220
 1020
 12-H0207

Loan # 138344335

Pay \$*****Two Thousand, Twenty-Five & No/100 Dollars
 to the order of

RED ROCK FINANCIAL SERVICES



13298
 Date: 2/6/2012
 Amount \$**** 2,025.00

Check Void After 90 Days

⑈ 13298⑈ 12122400724⑈ 501006876973⑈ RRFS000535

ENDORSE HERE

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE *

RRFS000536



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- Stains or spots may appear with chemical alteration
- White mark appears when erased
- Absence of "Original Document" verbiage on back of check
- Authentic watermark not visible when held to light

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JA0652



Red Rock Financial Services

February 17, 2012

THORNBURG MORTGAGE SECURITIES TRUST 2007-3
Attn: Mortgage Division
C/O BAC HOME LOANS SERVICING, LP
400 COUNTRYWIDE WAY SV-35
MIN 1001337-001462185-1
SIMI VALLEY, CA 93065
R74507

Re: 34 Innisbrook Ave, Las Vegas, NV 89113
Spanish Trail Master Association / R74507

To Whom It May Concern:

Red Rock Financial Services is a debt collector and is attempting to collect a debt. Any information obtained will be used for that purpose.

Red Rock Financial Services is sending this notice as a courtesy. The above referenced homeowner is currently delinquent in paying their Homeowners Association assessments. Nevada Revised Statutes allow Homeowners Associations to engage in the non-judicial foreclosure process for nonpayment of Homeowner Association assessments.

On behalf of the above mentioned Association, Red Rock Financial Services has recorded the Lien for Delinquent Assessments on 08/04/2011 and the Notice of Default and Election to Sell Pursuant to the Lien For Delinquent Assessments on 12/06/2011. According to Nevada Revised Statutes, the Notice of Default and Election to Sell must be recorded on the property for 90 days and notification must be sent to all parties listed on the Trustee Sale Guarantee via certified mail before the Association can exercise its rights to enforce the Notice of Default and Election to Sell.

Currently, Red Rock Financial Services is approximately 60 days into the mandatory 90-day waiting period. Please consider this your final notice before the Association exercises its right to continue with the non-judicial foreclosure process by recording the Notice of Sale. The Notice of Sale will be sent via first class and certified mail to those listed on the Trustee Sale Guarantee and other parties who have a vested interest in the property.

The Association's Lien for Delinquent Assessments is Junior only to the Senior Lender/Mortgage Holder. This Lien may affect your position. To reinstate the above account, you must contact Red Rock Financial Services to obtain "up to date" payoff figures. Payment must be made payable to Red Rock Financial Services.

At this time, it is possible that we have been unable to reach the borrower. Your office may have been provided a more current mailing address. Please contact the borrower at any known addresses and have them contact our office immediately, as the above property is in default and may be subject to a foreclosure sale.

Thank you for your assistance in this matter. Additional information regarding this account can be obtained at www.rrfs.com. Please contact the office of Red Rock Financial Services at 702-932-6887 with any questions.

Regards,
Red Rock Financial Services

Red Rock Financial Services

7251 Amigo Street, Suite 100 Las Vegas, NV 89119

www.rrfs.com

Phone: 702-932-6887 Toll Free: 888-319-9460 Fax: 702.341.7733

By sending your check, please be aware that you are authorizing Red Rock Financial Services to use the information on your check to make a one-time electronic debit from your account at the financial institution indicated on your check. This electronic debit will be for the amount of your check; no additional amount will be added to the amount. (If we cannot collect your electronic payment, we will issue a draft against your account.) Please contact the Accounts Receivable department at (702) 932-6887 to learn about other payment options should you prefer to not have your payment processed in this manner.

RRFS000349



RED ROCK FINANCIAL SERVICES

April 7, 2010

Miles, Bauer, Bergstrom & Winters, LLP
Attn: Rock K. Jung, Esq.,
2200 Paseo Verde Parkway, Suite 250
Henderson, Nevada 89052

Dear Rock K. Jung, Esq.,

Red Rock Financial Services is a debt collector and is attempting to collect a debt. Any information obtained will be used for that purpose.

Red Rock Financial Services is in receipt of numerous correspondences regarding your interpretation of NRS 116.3116 and NRS 3116.3102. Our response to your correspondence is as follows:

When our office records a Notice of Default on behalf of the Homeowners Association, we are required by NRS 116.31162 to send a copy of the Notice of Default to all who have a vested interest in the property. As your client reflected as having a vested interest for all properties listed on Exhibit A, a copy of the Notice of Default was provided. Those that have a vested interest in the property are not required but may pay the debt that is attached to that specific Notice of Default.

In the correspondence you state that our lien is "Junior" to your client's, which we agree. However, we do not agree with your interpretation and implementation of NRS 116.3102 under the current situation.

The industry standard interpretation of NRS 116.3102 and our interpretation are as follows: The First Mortgage is "Senior" to the Homeowners Association. Therefore, when the First Mortgage forecloses, according to NRS 116.3102, the First Mortgage is responsible to pay six months of past due assessments from the time the First Mortgage foreclosed. Therefore, NRS 116.3102 only applies when someone who is "Senior" to the Homeowners Association forecloses on the property in question. Please note that as of October 1, 2009, it is a nine month super-priority lien amount.

Anyone who has a vested interest may pay the debt at any time prior to the Homeowners Association proceeding with the non-judicial foreclosure process however the debt must be paid in full. NRS 116.3102 does not apply in this situation.

If your client wishes pay, your client must submit Payoff Request in writing for each property to our office. If your client does not wish pay, please be aware that our office will continue to notify them of any further collection action we may take on the properties listed on Exhibit A as required by law.

We feel we have expressed our position in this matter clearly on numerous occasions; as such we will no longer be addressing these notices. If you feel you have any further information you wish to provide, please feel free to respond to this letter via first class mail or our website www.rrfs.com.

Sincerely,

Kimberlee Sibley
Red Rock Financial Services

KJS/jmt

EXHIBIT G

Assessor Parcel Number: 163-28-614-007
File Number: R74507
Property Address: 34 Innisbrook Ave
Las Vegas, NV 89113
Title Order Number: 35401

Inst #: 201112060001106
Fees: \$17.00
N/C Fee: \$0.00
12/06/2011 09:17:00 AM
Receipt #: 998591
Requestor:
NORTH AMERICAN TITLE COMPAN
Recorded By: SOL Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

**NOTICE OF DEFAULT AND ELECTION TO SELL PURSUANT TO THE
LIEN FOR DELINQUENT ASSESSMENTS**


◆ IMPORTANT NOTICE ◆

Red Rock Financial Services is a debt collector and is attempting to collect a debt. Any information obtained will be used for that purpose.

**WARNING! IF YOU FAIL TO PAY THE AMOUNT SPECIFIED IN
THIS NOTICE, YOU COULD LOSE YOUR HOME, EVEN IF THE
AMOUNT IS IN DISPUTE!**

NOTICE IS HEREBY GIVEN: Red Rock Financial Services officially assigned as agent by the Spanish Trail Master Association, under the Lien for Delinquent Assessments, recorded on 08/04/2011, in Book Number 20110804, as Instrument Number 0002324, reflecting TIMPA TRUST U/T/D MARCH 3, 1999 (FRANK ANTHONY TIMPA AND MADELAINE TIMPA, TRUSTEES AND ANY SUCCESSOR TRUSTEE AS PROVIDED THEREIN) as the owner(s) of record on said lien, land legally described as ESTATES AT SPANISH TRAIL #5 PLAT BOOK 40 PAGE 6 LOT 13 BLOCK 1, of the Official Records in the Office of the Recorder of Clark County, Nevada, makes known the obligation under the Covenants, Conditions and Restrictions recorded 03/07/1984, in Book Number 1885, as Instrument Number 1844877, has been breached. As of 07/01/2010 forward, all assessments, whether monthly or otherwise, late fees, interest, Association charges, legal fees and collection fees and costs, less any credits, have gone unpaid.

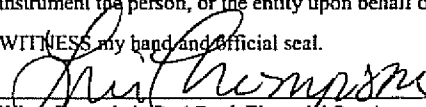
Above stated, the Association has equipped Red Rock Financial Services with verification of the obligation according to the Covenants, Conditions and Restriction in addition to documents proving the debt, therefore declaring any and all amounts secured as well as due and payable, electing the property to be sold to satisfy the obligation. In accordance with Nevada Revised Statutes 116, no sale date may be set until the ninety-first (91) day after the recorded date or the mailing date of the Notice of Default and Election to Sell. As of November 29, 2011, the amount owed is \$ 8,312.52. This amount will continue to increase until paid in full.


Dated: November 29, 2011
Prepared By: Eungel Watson, Red Rock Financial Services, on behalf of Spanish Trail Master Association

STATE OF NEVADA)
COUNTY OF CLARK)

On November 29, 2011, before me, personally appeared Eungel Watson, 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 instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.


When Recorded Red Rock Financial Services
Mail To: 7251 Amigo Street, Suite 100
Las Vegas, Nevada 89119
702-932-6887

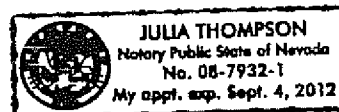


EXHIBIT H

MILES, BERGSTROM & WINTERS, LLP AFFIDAVIT

State of California }
 }ss.
Orange County }

Affiant being first duly sworn, deposes and says:

1. I am a managing partner with the law firm of Miles, Bergstrom & Winters, LLP formerly known as Miles, Bauer, Bergstrom & Winters, LLP (**Miles Bauer**) in Costa Mesa, California. I am authorized to submit this affidavit on behalf of Miles Bauer.

2. I am over 18 years of age, of sound mind, and capable of making this affidavit.

3. The information in this affidavit is taken from Miles Bauer's business records. I have personal knowledge of Miles Bauer's procedures for creating these records. They are: (a) made at or near the time of the occurrence of the matters recorded by persons with personal knowledge of the information in the business record, or from information transmitted by persons with personal knowledge; (b) kept in the course of Miles Bauer's regularly conducted business activities; and (c) it is the regular practice of Miles Bauer to make such records. I have personal knowledge of Miles Bauer's procedures for creating and maintaining these business records. I personally confirmed that the information in this affidavit is accurate by reading the affidavit and attachments, and checking that the information in this affidavit matches Miles Bauer's records available to me.

4. Bank of America, N.A. (**BANA**) retained Miles Bauer to tender payments to homeowners associations (**HOA**) to satisfy super-priority liens in connection with the following loan:

Loan Number: [REDACTED]

Borrower(s): Frank A. Timpa

Property Address: 34 Innisbook Avenue, Las Vegas, NV

5. Miles Bauer maintains records for the loan in connection with tender payments to HOA. As part of my job responsibilities for Miles Bauer, I am familiar with the type of records maintained by Miles Bauer in connection with the loan.

6. Based on Miles Bauer's business records, attached as **Exhibit 1** is a copy of a December 23, 2011 letter from Andrew Pastwick, Esq., an attorney with Miles Bauer, to Estates West at Spanish Trail Association, care of Red Rock Financial Services.

7. Based on Miles Bauer's business records, attached as **Exhibit 2** is a copy of a Statement of Account from Red Rock Financial Services dated January 26, 2012 received by Miles Bauer in response to the December 23, 2011 letter identified above.

8. Based on Miles Bauer's business records, attached as **Exhibit 3** is a copy of a February 9, 2012 letter from Rock K. Jung, an attorney with Miles Bauer, to Red Rock Financial Services enclosing a check for \$2,025.00.

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9. Based on Miles Bauer's business records, Red Rock Financial Services rejected the \$2,025.00 check. A copy of a screenshot containing the relevant case management note confirming the check was rejected is attached as **Exhibit 4**.

FURTHER DECLARANT SAYETH NOT.

Date: 2/16/17



Declarant Douglas E. Miles

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange

Subscribed and sworn to (or affirmed) before me on this 16th day of February, 2017,

by Douglas E. Miles, proved to me on the basis of satisfactory evidence to be
(Name of Signer)

the person who appeared before me.

Signature Arlene D. Martin (Seal)
(Signature of Notary Public)

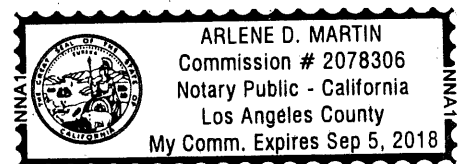


EXHIBIT 1

DOUGLASE E. MILES *
Also Admitted in California and
Illinois
RICHARD J. BAUER, JR.*
JEREMY T. BERGSTROM
Also Admitted in Arizona
FRED TIMOTHY WINTERS*
KEENAN E. McCLENAHAN*
MARK T. DOMEYER*
Also Admitted in District of
Columbia & Virginia
TAMI S. CROSBY*
L. BRYANT JAQUEZ *
GINA M. CORENA
WAYNE A. RASH *
ROCK K. JUNG
VY T. PHAM *
KRISTA J. NIELSON
HADI R. SEYED-ALI *
JORY C. GARABEDIAN
THOMAS M. MORLAN
Admitted in California
BRIAN H. TRAN *
ANNA A. GHAJAR *
CORI B. JONES *
STEVEN E. STERN
Admitted in Arizona & Illinois
ANDREW H. PASTWICK
Also Admitted in Arizona and
California
CATHERINE K. MASON *
CHRISTINE A. CHUNG *
HANH T. NGUYEN *
THOMAS B. SONG *
S. SHELLY RAISZADEH *
SHANNON C. WILLIAMS *
ABTIN SHAKOURI *
LAWRENCE R. BOIVIN *



MILES, BAUER, BERGSTROM & WINTERS, LLP
ATTORNEYS AT LAW SINCE 1985

2200 Paseo Verde Parkway, Suite 250
Henderson, NV 89052
Phone: (702) 369-5960
Fax: (702) 369-4955

* CALIFORNIA OFFICE
1231 E. DYER ROAD
SUITE 100
SANTA ANA, CA 92705
PHONE (714) 481-9100
FACSIMILE (714) 481-9141

December 23, 2011

Estates West at Spanish Trail Association
Red Rock Financial Services
7251 Amigo Street, Suite 100
Las Vegas, NV 89119

SENT VIA FIRST CLASS MAIL

Re: *Property Address: 34 Innisbrook Avenue, Las Vegas, NV 89113*
MBBW File No. 11-H2280

Dear Sirs:

This letter is in response to your Notice of Default with regard to the HOA assessments purportedly owed on the above described real property. This firm represents the interests of MERS as nominee for Bank of America, N.A., as successor by merger to BAC Home Loans Servicing, LP (hereinafter "BANA") with regard to these issues. BANA is the beneficiary/servicer of the first deed of trust loan secured by the property.

As you know, NRS 116.3116 governs liens against units for assessments. Pursuant to NRS 116.3116:

The association has a lien on a unit for:

...

any penalties, fees, charges, late charges, fines and interest charged pursuant to paragraphs (j) to (n), inclusive, of subsection 1 of NRS 116.3102 are enforceable as assessments under this section

While the HOA may claim a lien under NRS 116.3102 Subsection (1), Paragraphs (j) through (n) of this Statute clearly provide that such a lien is JUNIOR to first deeds of trust to the extent the lien is for fees and charges imposed for collection and/or attorney fees, collection costs, late fees, service charges and interest. See Subsection 2(b) of NRS 116.3116, which states in pertinent part:

JA0662

2. A lien under this section is prior to all other liens and encumbrances on a unit except:

(b) A first security interest on the unit recorded before the date on which the assessment sought to be enforced became delinquent...

The lien is also prior to all security interests described in paragraph (b) to the extent of the assessments for common expenses...which would have become due in the absence of acceleration during the 9 months immediately preceding institution of an action to enforce the lien.

Subsection 2b of NRS 116.3116 clearly provides that an HOA lien "is prior to all other liens and encumbrances on a unit except: a first security interest on the unit..." But such a lien is prior to a first security interest to the extent of the assessments for common expenses which would have become due during the 9 months before institution of an action to enforce the lien.

Based on Section 2(b), a portion of your HOA lien is arguably senior to BANA's first deed of trust, specifically the nine months of assessments for common expenses incurred before the date of your notice of delinquent assessment dated November 21, 2011. For purposes of calculating the nine-month period, the trigger date is the date the HOA sought to enforce its lien. It is unclear, based upon the information known to date, what amount the nine months' of common assessments pre-dating the NOD actually are. That amount, whatever it is, is the amount BANA should be required to rightfully pay to fully discharge its obligations to the HOA per NRS 116.3102 and my client hereby offers to pay that sum upon presentation of adequate proof of the same by the HOA.

Please let me know what the status of any HOA lien foreclosure sale is, if any. My client does not want these issues to become further exacerbated by a wrongful HOA sale and it is my client's goal and intent to have these issues resolved as soon as possible. Please refrain from taking further action to enforce this HOA lien until my client and the HOA have had an opportunity to speak to attempt to fully resolve all issues.

Thank you for your time and assistance with this matter. I may be reached by phone directly at (702) 942-0468. Please fax the breakdown of the HOA arrears to my attention at (702) 942-0411. I will be in touch as soon as I've reviewed the same with BANA.

Sincerely,

MILES, BAUER, BERGSTROM & WINTERS, LLP



Andrew Pastwick, Esq.

EXHIBIT 2

JA0664



Red Rock Financial Services

Numbers of Pages 6

January 26, 2012

Miles, Bauer, Bergstrom & Winters LLP

Attn: Alexander Bhame

Via Email: abhame@mileslegal.com

Re: 34 Innisbrook Ave, Las Vegas, NV 89113
Estates West at Spanish Trail Association / R74509

Red Rock Financial Services is a debt collector and is attempting to collect a debt. Any information obtained will be used for that purpose.

In response to your request for payoff figures for the above reference account, the following accounting ledger is a breakdown for the payoff request.

The current balance is \$15,021.48 **(Please collect additional \$200.00 homeowner set up fee for new owner payable to: Estates West at Spanish Trail)**. This demand and its balance due will expire on 2/10/12. You MUST request an update as this balance will only be valid through the date above. Payment received after the expiration date will not be accepted if the balance has changed. Failure to remit the balance by the expiration date may result in the continuation of the collection process at an additional cost. Check(s) should be made payable to Red Rock Financial Services and mailed to the address below.

Estates West at Spanish Trail Association and/or the Management Company's **homeowner set up fees** as well as other fees and costs may not be included. You must contact Spanish Trail Master Association directly for those additional amounts at 702-367-8747.

If you have any questions, please contact our office at 702-932-6887.

Regards,

Red Rock Financial Services

Red Rock Financial Services

■ 7251 Amigo Street, Suite 100 Las Vegas, NV 89119

www.rvfs.com

■ Phone: 702-932-6887 Toll Free: 888-319-9460 Fax: 702.341.7733

By sending your check, please be aware that you are authorizing Red Rock Financial Services to use the information on your check to make a one-time electronic debit from your account at the financial institution indicated on your check. This electronic debit will be for the amount of your check; no additional amount will be added to the amount. (If we cannot collect your electronic payment, we will issue a draft against your account.) Please contact the Accounts Receivable department at (702) 932-6887 to learn about other payment options should you prefer to not have your payment processed in this manner.

JA0665

Red Rock Financial Services
Account Detail
Estates West at Spanish Trail Association
Information as of: January 26, 2012

Page 1

Red Rock Financial Services Account Number: R74509

Property Address: 34 Innisbrook Ave, Las Vegas, NV 89113

COUNTRYWIDE HOME LOANS, INC. , / ESTATES WEST AT SPANISH TRIAL
ASSOCIATES , / MERS , / MERS, / REPUBLIC SERVICES , / SPANISH TRAIL MASTER
ASSOCIATION , / THORNBURG MTG SECURITIES TRUST 2007-3, / Timpa Trust u/t/d/
March 3, 1999,

Detailed Summary

Date	Description	Amount	Balance	Check#
05/01/2010	Association Misc. Charge	\$190.00	\$190.00	
06/01/2010	Assessment	\$215.00	\$405.00	
07/01/2010	Assessment	\$215.00	\$620.00	
07/16/2010	Late Fee	\$25.00	\$645.00	
07/29/2010	Fine/Violation	\$100.00	\$745.00	
08/01/2010	Assessment	\$215.00	\$960.00	
08/16/2010	Late Fee	\$25.00	\$985.00	
08/23/2010	Fine/Violation	\$100.00	\$1,085.00	
08/31/2010	Fine/Violation	\$100.00	\$1,185.00	
09/01/2010	Assessment	\$215.00	\$1,400.00	
09/13/2010	Fine/Violation	\$100.00	\$1,500.00	
10/01/2010	Assessment	\$215.00	\$1,715.00	
10/16/2010	Late Fee	\$25.00	\$1,740.00	
11/01/2010	Assessment	\$215.00	\$1,955.00	
11/11/2010	Fine/Violation	\$800.00	\$2,755.00	
11/15/2010	Fine/Violation	\$100.00	\$2,855.00	
11/16/2010	Late Fee	\$25.00	\$2,880.00	
11/22/2010	Fine/Violation	\$100.00	\$2,980.00	
11/30/2010	Fine/Violation	\$100.00	\$3,080.00	
12/01/2010	Assessment	\$215.00	\$3,295.00	
12/02/2010	Association Misc. Charge	\$200.00	\$3,495.00	
12/07/2010	Fine/Violation	\$100.00	\$3,595.00	
12/21/2010	Intent Mailing Costs	\$9.00	\$3,604.00	

7251 Amigo Street, Suite 100, Las Vegas, NV 89119 Phone: (702) 932-6887 Fax: (702) 341-7733

Red Rock Financial Services is a debt collector and is attempting to collect a debt. Any information obtained will be used for that purpose.

Printed: 1/26/12

JA0666

Red Rock Financial Services
Account Detail
Estates West at Spanish Trail Association
Information as of: January 26, 2012

Page 2

Red Rock Financial Services Account Number: R74509

Property Address: 34 Innisbrook Ave, Las Vegas, NV 89113

COUNTRYWIDE HOME LOANS, INC. , / ESTATES WEST AT SPANISH TRIAL
ASSOCIATES , / MERS , / MERS, / REPUBLIC SERVICES , / SPANISH TRAIL MASTER
ASSOCIATION , / THORNBURG MTG SECURITIES TRUST 2007-3, / Timpa Trust u/t/d/
March 3, 1999,

Detailed Summary

Date	Description	Amount	Balance	Check#
12/21/2010	Intent to Lien Letter	\$125.00	\$3,729.00	
12/21/2010	Intent Mailing Costs	\$9.00	\$3,738.00	
12/28/2010	Fine/Violation	\$300.00	\$4,038.00	
01/01/2011	Assessment	\$225.00	\$4,263.00	
01/11/2011	Fine/Violation	\$200.00	\$4,463.00	
01/16/2011	Late Fee	\$25.00	\$4,488.00	
01/19/2011	Association Misc. Charge	\$725.00	\$5,213.00	
01/31/2011	Association Misc. Charge	\$800.00	\$6,013.00	
02/01/2011	Assessment	\$225.00	\$6,238.00	
02/28/2011	Late Fee	\$25.00	\$6,263.00	
03/01/2011	Assessment	\$225.00	\$6,488.00	
03/11/2011	Fine/Violation	\$800.00	\$7,288.00	
03/16/2011	Late Fee	\$25.00	\$7,313.00	
04/01/2011	Assessment	\$225.00	\$7,538.00	
04/13/2011	Fine/Violation	\$500.00	\$8,038.00	
04/16/2011	Late Fee	\$25.00	\$8,063.00	
05/01/2011	Assessment	\$225.00	\$8,288.00	
05/10/2011	Fine/Violation	\$400.00	\$8,688.00	
05/16/2011	Late Fee	\$25.00	\$8,713.00	
06/01/2011	Assessment	\$225.00	\$8,938.00	
06/16/2011	Late Fee	\$25.00	\$8,963.00	
06/24/2011	Fine/Violation	\$600.00	\$9,563.00	

7251 Amigo Street, Suite 100, Las Vegas, NV 89119 Phone: (702) 932-6887 Fax: (702) 341-7733

Red Rock Financial Services is a debt collector and is attempting to collect a debt. Any information obtained will be used for that purpose.

Printed: 1/26/12

JA0667

Red Rock Financial Services
Account Detail
Estates West at Spanish Trail Association
Information as of: January 26, 2012

Page 3

Red Rock Financial Services Account Number: R74509

Property Address: 34 Innisbrook Ave, Las Vegas, NV 89113

COUNTRYWIDE HOME LOANS, INC. , / ESTATES WEST AT SPANISH TRIAL
ASSOCIATES , / MERS , / MERS, / REPUBLIC SERVICES , / SPANISH TRAIL MASTER
ASSOCIATION , / THORNBURG MTG SECURITIES TRUST 2007-3, / Timpa Trust u/t/d/
March 3, 1999,

Detailed Summary

Date	Description	Amount	Balance	Check#
07/01/2011	Assessment	\$225.00	\$9,788.00	
07/06/2011	Fine/Violation	\$350.00	\$10,138.00	
07/15/2011	Lien Mailing Costs	\$8.96	\$10,146.96	
07/15/2011	Lien for Delinquent Assessment	\$275.00	\$10,421.96	
07/15/2011	Lien Release	\$30.00	\$10,451.96	
07/15/2011	Lien Recording Costs	\$28.00	\$10,479.96	
07/15/2011	Lien Mailing Costs	\$8.96	\$10,488.92	
07/16/2011	Late Fee	\$25.00	\$10,513.92	
08/01/2011	Assessment	\$225.00	\$10,738.92	
08/03/2011	Fine/Violation	\$600.00	\$11,338.92	
08/16/2011	Late Fee	\$25.00	\$11,363.92	
08/17/2011	Intent to NOD	\$90.00	\$11,453.92	
09/01/2011	Assessment	\$225.00	\$11,678.92	
09/06/2011	Payment Plan	\$30.00	\$11,708.92	
09/16/2011	Fine/Violation	\$600.00	\$12,308.92	
09/16/2011	Late Fee	\$25.00	\$12,333.92	
10/01/2011	Assessment	\$225.00	\$12,558.92	
10/12/2011	Payment Breach Letter	\$25.00	\$12,583.92	
10/13/2011	Fine/Violation	\$400.00	\$12,983.92	
10/16/2011	Late Fee	\$25.00	\$13,008.92	
11/01/2011	Assessment	\$225.00	\$13,233.92	
11/15/2011	Late Fee	\$25.00	\$13,258.92	

7251 Amigo Street, Suite 100, Las Vegas, NV 89119 Phone: (702) 932-6887 Fax: (702) 341-7733

Red Rock Financial Services is a debt collector and is attempting to collect a debt. Any information obtained will be used for that purpose.

Printed: 1/26/12

JA0668

Red Rock Financial Services
Account Detail
Estates West at Spanish Trail Association
Information as of: January 26, 2012

Page 4

Red Rock Financial Services Account Number: R74509

Property Address: 34 Innisbrook Ave, Las Vegas, NV 89113

COUNTRYWIDE HOME LOANS, INC. , / ESTATES WEST AT SPANISH TRIAL
ASSOCIATES , / MERS , / MERS, / REPUBLIC SERVICES , / SPANISH TRAIL MASTER
ASSOCIATION , / THORNBURG MTG SECURITIES TRUST 2007-3, / Timpa Trust u/t/d/
March 3, 1999,

Detailed Summary

Date	Description	Amount	Balance	Check#
11/21/2011	NOD Mailing Costs	\$8.96	\$13,267.88	
11/21/2011	Notice of Default	\$375.00	\$13,642.88	
11/21/2011	NOD Mailing Costs	\$89.60	\$13,732.48	
11/21/2011	NOD Release	\$30.00	\$13,762.48	
11/21/2011	Trustee Sale Guarantee	\$350.00	\$14,112.48	
11/21/2011	NOD Recording Costs	\$17.00	\$14,129.48	
11/21/2011	NOD Release Recording Costs	\$17.00	\$14,146.48	
12/01/2011	Assessment	\$225.00	\$14,371.48	
12/15/2011	Late Fee	\$25.00	\$14,396.48	
01/01/2012	Assessment	\$225.00	\$14,621.48	
01/15/2012	Late Fee	\$25.00	\$14,646.48	
01/26/2012	Payoff Demand	\$150.00	\$14,796.48	
02/01/2012	Assessment	\$225.00	\$15,021.48	

7251 Amigo Street, Suite 100, Las Vegas, NV 89119 Phone: (702) 932-6887 Fax: (702) 341-7733

Red Rock Financial Services is a debt collector and is attempting to collect a debt. Any information obtained will be used for that purpose.

Printed: 1/26/12

JA0669

**Request for Taxpayer
Identification Number and Certification**

Give Form to the
requester. Do not
send to the IRS.

Print or type
See Specific Instructions on page 2.

Name (as shown on your income tax return)

RMI Management, LLC

Business name/disregarded entity name, if different from above

Red Rock Financial Services

Check appropriate box for federal tax classification:

☐ Individual/sole proprietor ☐ C Corporation ☐ S Corporation ☒ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶

☐ Exempt payee

☐ Other (see instructions) ▶

Address (number, street, and apt. or suite no.)

7251 Amigo Street, Suite 100

City, state, and ZIP code

Las Vegas, NV 89119

Requester's name and address (optional)

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I Instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number

 - -

Employer identification number

8 8 - 0 3 5 8 1 3 2

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

Sign
Here

Signature of
U.S. person ▶

[Signature]

Date ▶

1/26/12

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

EXHIBIT 3

DOUGLAS E. MILES
Also Admitted in California &
Illinois
JEREMY T. BERGSTROM
Also Admitted in Arizona
GINA M. CORENA
ROCK K. JUNG
KRISTA J. NIELSON
JORY C. GARABEDIAN
THOMAS M. MORLAN
Admitted in California
STEVEN E. STERN
Admitted in Arizona & Illinois
ANDREW H. PASTWICK
Also Admitted in Arizona &
California



MILES, BAUER, BERGSTROM & WINTERS, LLP
ATTORNEYS AT LAW SINCE 1983

2200 Paseo Verde Pkwy., Suite 250
Henderson, NV 89052
Phone: (702) 369-5960
Fax: (702) 369-4955

CALIFORNIA OFFICE
1231 E. Dyer Road, Suite 100
Santa Ana, CA 92705
Phone: (714) 481-9100
Fax: (714) 481-9141

RICHARD J. BAUER, JR.
FRED TIMOTHY WINTERS
KEENANE, McCLENAHAN
MARK T. DOMEYER
Also Admitted in the District
of
Columbia & Virginia
TAMI S. CROSBY
L. BRYANT JAQUEZ
WAYNE A. RASH
VY T. PHAM
HADI R. SEYED-ALI
BRIAN H. TRAN
ANNA A. GHAJAR
CORI B. JONES
CATHERINE K. MASON
CHRISTINE A. CHUNG
HANH T. NGUYEN
S. SHELLY RAISZADEH
SHANNON C. WILLIAMS
ABTIN SHAKOURI
LAWRENCE R. BOIVIN

February 9, 2012

RED ROCK FINANCIAL SERVICES
7251 Amigo Street, Suite 100
Las Vegas, NV 89119

Re: Property Address: 34 Innisbrook Avenue
ACCT NO.: R74509
LOAN #: [REDACTED]
MBBW File No. 11-H2280

Dear Sir/Madame:

As you may recall, this firm represents the interests of Bank of America, N.A., as successor by merger to BAC Home Loans Servicing, LP (hereinafter "BANA") with regard to the issues set forth herein. We have received correspondence from your firm regarding our inquiry into the "Super Priority Demand Payoff" for the above referenced property. The Statement of Account provided by you in regards to the above-referenced address shows a full payoff amount of \$15,021.48. BANA is the beneficiary/servicer of the first deed of trust loan secured by the property and wishes to satisfy its obligations to the HOA. Please bear in mind that:

NRS 116.3116 governs liens against units for assessments. Pursuant to NRS 116.3116:

The association has a lien on a unit for:

...
any penalties, fees, charges, late charges, fines and interest charged pursuant to paragraphs (j) to (n), inclusive, of subsection 1 of NRS 116.3102 are enforceable as assessments under this section

While the HOA may claim a lien under NRS 116.3102 Subsection (1), Paragraphs (j) through (n) of this Statute clearly provide that such a lien is JUNIOR to first deeds of trust to the extent the lien is for fees and charges imposed for collection and/or attorney fees, collection costs, late fees, service charges and interest. See Subsection 2(b) of NRS 116.3116, which states in pertinent part:

JA0672

2. A lien under this section is prior to all other liens and encumbrances on a unit except:
(b) A first security interest on the unit recorded before the date on which the assessment sought to be enforced became delinquent...

The lien is also prior to all security interests described in paragraph (b) to the extent of the assessments for common expenses...which would have become due in the absence of acceleration during the 9 months immediately preceding institution of an action to enforce the lien.

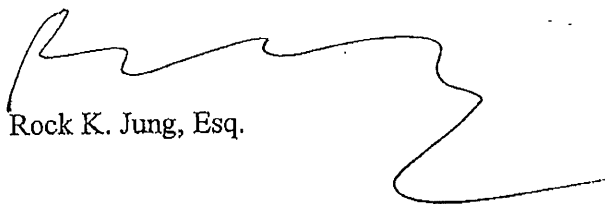
Based on Section 2(b), a portion of your HOA lien is arguably prior to BANA's first deed of trust, specifically the nine months of assessments for common expenses incurred before the date of your notice of delinquent assessment. As stated above, the payoff amount stated by you includes many fees that are junior to our client's first deed of trust pursuant to the aforementioned NRS 116.3102 Subsection (1), Paragraphs (j) through (n).

Our client has authorized us to make payment to you in the amount of \$2,025.00 to satisfy its obligations to the HOA as a holder of the first deed of trust against the property. Thus, enclosed you will find a cashier's check made out to Red Rock Financial Services in the sum of \$2,025.00, which represents the maximum 9 months worth of delinquent assessments recoverable by an HOA. This is a non-negotiable amount and any endorsement of said cashier's check on your part, whether express or implied, will be strictly construed as an unconditional acceptance on your part of the facts stated herein and express agreement that BANA's financial obligations towards the HOA in regards to the real property located at 34 Innisbrook Avenue have now been "paid in full".

Thank you for your prompt attention to this matter. If you have any questions or concerns, I may be reached by phone directly at (702) 942-0412.

Sincerely,

MILES, BAUER, BERGSTROM & WINTERS, LLP



Rock K. Jung, Esq.

JA0673

Miles, Bauer, Bergstrom & Winters, LLP Trust Acct
 Payee: RED ROCK FINANCIAL SERVICES
 11-H2280
 Initials: SRN
 Date: 2/7/2012
 Amount: 2,025.00
 Check #: 13325

Inv. Date	Reference #	Description	Inv. Amount	Case #	Matter Description	Cost Amount
2/7/2012	R74509	To Cure HOA Deficiency	2,025.00			

Miles, Bauer, Bergstrom & Winters, LLP
 Trust Account
 1231 E. Dyer Road, #100
 Santa Ana, CA 92705
 Phone: (714) 481-9100

Bank of America
 1100 N. Green Valley Parkway
 Henderson, NV 89074
 16-661220
 1020
 11-H2280
 Loan # 138344335

13325
 Date: 2/7/2012
 Amount \$**** 2,025.00

Pay \$*****Two Thousand, Twenty-Five & No/100 Dollars
 to the order of

RED ROCK FINANCIAL SERVICES

Security Features Included. Details on Back.

JA0674

13325

EXHIBIT 4



Matter ID: 11-H2280

Client: BANK OF AMERICA, N.A. (CFP)

Desc.: Timpa, Frank A.
BANA v. Timpa HOA Estates West at Spanish Trail Association

General | Notes | Billing | Contacts | Matters | Events | Inquiry | Settlement | Civil | Contract Info | Custom | Deed Info | New Invoice

1/1/2004 1/21/2004

- 12/21/2011: RCVD REFERRAL; OPENED 12/21/11
- 12/21/2011: EMF AWB re: New Referral
- 12/23/2011: 12/23 EMT CLIENT WITH INITIAL LETTERS ATTACHED; FU
- 12/23/2011: EMF AP re: initial letters to borrower & HOA
- 1/13/2012: 1/13 EMT CLIENT RE HOA UPDATE BUT NO PO; FU 1/31
- 1/17/2012: EMF RKJ re: status update, no payoff yet
- 1/31/2012: 1/31 EMT CLIENT HOA UPDATE WITH PO ATTACHED; FU
- 1/31/2012: EMF RKJ re: status update w/po & figures, 1st HOA
- 2/1/2012: EMF Cht re: wire submitted
- 2/10/2012: 2/10 CHECK SENT TO HOA; FU 2/23 SEE IF CHECK WAS
- 2/13/2012: EMF RKJ re: Payoff Funds, 11-H2280, 34 Innisbrook Ave. Estates West a
- 2/23/2012: 2/23 CHECK RETURNED; FU 9/27 MONITOR EX PARTE
- 2/24/2012: EMF RKJ re: Status of Payoff Funds (Rejected), 11-H2280, 34 Innisbrook
- 3/1/2012: EMT CLNT re: per client's request, sent invoice (payoff rejected)
- 9/28/2012: 11-H2280 scanned docs PDF
- 12/18/2012: REJECTED FILE; FU 1/30 MONITOR
- 2/1/2013: 2/1 CHECK REJECTED; FU 3/15 MONITOR FILE
- 3/20/2013: 2/1 CHECK REJECTED; FU 4/22 MONITOR FILE
- 3/20/2013: 2/1 CHECK REJECTED; FU 4/22 MONITOR FILE
- 3/25/2013: EMF CL - Closing Instructions
- 3/28/2013: EMT Lori Garcia w/group 3 invoices
- 4/11/2013: EMF Matt Compton re: will work on closed monitor invoices this week

JA0676

EXHIBIT I

Assessor Parcel Number: 163-28-614-007
File Number: R74507
Property Address: 34 Innisbrook Ave
Las Vegas NV 89113

Inst #: 20140915-0001527
Fees: \$18.00
N/C Fee: \$0.00
09/15/2014 01:50:20 PM
Receipt #: 2152614
Requestor:
RED ROCK FINANCIAL SERVICES
Recorded By: JACKSM Pgs: 2
DEBBIE CONWAY
CLARK COUNTY RECORDER

NOTICE OF FORECLOSURE SALE
UNDER THE LIEN FOR DELINQUENT ASSESSMENTS

Red Rock Financial Services is a debt collector and is attempting to collect a debt. Any information obtained will be used for that purpose.

WARNING! A SALE OF YOUR PROPERTY IS IMMINENT! UNLESS YOU PAY THE AMOUNT SPECIFIED IN THIS NOTICE BEFORE THE SALE DATE, YOU COULD LOSE YOUR HOME, EVEN IF THE AMOUNT IS IN DISPUTE. YOU MUST ACT BEFORE THE SALE DATE. IF YOU HAVE ANY QUESTIONS, PLEASE CALL RED ROCK FINANCIAL SERVICES AT (702) 932-6887 or (702) 215-8130. IF YOU NEED ASSISTANCE, PLEASE CALL THE FORECLOSURE SECTION OF THE OMBUDSMAN'S OFFICE, NEVADA REAL ESTATE DIVISION AT (877) 829-9907 IMMEDIATELY.

Red Rock Financial Services officially assigned as agent by the Spanish Trail Master Association under the Lien for Delinquent Assessments. **YOU ARE IN DEFAULT UNDER THE LIEN FOR DELINQUENT ASSESSMENTS**, recorded on 08/04/2011 in Book Number 20110804 as Instrument Number 0002324 reflecting TIMPA TRUST U/T/D MARCH 3, 1999 (FRANK ANTHONY TIMPA AND MADELAINE TIMPA, TRUSTEES AND ANY SUCCESSOR TRUSTEE AS PROVIDED THEREIN) as the owner(s) of record. **UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT PUBLIC SALE.** If you need an explanation of the nature of the proceedings against you, you should contact an attorney.

The Notice of Default and Election to Sell Pursuant to the Lien for Delinquent Assessments was recorded on 12/06/2011 in Book Number 20111206 as Instrument Number 0001106 of the Official Records in the Office of the Recorder.

NOTICE IS HEREBY GIVEN: That on 10/08/2014, at 10:00 a.m. at the front entrance of the Nevada Legal News located at 930 South Fourth Street, Las Vegas, Nevada 89101, that the property commonly known as 34 Innisbrook Ave, Las Vegas, NV 89113 and land legally described as ESTATES AT SPANISH TRAIL #5 PLAT BOOK 40 PAGE 6 LOT 13 BLOCK 1 of the Official Records in the Office of the County Recorder of Clark County, Nevada, will sell at public auction to the highest bidder, for cash payable at the time of sale in lawful money of the United States, by cash, a cashier's check drawn by a state or national bank, a cashier's check drawn by a state or federal credit union, state

Assessor Parcel Number: 163-28-614-007
File Number: R74507
Property Address: 34 Innisbrook Ave
Las Vegas NV 89113

or federal savings and loan association or savings association authorized to do business in the State of Nevada, in the amount of **\$20,309.95** as of 9/15/2014, which includes the total amount of the unpaid balance and reasonably estimated costs, expenses and advances at the time of the initial publication of this notice. Any subsequent Association assessments, late fees interest, expenses or advancements, if any, of the Association or its Agent, under the terms of the Lien for Delinquent Assessments shall continue to accrue until the date of the sale. The property heretofore described is being sold "as is".

The sale will be made without covenant or warranty, expressed or implied regarding, but not limited to, title or possession, encumbrances, obligations to satisfy any secured or unsecured liens or against all right, title and interest of the owner, without equity or right of redemption to satisfy the indebtedness secured by said Lien, with interest thereon, as provided in the Declaration of Covenants, Conditions and Restrictions, recorded on 03/07/1984, in Book Number 1885, as Instrument Number 1844877 of the Official Records in the Office of the Recorder and any subsequent amendments or updates that may have been recorded.

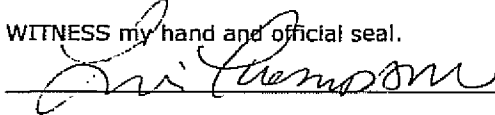
Dated: September 11, 2014


Prepared By Anna Romero, Red Rock Financial Services, on behalf of Spanish Trail Master Association

STATE OF NEVADA)
COUNTY OF CLARK)

On September 11, 2014, before me, personally appeared Anna Romero, 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 instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Reinstatement Information: (702) 483-2996 or **Sale Information:** (714) 573-7777

When Recorded Mail To:
Red Rock Financial Services
4775 W. Teco Avenue, Suite 140
Las Vegas, Nevada 89118
(702) 483-2996 or (702) 932-6887

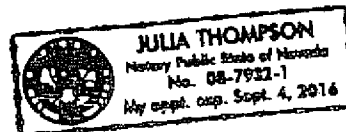


EXHIBIT J

Mail Tax statement to:
Saticoy Bay LLC, Series 34 Innisbrook
900 S. Las Vegas Blvd., #810
Las Vegas, NV 89101

APN # 163-28-614-007

Inst #: 20141110-0002475
Fees: \$18.00 N/C Fee: \$25.00
RPTT: \$6125.10 Ex: #
11/10/2014 11:49:45 AM
Receipt #: 2215809
Requestor:
RESOURCES GROUP
Recorded By: DXI Pgs: 3
DEBBIE CONWAY
CLARK COUNTY RECORDER

FORECLOSURE DEED


The undersigned declares: *\$6125.10*

Red Rock Financial Services, herein called agent for (Spanish Trail Master Association), was the duly appointed agent under that certain Lien for Delinquent Assessments, recorded 08/04/2011 as instrument number 0002324 Book 20110804, in Clark County. The previous owner as reflected on said lien is TIMPA TRUST U/T/D MARCH 3, 1999 (FRANK ANTHONY TIMPA AND MADELAINE TIMPA, TRUSTEES AND ANY SUCCESSOR TRUSTEE AS PROVIDED THEREIN). Red Rock Financial Services as agent for Spanish Trail Master Association does hereby grant and convey, but without warranty expressed or implied to: Saticoy Bay LLC, Series 34 Innisbrook (herein called grantee), pursuant to NRS 116.3116 through NRS 116.31168, all its right, title and interest in and to that certain property legally described as: ESTATES AT SPANISH TRAIL #5 PLAT BOOK 40 PAGE 6 LOT 13 BLOCK 1 which is commonly known as 34 Innisbrook Ave Las Vegas, NV 89113.

AGENT STATES THAT:

This conveyance is made pursuant to the powers conferred upon agent by Nevada Revised Statutes, the Spanish Trail Master Association governing documents (CC&R's) and that certain Lien for Delinquent Assessments, described herein. Default occurred as set forth in a Notice of Default and Election to Sell, recorded on 12/06/2011 as instrument number 0001106 Book 2011.1206 which was recorded in the office of the recorder of said county. Red Rock Financial Services has complied with all requirements of law including, but not limited to, the elapsing of 90 days, mailing of copies of Lien for Delinquent Assessments and Notice of Default and the posting and publication of the Notice of Sale. Said property was sold by said agent, on behalf of Spanish Trail Master Association at public auction on 11/07/2014, at the place indicated on the Notice of Sale. Grantee being the highest bidder at such sale became the purchaser of said property and paid therefore to said agent the amount bid \$1,201,000.00 in lawful money of the United States, or by satisfaction, pro tanto, of the obligations then secured by the Lien for Delinquent Assessment.

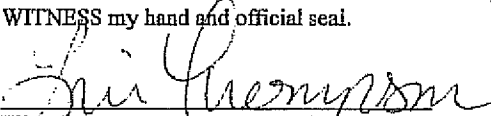
Dated: November 10, 2014

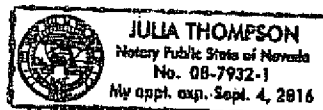

By: Christie Marling, employee of Red Rock Financial Services, agent for Spanish Trail Master Association

STATE OF NEVADA)
COUNTY OF CLARK)

On November 10, 2014, before me, personally appeared Christie Marling, 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 instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.


When Recorded Mail To: Saticoy Bay LLC, Series 34 Innisbrook
900 S. Las Vegas Blvd., #810
Las Vegas, NV 89101



Sept 4 2016

STATE OF NEVADA DECLARATION OF VALUE

1. Assessor Parcel Number (s)

a) 183-28-514-007
b) _____
c) _____
d) _____

2. Type of Property:

a) ☐ Vacant Land b) ☒ Single Fam Res.
c) ☐ Condo/Townhse d) ☐ 2-4 Plex
e) ☐ Apt. Bldg. f) ☐ Comm/Ind¹
g) ☐ Agricultural h) ☐ Mobile Home
i) ☐ Other

FOR RECORDERS OPTIONAL USE ONLY

Notes: _____

3. Total Value/Sales Price of Property:

\$ 1,201,000.00
Deed in Lieu of Foreclosure Only (value of property) \$ _____
Transfer Tax Value: \$ 1,201,000.00
Real Property Transfer Tax Due: \$ 6125.10

4. If Exemption Claimed:

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

5. Partial Interest: Percentage being transferred: 100%

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 [Signature] Capacity AGENT
Signature _____ Capacity _____

SELLER (GRANTOR) INFORMATION

(REQUIRED)

Print Name: Red Rock Financial Services
Address: 4775 West Teco Ave #140
City: Las Vegas
State: NV Zip: 89118

BUYER (GRANTEE) INFORMATION

(REQUIRED)

Print Name: Sailcoy Bay LLC, Series 34 Innisbrook
Address: 900 S. Las Vegas Blvd., #810
City: Las Vegas
State: NV Zip: 89101

COMPANY/PERSON REQUESTING RECORDING

(REQUIRED IF NOT THE SELLER OR BUYER)

Print Name: [Signature] Escrow # _____
Address: 900 S Las Vegas Blvd #810
City: NV State: NV Zip: 89101

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED)

EXHIBIT K

DECLARATION OF R. SCOTT DUGAN, SRA

I, R. Scott Dugan, under penalty of perjury, hereby declare as follows:

1. I am licensed Certified General Appraiser in the State of Nevada.

2. I am over 18 years of age, of sound mind, and capable of making this declaration.

3. The statements in this declaration are true and correct and made on the basis of my personal knowledge.

4. I have been retained as an expert to testify in the matter of *Saticoy Bay LLC Series 34 Innisbrook, Plaintiff(s) vs. Thornburg Mortgage Securities Trust 2007-3, Defendant(s)* filed in the Eighth Judicial District Court, District of Clark County, Nevada, Case No. A-14-710161-C.

5. I am a licensed Nevada Appraiser and Senior Managing Director of R. Scott Dugan Appraisal Company, Inc.

6. I have conducted a retroactive appraisal analysis of the property located at 34 Innisbrook Ave, Las Vegas, NV 89113. The conclusions I reached are fully expressed in the Summary Appraisal Report, a true and correct copy of which is attached hereto as Exhibit 1.

7. All opinions, analysis, and conclusions expressed in my report fully comply with the Uniform Standard of Professional Appraisal Practice promulgated by the Appraisal Standards Board and of the Appraisal Foundation and the reporting requirements of the Appraisal Institute.

8. That I declare the opinions, analysis and conclusions are expressed in my report, attached hereto as Exhibit 1, are true and correct.

9. That I incorporate into this Declaration my report in its entirety.

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 19th day of April, 2018.



R. Scott Dugan

EXHIBIT 1

APPRAISAL OF REAL PROPERTY



LOCATED AT

34 Innisbrook Avenue
Las Vegas, NV 89113
Estates at Spanish Trail #5 Plat Book 40 Page 6 Lot 13 Block 1

FOR

Wright Finlay & Zak
7785 W Sahara Avenue, Ste 200
Las Vegas, NV 89117

AS OF

November 07, 2014

BY

R. Scott Dugan, SRA
R. Scott Dugan Appraisal Company, Inc.
8930 West Tropicana Avenue, Suite 1
Las Vegas, NV 89147
702-876-2000
appraisals@rsdugan.com

R. Scott Dugan Appraisal Company, Inc.
 8930 West Tropicana Avenue, Suite 1
 Las Vegas, NV 89147
 702-876-2000

February 08, 2017

Wright Finlay & Zak
 7785 W Sahara Avenue, Ste 200
 Las Vegas, NV 89117

Re: Property: 34 Innisbrook Avenue
 Las Vegas, NV 89113
 Borrower: N/A
 File No.: 34 Innisbrook

Opinion of Value: \$ 2,000,000
 Effective Date: November 07, 2014

As requested, we have prepared an analysis and valuation of the referenced property. The purpose of this assignment was to develop a value opinion based upon the assignment conditions and guidelines stated within the attached report. Our analysis of the subject property was based upon the property (as defined within the report) and the economic, physical, governmental and social forces affecting the subject property as of the effective date of this assignment.

The analysis and the report were developed and prepared within the stated Scope of Work and our Clarification of Scope of Work along with our comprehension of applicable Uniform Standards of Professional Appraisal Practice and specific assignment conditions provided by the client and intended user.

The findings and conclusions are intended for the exclusive use of the stated client and for the specific intended use identified within the report. The reader (or anyone electing to rely upon this report), should review this report in its entirety to gain a full awareness of the subject property, its market environment and to account for identified issues in their business decisions regarding the subject property.

The opinion assumes the date/time of value to be prior to the HOA lien transfer on the same date and assumes the property to be in good condition and professionally marketed under normal terms.

Use and reliance on this report by the client or any third party indicates the client or third party has read the report, comprehends the basis and guidelines employed in the analysis and conclusions stated within and has accepted same as being suitable for their decisions regarding the subject property.

The value opinion reported is as of the stated effective date and is contingent upon the Certification and Limiting Conditions attached. The Assumptions and Limiting Conditions along with the Clarification of Scope of Work provide specifics as to the development of the appraisal along with exceptions that may have been necessary to complete a credible report.

Thank you for the opportunity to service your appraisal needs.

Sincerely,



R. Scott Dugan, SRA
 R. Scott Dugan Appraisal Company, Inc.
 License or Certification #: A.0000166-CG
 State: NV Expires: 05/31/2017
 appraisals@rsdugan.com

Client	Wright Finlay & Zak	File No.	34 Innisbrook
Property Address	34 Innisbrook Avenue		
City	Las Vegas	County	Clark
State	NV	Zip Code	89113
Owner	Timpa Trust/Frank A & Madelaine Timpa		

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RESIDENTIAL APPRAISAL REPORT

File No.: 34 Innisbrook

SUBJECT	Property Address: 34 Innisbrook Avenue		City: Las Vegas		State: NV		Zip Code: 89113																																																																
	County: Clark		Legal Description: Estates at Spanish Trail #5 Plat Book 40 Page 6 Lot 13 Block 1																																																																				
	Assessor's Parcel #: 163-28-614-007																																																																						
	Tax Year: 2014		R.E. Taxes: \$ N/A		Special Assessments: \$ 0		Borrower (if applicable): N/A																																																																
	Current Owner of Record: Timpa Trust/Frank A & Madelaine Timpa		Occupant: <input checked="" type="checkbox"/> Owner		<input type="checkbox"/> Tenant		<input type="checkbox"/> Vacant		<input type="checkbox"/> Manufactured Housing																																																														
ASSIGNMENT	Project Type: <input checked="" type="checkbox"/> PUD		<input type="checkbox"/> Condominium		<input type="checkbox"/> Cooperative		<input type="checkbox"/> Other (describe)		HOA: \$ 375		<input type="checkbox"/> per year		<input checked="" type="checkbox"/> per month																																																										
	Market Area Name: Spanish Trail - Southwest Las Vegas				Map Reference: 62-F3				Census Tract: 29.57																																																														
	The purpose of this appraisal is to develop an opinion of: <input checked="" type="checkbox"/> Market Value (as defined), or <input type="checkbox"/> other type of value (describe)																																																																						
	This report reflects the following value (if not Current, see comments): <input type="checkbox"/> Current (the Inspection Date is the Effective Date) <input checked="" type="checkbox"/> Retrospective <input type="checkbox"/> Prospective																																																																						
	Approaches developed for this appraisal: <input checked="" type="checkbox"/> Sales Comparison Approach <input type="checkbox"/> Cost Approach <input type="checkbox"/> Income Approach (See Reconciliation Comments and Scope of Work)																																																																						
MARKET AREA DESCRIPTION	Property Rights Appraised: <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Leased Fee <input type="checkbox"/> Other (describe)																																																																						
	Intended Use: Provide a Retrospective Market Value opinion for litigation involving the HOA foreclosure of the subject property. For definitions, refer to the attached Explanatory Comments - Retrospective Value and Definition of Value section in the Residential Certifications Addendum.																																																																						
	Intended User(s) (by name or type): Wright Finlay & Zak and/or legal professionals associated with this case.																																																																						
	Client: Wright Finlay & Zak				Address: 7785 W Sahara Avenue, Ste 200, Las Vegas, NV 89117																																																																		
	Appraiser: R. Scott Dugan, SRA				Address: 8930 W Tropicana Avenue, Suite 1, Las Vegas, NV 89147																																																																		
SITE DESCRIPTION	Location: <input type="checkbox"/> Urban		<input checked="" type="checkbox"/> Suburban		<input type="checkbox"/> Rural		Predominant Occupancy		One-Unit Housing		Present Land Use		Change in Land Use																																																										
	Built up: <input checked="" type="checkbox"/> Over 75%		<input type="checkbox"/> 25-75%		<input type="checkbox"/> Under 25%																																																																		
	Growth rate: <input type="checkbox"/> Rapid		<input type="checkbox"/> Stable		<input checked="" type="checkbox"/> Slow		<input checked="" type="checkbox"/> Owner		PRICE		AGE		One-Unit 70 %																																																										
	Property values: <input type="checkbox"/> Increasing		<input checked="" type="checkbox"/> Stable		<input type="checkbox"/> Declining		<input type="checkbox"/> Tenant		\$ (000)		(yrs)		2-4 Unit 0 %																																																										
	Demand/supply: <input type="checkbox"/> Shortage		<input checked="" type="checkbox"/> In Balance		<input type="checkbox"/> Over Supply		<input checked="" type="checkbox"/> Vacant (0-5%)		200		Low 15		Multi-Unit 0 %																																																										
	Marketing time: <input type="checkbox"/> Under 3 Mos.		<input checked="" type="checkbox"/> 3-6 Mos.		<input type="checkbox"/> Over 6 Mos.		<input checked="" type="checkbox"/> Vacant (>5%)		3,000		High 30		Comm'l 0 %																																																										
							<input type="checkbox"/> Vacant (>5%)		450		Pred 22		Golf 30 %																																																										
	Market Area Boundaries, Description, and Market Conditions (including support for the above characteristics and trends): Tropicana Avenue- N, Rainbow Boulevard- E, Hacienda Avenue- S, and Durango Drive- west. The subject project of the Estates is within the MPC of Spanish Trails, which consists of custom homes. It is surrounded by a 27-hole championship golf course with common area facilities, fitness center, tennis courts, pools, perimeter fencing and 24 hour man-gated entrances. There are a variety of residential tract housing with supporting services in the immediate area. 3 miles S is shopping at the Arroyo Market Square, with office/major medical facilities located within just blocks to 4 +/- miles consisting of Spring Valley, Southern Hills and St. Rose Dominican Hospitals. 5 to 8 +/- miles E/NE are the Resort Corridor and CBD of Downtown Las Vegas (key employment centers) with good freeway and major street access. Current market conditions indicate increasing prices.																																																																						
	DESCRIPTION OF THE IMPROVEMENTS	Dimensions: 99 x 155 x 145 x 196						Site Area: .50 Acre (21,780 Sq Ft)																																																															
		Zoning Classification: R-1						Description: Single-Family Residential (5 Units Per Acre)																																																															
Zoning Compliance: <input checked="" type="checkbox"/> Legal						<input type="checkbox"/> Legal nonconforming (grandfathered) <input type="checkbox"/> Illegal <input type="checkbox"/> No zoning																																																																	
Are CC&Rs applicable? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown						Have the documents been reviewed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																																																																	
Ground Rent (if applicable) \$ N/A/																																																																							
Highest & Best Use as improved: <input checked="" type="checkbox"/> Present use, or <input type="checkbox"/> Other use (explain)						The highest and best use is limited to single-family residential via zoning, master plan and CC&R's.																																																																	
Actual Use as of Effective Date: Single Family Residential						Use as appraised in this report: Single Family Residential																																																																	
Summary of Highest & Best Use: The subject is zoned residential and limited to residential uses by zoning and CC&R's, with no other uses permitted. There is sufficient demand and therefore the current use is the Highest & Best Use.																																																																							
<table><tr><td>Utilities</td><td>Public</td><td>Other</td><td>Provider/Description</td><td>Off-site Improvements</td><td>Type</td><td>Public</td><td>Private</td><td>Topography</td><td>Built Up Pad</td></tr><tr><td>Electricity</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td>NV Energy</td><td>Street</td><td>Asphalt</td><td><input type="checkbox"/></td><td><input checked="" type="checkbox"/></td><td>Size</td><td>Typical for Area</td></tr><tr><td>Gas</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td>SW Gas</td><td>Curb/Gutter</td><td>Concrete</td><td><input type="checkbox"/></td><td><input checked="" type="checkbox"/></td><td>Shape</td><td>Rectangular</td></tr><tr><td>Water</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td>LLVWD</td><td>Sidewalk</td><td>Concrete</td><td><input type="checkbox"/></td><td><input checked="" type="checkbox"/></td><td>Drainage</td><td>Appears Adequate</td></tr><tr><td>Sanitary Sewer</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td>Clark County</td><td>Street Lights</td><td>Electric</td><td><input type="checkbox"/></td><td><input checked="" type="checkbox"/></td><td>View</td><td>Golf View</td></tr><tr><td>Storm Sewer</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td>Clark County</td><td>Alley</td><td>None</td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td></td><td></td></tr></table>												Utilities	Public	Other	Provider/Description	Off-site Improvements	Type	Public	Private	Topography	Built Up Pad	Electricity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NV Energy	Street	Asphalt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Size	Typical for Area	Gas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SW Gas	Curb/Gutter	Concrete	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Shape	Rectangular	Water	<input checked="" type="checkbox"/>	<input type="checkbox"/>	LLVWD	Sidewalk	Concrete	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Drainage	Appears Adequate	Sanitary Sewer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Clark County	Street Lights	Electric	<input type="checkbox"/>	<input checked="" type="checkbox"/>	View	Golf View	Storm Sewer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Clark County	Alley	None	<input type="checkbox"/>	<input type="checkbox"/>		
Utilities	Public	Other	Provider/Description	Off-site Improvements	Type	Public	Private	Topography	Built Up Pad																																																														
Electricity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NV Energy	Street	Asphalt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Size	Typical for Area																																																														
Gas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SW Gas	Curb/Gutter	Concrete	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Shape	Rectangular																																																														
Water	<input checked="" type="checkbox"/>	<input type="checkbox"/>	LLVWD	Sidewalk	Concrete	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Drainage	Appears Adequate																																																														
Sanitary Sewer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Clark County	Street Lights	Electric	<input type="checkbox"/>	<input checked="" type="checkbox"/>	View	Golf View																																																														
Storm Sewer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Clark County	Alley	None	<input type="checkbox"/>	<input type="checkbox"/>																																																																
Other site elements: <input checked="" type="checkbox"/> Inside Lot <input type="checkbox"/> Corner Lot <input type="checkbox"/> Cul de Sac <input checked="" type="checkbox"/> Underground Utilities <input type="checkbox"/> Other (describe)																																																																							
FEMA Spec'l Flood Hazard Area <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FEMA Flood Zone X FEMA Map # 32003C2535F FEMA Map Date 11/16/2011																																																																							
Site Comments: Typical utility easements and setbacks for the area, adjacent to the Spanish Trail golf course. The site is located on the north side of the street and is protected from errant golf shots by its location. Owners of golf course lots aware of the potential dangers associated with frontage along the course and errant golf shots. Some buyers may be adverse to golf frontage lots, while others pay premiums for golf and open space frontage, not adverse.																																																																							

DESCRIPTION OF THE IMPROVEMENTS	General Description			Exterior Description			Foundation			Basement			Heating		
	# of Units One <input type="checkbox"/> Acc.Unit			Foundation Concrete			Slab Concrete			Area Sq. Ft. <input checked="" type="checkbox"/> None			Type FWA		
	# of Stories Two			Exterior Walls Stucco			Crawl Space None			% Finished			Fuel Gas		
	Type <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Att. <input type="checkbox"/>			Roof Surface Tile			Basement None			Ceiling					
	Design (Style) Mediterranean/2-Stry			Gutters & Dwnspts. None			Sump Pump <input type="checkbox"/> None			Walls			Cooling Yes		
	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Und.Cons.			Window Type Insulated			Dampness <input type="checkbox"/> None			Floor			Central Yes		
	Actual Age (Yrs.) 17			Storm/Screens None			Settlement None			Outside Entry			Other None		
	Effective Age (Yrs.) 17						Infestation None								
	Interior Description			Appliances			Attic <input type="checkbox"/> None			Amenities			Car Storage <input type="checkbox"/> None		
	Floors Exterior Only			Refrigerator <input checked="" type="checkbox"/>			Stairs <input type="checkbox"/>			Fireplace(s) # 4			Woodstove(s) #		
Walls Exterior Only			Range/Oven <input checked="" type="checkbox"/>			Drop Stair <input type="checkbox"/>			Patio Yes			Garage # of cars (6 Tot.)			
Trim/Finish Exterior Only			Disposal <input checked="" type="checkbox"/>			Scuttle <input checked="" type="checkbox"/>			Deck Yes			Attach.			
Bath Floor Exterior Only			Dishwasher <input checked="" type="checkbox"/>			Doorway <input type="checkbox"/>			Porch Yes			Detach.			
Bath Wainscot Exterior Only			Fan/Hood <input checked="" type="checkbox"/>			Floor <input type="checkbox"/>			Fence Yes			Blt.-In 4			
Doors Exterior Only			Microwave <input checked="" type="checkbox"/>			Heated <input type="checkbox"/>			Pool Yes			Carport			
			Washer/Dryer <input type="checkbox"/>			Finished <input type="checkbox"/>			Spa Yes			Driveway 2			
												Surface Pavers			
Finished area above grade contains: 11 Rooms 6 Bedrooms 7 Bath(s) 11,314 Square Feet of Gross Living Area Above Grade															
Additional features: The property is assumed to have standard features and amenities for this submarket. The gross living area is based on a full inspection performed by the appraiser in 2001.															
Describe the condition of the property (including physical, functional and external obsolescence): As of the physical date of inspection, the subject exterior was in good condition. In that this is a retrospective assignment per client request, the appraiser invokes the following Extraordinary Assumptions as of the effective date of inspection indicated within this report: 1) the condition of the interior was at minimum good 2) no obsolescence affected the interior improvements (missing kitchen appliances or bath fixtures, no AC, etc.). If one or more of these are found to be false, it could alter the value opinion and or other conclusions in this report. Refer to the addendum - definition of Extraordinary Assumption. For further information regarding the improvements, please refer to the photographs included in this report.															

RESIDENTIAL APPRAISAL REPORT

File No.: 34 Innisbrook

TRANSFER HISTORY

My research ☐ did ☒ did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.

Data Source(s): GLVAR MLS & Clark County Public Records

1st Prior Subject Sale/Transfer

Analysis of sale/transfer history and/or any current agreement of sale/listing: No reported sales or transfers.

Date:

Price:

Source(s):

2nd Prior Subject Sale/Transfer

Date:

Price:

Source(s):

SALES COMPARISON APPROACH TO VALUE (if developed)

☐ The Sales Comparison Approach was not developed for this appraisal.

FEATURE	SUBJECT	COMPARABLE SALE # 1			COMPARABLE SALE # 2			COMPARABLE SALE # 3		
Address	34 Innisbrook Avenue Las Vegas, NV 89113	32 Gulf Stream Court Las Vegas, NV 89113			54 Innisbrook Avenue Las Vegas, NV 89113			35 Princeville Lane Las Vegas, NV 89113		
Proximity to Subject		1.03 miles E			0.24 miles E			1.21 miles E		
Sale Price	\$		\$	1,850,000		\$	1,725,000		\$	1,400,000
Sale Price/GLA	\$ /sq.ft.	\$	199.33 /sq.ft.		\$	215.06 /sq.ft.		\$	205.31 /sq.ft.	
Data Source(s)	MLS-Pub Records	MLS-Files-Public Records/ DOM 150			MLS-Files-Public Records/ DOM 84			MLS-Files-Public Records/ DOM 180		
Verification Source(s)	Public Records	201408270:4285			201401080:2859			201401170:2450		
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION		+(-) \$ Adjust.	DESCRIPTION		+(-) \$ Adjust.	DESCRIPTION		+(-) \$ Adjust.
Sales or Financing Concessions		Short Sale CASH \$0			Traditional CONV \$0			Traditional CONV \$0		
Date of Sale/Time		08/27/2014			01/08/2014			01/17/2014		
Rights Appraised	Fee Simple	Fee Simple			Fee Simple			Fee Simple		
Location	Spanish Trail	Spanish Trail			Spanish Trail			Spanish Trail		
Site	21,780 SF/Interior	22,216 SF/CDS			23,522 SF/CDS			15,246 SF/Interior		+65,000
View	Golf View	Golf View			Golf/Lake View			Golf View		
Design (Style)	Mediterranean/2-Stry	Mediterranean/2-Stry			Mediterranean/2-Stry			Mediterranean/2-Stry		
Quality of Construction	Stucco	Stucco			Stucco			Stucco		
Age	17	12			21			24		
Condition	Good	Good			Good			Good		
Above Grade Room Count	Total Bdrms Baths 11 6 7	Total Bdrms Baths 11 4 5			Total Bdrms Baths 8 4 4.5			Total Bdrms Baths 9 4 5		
Gross Living Area	11,314 sq.ft.	9,281 sq.ft.		+203,300	8,021 sq.ft.		+329,300	6,819 sq.ft.		+449,500
Basement & Finished Rooms Below Grade	None None	None None			None None			None None		
Functional Utility	Good	Good			Good			Good		
Heating/Cooling	Central	Central			Central			Central		
Energy Efficient Items	Standard	Standard			Standard			Standard		
Garage/Carport	4 Garage 1254'	3 Garage 799'		+23,000	4 Garage 1041'		+11,000	3 Garage 827'		+21,000
Porch/Patio/Deck	L/S,C/Pat/Deck	L/S,C/Pat/Deck			L/S,C/Pat/Deck			L/S,C/Pat/Deck		
Pool Package	Pool Package	Pool Package			Pool Package			Pool Package		
Casita/Guesthouse	None	None			None			None		
Contract Date	None	03/17/2014			11/13/2013			12/16/2013		
Net Adjustment (Total)		<input checked="" type="checkbox"/> + <input type="checkbox"/> -	\$	226,300	<input checked="" type="checkbox"/> + <input type="checkbox"/> -	\$	340,300	<input checked="" type="checkbox"/> + <input type="checkbox"/> -	\$	535,500
Adjusted Sale Price of Comparables			\$	2,076,300		\$	2,065,300		\$	1,935,500

Summary of Sales Comparison Approach

The comparables in this report range in gross living area (GLA) from 5,648 to 9,281 square feet, with all properties located in the the master plan of Spanish Trail.

The comparables required adjustments (rounded) for variations in the following: lot size at \$10 per square foot; GLA at \$100 per square foot; basement area at \$100 per square foot; and difference in garage facilities at \$50 per square foot. Cross comparison of the data did not support adjustments for minor variations lot size, age, bedroom/bathroom count, etc. While these variations were noted, in most cases a consistent value difference between the sales could not be isolated.

Minor value features, i.e., fireplaces, etc, may not have been noted in the grid. If present, such features in the comparables were contrasted to the similar or offsetting items in the subject and factored into the reconciliation and final value opinion.

In consideration of the above market transactions and current market conditions, greatest consideration is placed on the Sales Comparison Approach to Value. The value opinion is correlated at \$2,000,000. The package price per square foot of \$177 (rounded) includes land plus improvements. The comparable closed transactions indicate a package price from about \$191 to \$270. The subject's package price is below the unadjusted sale price divided by gross living area of the comparables due to the subject's excessive gross living area. The adjusted range of comparable pricing brackets and supports the value conclusion. The subject's central tendency is \$2,000,000 (rounded) and is considered reasonable in support of the final conclusion of value.

Indicated Value by Sales Comparison Approach \$

2,000,000

Explanatory Comments

File No. 34 Innisbrook

Client	Wright Finlay & Zak				
Property Address	34 Innisbrook Avenue				
City	Las Vegas	County	Clark	State	NV Zip Code 89113
Owner	Timpa Trust/Frank A & Madelaine Timpa				

EXTRAORDINARY ASSUMPTION:

USPAP provides the following definition for “extraordinary assumption”:

Defined as an assumption, directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinions or conclusions.

Comment: Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis. (USPAP, 2016-2017 Edition)

This report was completed without an interior inspection of the subject. External sources including, but not limited to, information from a drive-by street inspection, appraiser's files, county records, and or multiple listing service data were relied upon for information used to describe the improvements and or condition of the subject.

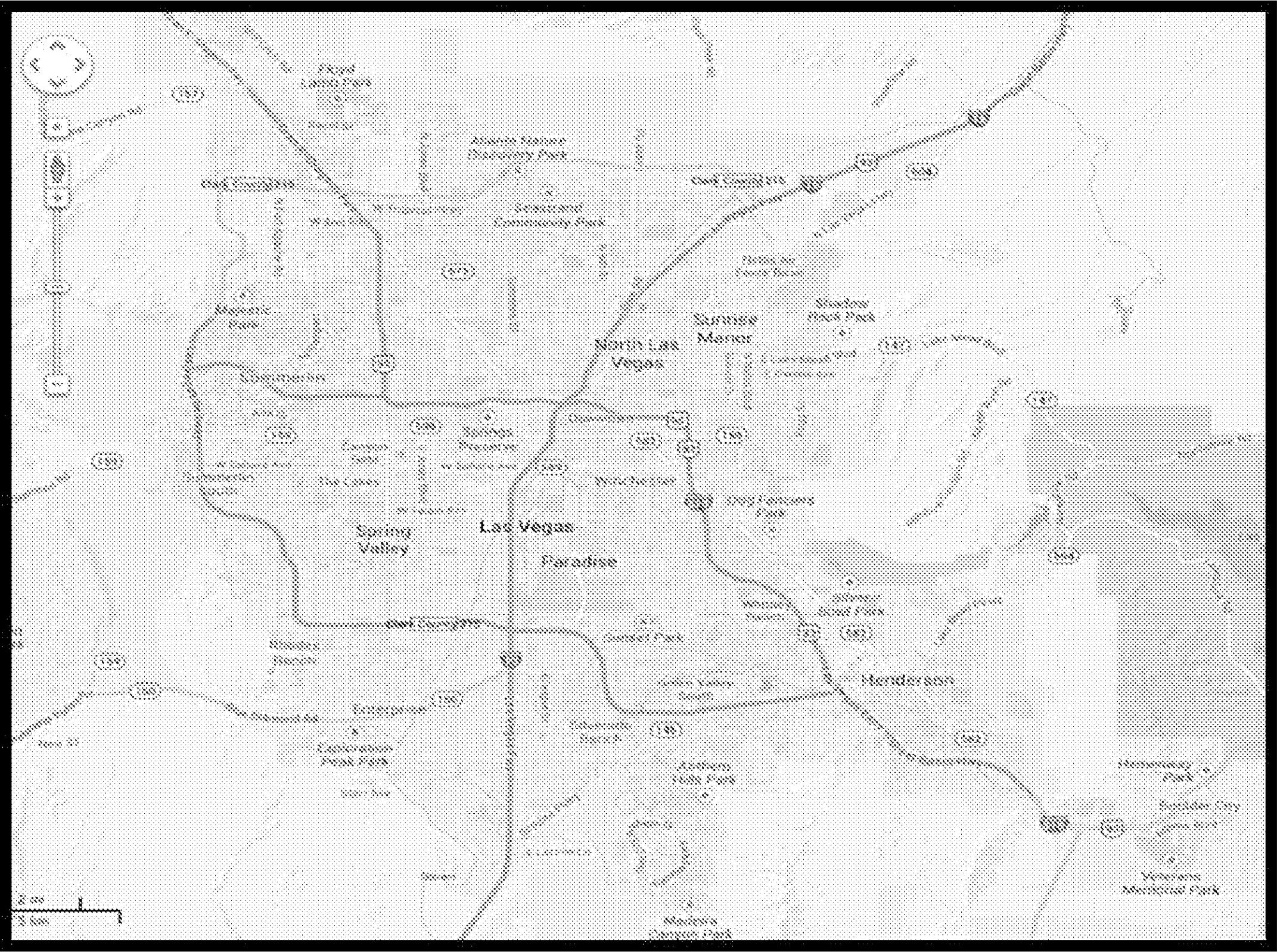
As indicated on page 1 of this report, if the assumptions invoked are found to be false, it could alter the value opinion and or other conclusions in this report. As such, the appraiser reserves the right to amend the value opinion and or conclusions based on new or revised information.

Retrospective Value: is generally defined as “A value opinion effective as of a specified historical date. The term does not define a type of value. Instead, it identifies a value opinion as being effective at some specific prior date. Value as of a historical date is frequently sought in connection with property tax appeals, damage models, lease renegotiation, deficiency judgments, estate tax, and condemnation. Inclusion of the type of value with this term is appropriate, e.g., “retrospective market value opinion.” Source: Appraisal Institute, The Dictionary of Real Estate Appraisal, 6th ed. (Chicago: Appraisal Institute, 2015).

The final value within this appraisal assignment represents a "Retrospective" Market Value opinion as of the date of the HOA sale, November 7, 2014, the effective date of this report. The physical exterior inspection of the subject property was performed on February 5, 2017.

General Area Overview

Client	Wright Finlay & Zak			
Property Address	34 Innisbrook Avenue			
City	Las Vegas	County	Clark	State NV Zip Code 89113
Owner	Timpa Trust/Frank A & Madelaine Timpa			



General Area Description: The economy revolves around the Las Vegas Strip and Downtown Casino center along with key employment centers such as Nellis AFB, McCarran International Airport, numerous satellite retail, office and industrial districts that employ and service a base of 2-million people. The valley covers over 600+ square miles and includes parts of unincorporated Clark County, the cities of Las Vegas, North Las Vegas and Henderson. The unincorporated county areas within the valley have "Las Vegas" addresses and access to public services, making them transparent local to residents.

The valley is compact and can be crossed from any location in less than 1 hour. Buyer preferences are less dependent on location and more a function of personal choice, neighborhood attributes and housing types. The valley is divided into seven market areas (NW, NC, NE, SW, SC, SE and Henderson), each of which is further defined by political jurisdictions along with any number of master-planned communities a buyer would consider as a neighborhood, with emphasis on lifestyle, amenities and name recognition.

Key Factors influencing Housing Market Trends in the area: People buy or sell based on affordability, investment potential or relocation. From 2004-2007, the market was influenced by speculation. From 2007 through 2012, the market declined severely, influenced by REOs, short sales and investor activity. The market over-corrected from the peak to the bottom, creating an imbalance between "market value" and "economic value." Investors recognized the "economic imbalance" (the spread between the monthly payment vs. the monthly market rent for the same property) and used "all cash sales" to dominate the market for several years.

While investors remain active in the market, recently we are seeing "end users" (owner occupants) take a greater participation in the market. End users also include second homebuyers and long-term investors that purchase homes for rental and cash flow. Unlike investors that buy and flip homes over short periods, end users are more sensitive to shifts in financing.

As interest rates move up from their historically low levels, pricing (and therefore values) will adjust as the market attempts to sort itself out and find balance. Until normal market level balances are reached (relationship between rents and mortgage payments or economic value reaches sale price), it is likely the market will experience some fluctuation between similar units at the neighborhood level.

Key Housing Indicators - Market Conditions

Client	Wright Finlay & Zak						
Property Address	34 Innisbrook Avenue						
City	Las Vegas	County	Clark	State	NV	Zip Code	89113
Owner	Timpa Trust/Frank A & Madelaine Timpa						

The key indicators below show the relationships between employment, housing prices, affordability and movement in the market. Effective housing demand is a combination of supply, price and monthly payment.

Las Vegas Valley Market Overview - 3rd Quarter 2014							
HBR & Other Sources 3rd Annual Activity	2008	2009	2010	2011	2012	2013	2014 (2-14)
Employment Seasonally Adjusted - {1,000's}	902.4	866.0	857.5	863.8	879.6	891.5	917.6 (P)
Median Sale Price - Resales (HBR)	\$162,999	\$123,000	\$119,000	\$110,000	\$139,900	\$167,500	\$189,950
Interest Rate % 30 Yr - (Oct 30)	6.03	5.01	4.75	3.88	3.94	4.48	3.98
PI with 80% LTV - No MI (@ 200K)	\$962	\$860	\$835	\$753	\$758	\$809	\$762
PI with 95% LTV - No MI (@ 200K)	\$1,143	\$1,021	\$991	\$894	\$901	\$960	\$905
3 BR Metro Avg Apt Rent (3rd Quarter)	\$1,105	\$1,014	\$977	\$964	\$934	\$952	\$945
Metro Median Rent (All product types)	\$1,250	\$1,195	\$1,113	\$1,115	\$1,095	\$1,100	\$1,150
GLVAR MLS & HBR 3rd Activity							
Listings Total Year	61,038	57,016	56,643	55,174	40,271	39,819	32,136
Listings W/O Offer	Unavailable	8,405	12,417	8,831	3,688	7,063	8,196
Sales Volume	24,924	38,127	34,434	38,153	36,609	32,756	22,318
Sales Volume - New (HBR - All product types)	9,017	4,924	4,786	1,220	5,544	7,303	4,338
List to Sale Ratio	41%	67%	61%	69%	91%	82%	69%
Median List Price (Available Units)	\$189,500	\$149,900	\$135,000	\$128,500	\$145,000	\$186,500	\$219,900
Median Sale Price	\$222,500	\$140,000	\$135,347	\$124,750	\$132,393	\$177,500	\$202,500
Median Sale Price - New (HBR)	\$244,090	\$216,000	\$216,225	\$212,000	\$210,525	\$296,577	\$296,890
Average DOM	68	61	64	72	69	52	64
Case Shiller Jan 2000 = 100	131.4	104.38	99.2	90.48	102.19	127.23	August 136.65
HBR - Home Builder's Research, GLVAR - Greater Las Vegas Assoc. Realtors, (P) Pending							

Economics & Statistics: The economic indicators and statistics presented in this section and following pages are gathered from various public reporting agencies and data sources, and deemed to be consistent in their development methodology. From time to time, different methods may be employed to report various economic indicators. These indicators are presented to provide the reader with a broad overview of the general economy and factors affecting real estate and investment decisions.

Recent Trends: There are many reports covering the Las Vegas MSA (Metropolitan Statistical Area) that simply compare period to period and not "apples to apples." Dynamics affecting this type of data are:

- 2010:** The market was dominated by sales of REOs, "all cash" to investors and liquidated at price points, significantly below economic value (affordability) and often 35%+/- or more below value. Physical condition ranged from average to poor.
- 2011:** There was a shift from a market dominated by REOs to one dominated by short sales. Many short sales were in better condition and unlike 2010; lenders took an active participation in negotiations, increasing prices closer to economic value.
- 2012:** Short sales remained dominant and investors (due to a lack of REO inventory) shifted to short sales. Legislation made it difficult for lenders to foreclose and REO inventory was limited.
- 2013:** Observers indicate lenders are holding REO inventory (from 40,000 to 60,000 units), in effect, creating a temporary shortage. The effect of the shortage has been to increase demand and current prices. Upward shifts in mortgage rates may have a negative effect on demand from end users and could cause some cancelations in the new and resale housing market.
- 2014:** In 2013, the market continued to correct and prices rose by 20% to 30% year over year. By year-end 2013 (and heading into 2014), the market slowed as prices reached short-term peaks and inventory adjusted to demand. YTD 2014, the market continues to sort itself out as prices adjust to demand and affordability. Lower interest rates have improved affordability and we are seeing rent levels, sale prices and the Case Shiller Index improving.

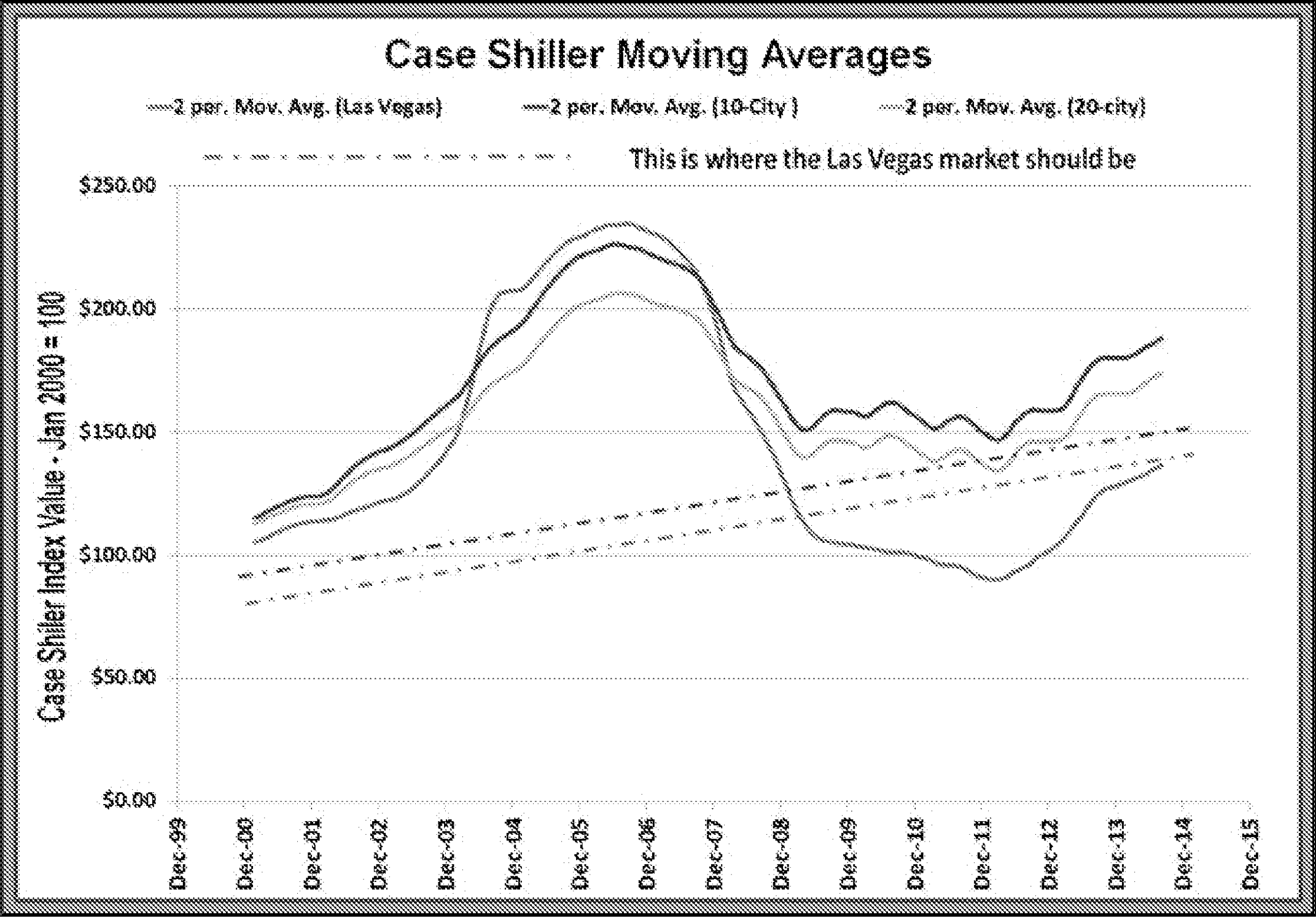
Observations and Conclusions: Statistical analysis and year over year or period-to-period comparison are not reliable as the data reflects multiple sales of the same property (but in different condition), in the same year and or subsequent year and often, a disproportionate mix of highly dissimilar sales (condition). This will give the appearance of "appreciation", when in essence you are comparing "apples to oranges." In normal years, the sales volume reflects sales of a single property to end users as opposed to sale resale of the same property.

You cannot have a sustained recovery without improvement in employment. Investors are now buying and renting more units. Employment is improving, but lagging behind other areas and the national market. The market has corrected to some degree, however, stabilized prices are not a reflection of a "price point market correction," but rather depend on an "economic correction in the market" or the ability of end users (long-term occupants) to buy.

Case Shiller - Market Conditions

Client	Wright Finlay & Zak				
Property Address	34 Innisbrook Avenue				
City	Las Vegas	County	Clark	State	NV Zip Code 89113
Owner	Timpa Trust/Frank A & Madelaine Timpa				

The Case Shiller Index - compares Las Vegas to the 10 City and 20 City Averages. Historically, Las Vegas was below the 10 and 20 City, however, during 2004-2007, Las Vegas exceeded these averages and the market correction began. By 2009, the Las Vegas market over-corrected as shown below and is now attempting to correct back to market norms.



As shown above, Las Vegas still is below the 10 and 20 City averages, however, the gap has closed significantly since late 2011. What we are seeing (current market conditions), is the market sorting itself out and slowly correcting to norms. The two trend lines (red for the composites and blue for Las Vegas) illustrate the normal relationship between Las Vegas and the 10 and 20 City Composites.

The gap between the current Las Vegas market average and the blue Las Vegas trend line show the over-correction (based on buyer affordability) and the market's or recognition of over-correction during 2012 (based upon median income and housing affordability). This is what investors recognized and why investors made significant purchases in the Las Vegas market in 2009 - 2012.

Investors realized what the rest of the market did not, housing in Las Vegas "economically under-valued." The combination of supply, purchasing power (interest rates) and utility (in many cases the condition of the property), made buying a home far more affordable than renting a home or an apartment. An investor could by an "unoccupiable REO" for \$100,000, invest an additional \$25,000 in to it for repairs and sell it for \$150,000, all within 90 days and make a \$25,000 profit. Annualized, the \$25,000 becomes \$100,000 or an 80% annual return. This is why the majority of sales in many markets have been "all cash."

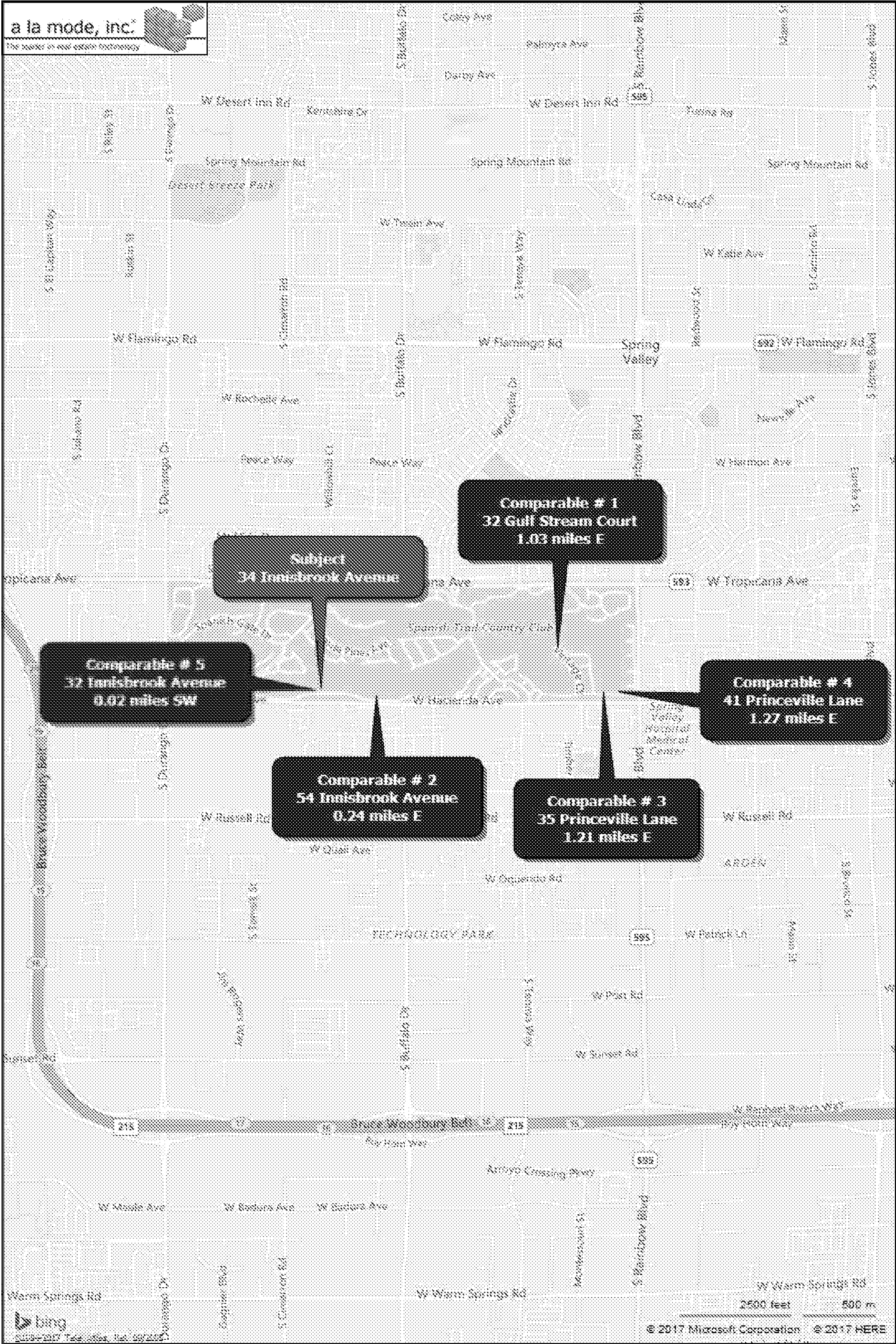
With historic low interest rates, even smaller profit margins, and holding onto and renting homes vs. fixing and flipping homes, makes economic sense to many investors. While single-family rentals are not averaging much more than Class A apartments, they are more attractive to renters (yards, features, size, garages, privacy, etc.), and the resale market value for housing is rising.

Market conditions is an adjustment for market changes over time, supply and demand conditions and other factors (short or long-term) affecting the market, including financing, affordability, etc. The increase or decrease in property values is the cause, and time is the measurement of the adjustment. During a market correction, there can be short-term spikes in market prices requiring a "market conditions" adjustment.

The Las Vegas housing market correction from 2006-2014, the excessive supply of homes (REO's and short sales) combined with unprecedented low interest rates, combined to create a buyer's market, essentially, conditions whereby buying a house is more affordable than renting one. The interest rates are so low, that an extra 10% increase in price is marginal in terms of additional monthly payment. We cannot project the sustainability of a market shift, only evidence an imbalance, to support a market conditions adjustment at this point.

Location Map

Client	Wright Finlay & Zak			
Property Address	34 Innisbrook Avenue			
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Plat Map

Client	Wright Finlay & Zak				
Property Address	34 Innisbrook Avenue				
City	Las Vegas	County	Clark	State	NV Zip Code 89113
Owner	Timpa Trust/Frank A & Madelaine Timpa				



Subject Photo Page

Client	Wright Finlay & Zak				
Property Address	34 Innisbrook Avenue				
City	Las Vegas	County	Clark	State	NV Zip Code 89113
Owner	Timpa Trust/Frank A & Madelaine Timpa				



Subject Front

34 Innisbrook Avenue	
Sales Price	
Gross Living Area	11,314
Total Rooms	11
Total Bedrooms	6
Total Bathrooms	7
Location	Spanish Trail
View	Golf View
Site	21,780 SF/Interior
Quality	Stucco
Age	17



Subject Street

Comparable Photo Page

Client	Wright Finlay & Zak				
Property Address	34 Innisbrook Avenue				
City	Las Vegas	County	Clark	State	NV Zip Code 89113
Owner	Timpa Trust/Frank A & Madelaine Timpa				



Comparable 1

32 Gulf Stream Court	
Prox. to Subject	1.03 miles E
Sales Price	1,850,000
Gross Living Area	9,281
Total Rooms	11
Total Bedrooms	4
Total Bathrooms	5
Location	Spanish Trail
View	Golf View
Site	22,216 SF/CDS
Quality	Stucco
Age	12



Comparable 2

54 Innisbrook Avenue	
Prox. to Subject	0.24 miles E
Sales Price	1,725,000
Gross Living Area	8,021
Total Rooms	8
Total Bedrooms	4
Total Bathrooms	4.5
Location	Spanish Trail
View	Golf/Lake View
Site	23,522 SF/CDS
Quality	Stucco
Age	21



Comparable 3

35 Princeville Lane	
Prox. to Subject	1.21 miles E
Sales Price	1,400,000
Gross Living Area	6,819
Total Rooms	9
Total Bedrooms	4
Total Bathrooms	5
Location	Spanish Trail
View	Golf View
Site	15,246 SF/Interior
Quality	Stucco
Age	24

Comparable Photo Page

Client	Wright Finlay & Zak				
Property Address	34 Innisbrook Avenue				
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Comparable 4

41 Princeville Lane	
Prox. to Subject	1.27 miles E
Sales Price	1,525,000
Gross Living Area	5,648
Total Rooms	14
Total Bedrooms	4
Total Bathrooms	5
Location	Spanish Trail
View	Golf View
Site	13,504 SF/Interior
Quality	Stucco
Age	15



Comparable 5

32 Innisbrook Avenue	
Prox. to Subject	0.02 miles SW
Sales Price	1,425,000
Gross Living Area	7,470
Total Rooms	9
Total Bedrooms	5
Total Bathrooms	6.5
Location	Spanish Trail
View	Golf View
Site	18,295 SF/Interior
Quality	Stucco
Age	24

Comparable 6

Prox. to Subject	
Sales Price	
Gross Living Area	
Total Rooms	
Total Bedrooms	
Total Bathrooms	
Location	
View	
Site	
Quality	
Age	

Clarification of Scope of Work

File No. 34 Innisbrook

Client	Wright Finlay & Zak				
Property Address	34 Innisbrook Avenue				
City	Las Vegas	County	Clark	State	NV Zip Code 89113
Owner	Timpa Trust/Frank A & Madelaine Timpa				

CLARIFICATION OF SCOPE OF WORK

(Rev. 09/08/2014)

This following, explanatory comments are not a modification of the assumptions, limiting conditions or certifications in the appraisal report, but a "clarification" of the appraiser's actions with respect to generally accepted appraisal practice and the requirements of this assignment. The intent is to clarify and document what the appraiser did and or did not do in order to develop the value opinion.

Limitations of the Assignment: The appraisal process is technical and therefore requires the intended user or anyone relying on the conclusions, to have a general understanding of the appraisal process to comprehend the limits of the applicability of the value opinion to the appraisal problem. Real estate is an “imperfect market” and one that can be affected by many factors. Therefore, supplemental reporting requirements and the realities of the market, including the reliability of the data sources, inability to verify key information and the reliance on information sources as being factual and accurate, can affect the conclusions within the report. Those relying on the report and its conclusions must understand and factor these limitations into their decisions regarding the subject property.

The "single point of value" (SPV) is based on the definition of value (stated within the report) which has criteria that may or may not be consistent in the marketplace. Value definitions often assume “knowledgeable buyers and sellers” or “no special motivations,” when these and other criteria cannot be verified. For most assignments, guidelines require the selection and reporting of a SPV, taken from a range of value indicators that may vary high or low from the SPV due to factors that cannot be quantified or qualified within the constraints of the data, market conditions and time limits imposed in the development of the report and associated scope of work.

The SPV conclusion is a “benchmark” in time, provided at the request of the client and or intended user of this report and for the purpose stated. Anyone relying upon the conclusions should read the report in its entirety, to comprehend and accept the assignment conditions as suitable and reliable for their purpose. The definition of market value and its criteria is not universal in its application, nor consistent from one intended use to another.

This report was prepared to the intended user’s requirements and only for their stated purpose. The analysis and conclusions are unique to that purpose and should not be relied upon for another purpose or use, even though they may seem similar. Decisions related to this property should only be made after properly considering all factors including information not within the report, but known or available to the reader and comprehending the process and guidelines that shape the appraisal process.

SCOPE OF WORK (SOW): Is “the type and extent of research and analysis in an assignment.” This is specific to each appraisal given the appraisal problem and assignment conditions. The SOW is generally similar for most assignments, however, the property type or assignment conditions may require deviations from normal procedures. With some assignments, it is not possible to complete an interior inspection of the subject property. Likewise, with a retrospective date of value, the subject property and comparables may appear different than they were as of the effective value date.

For these and other reasons, this “clarification of scope of work” (COSOW) is intended as a guide to general tasks and analysis performed by the appraiser. These statements are a guide for comparison purposes (as part of the valuation process) and do not represent a detailed analysis of the physical or operational condition of these items. This report is not a home inspection. Any statement is advisory based only upon casual observation. The reader or intended user should not rely on this report to disclose hidden conditions and defects.

Complete Visual Inspection Includes: A visual inspection of only the readily accessible areas of the property and only those components that were clearly visible from the ground or floor level. List amenities, view readily observable interior and exterior areas, note quality of materials/workmanship and observe the general condition of improvements. Determine the building areas of the improvements; assess layout and utility of the property. Note the conformity to the market area. Perform a limited check and or observation of mechanical and electrical systems. Photograph interior/exterior, view site, observe and photograph each comparable from the street.

Complete Visual Inspection Does/Did NOT Include: Observation of spaces or areas not readily accessible to the typical visitor; building code compliance beyond obvious and apparent issues; testing or inspection of the well or septic system; mold and radon assessments; moving furniture or personal property; roof condition report beyond observation from the ground level.

No Interior Inspection: Some assignment conditions preclude inspection of the interior and or improvements on the site. Drive-by, review assignments, proposed construction and other assignment factors may affect the ability to view the improvements from the interior and at times, the exterior. In these cases, the appraiser has disclosed the “non-inspection” and used various sources of information to determine the property characteristics and condition as of the effective date of value. When applicable, these assignment conditions are stated in the report.

Inspect The Neighborhood: Observations were limited to driving through a representative number of streets in the area, reviewing maps and other data and observing comparables from the street to determine factors that may influence the value of the subject property. “Neighborhood” boundaries are not exact and are defined by the influence of physical, social, economic

Clarification of Scope of Work

File No. 34 Innisbrook

Client	Wright Finlay & Zak				
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City	Las Vegas	County	Clark	State	NV Zip Code 89113
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and governmental characteristics (the same criteria used to define census tracts). Over time, small areas merge and once distinct boundaries become less defined. **Comparable data was selected based upon the area proximate to the subject that a buyer would consider directly competitive.**

Repairs or Deterioration: Deficiency and livability are subjective terms. The value considers repair items that (in his/her opinion), affect **safety, adequacy, and marketability** of the property. Physical deterioration has not been itemized, but considered in the approaches to value.

Construction Defects: Construction defect issues (even when widely publicized) are not consistently reported in the MLS data. State law requires disclosure by the seller to a buyer of known defects and or prior issues. The definition of value assumes “informed buyer” and disclosure to the buyer is mandated by law. The analysis and conclusions presume the prices reported in the market data reflect the buyer’s knowledge of prior or current defect related issues (if any).

Satisfactory Completion: The work will be completed as specified and consistent with the quality and workmanship associated with the quality classification identified and physical characteristics outlined within the report.

Cost Approach: Is applicable when the improvements are new or relatively new and when sufficient building sites are available to provide a buyer with a "construction alternative" to purchasing the subject. In areas where similar sites are not available and or in cases where the economy of scale from multi-unit construction is not available to a potential buyer, reliability of the cost approach is limited. Applicability of the cost approach in this assignment is specifically addressed in that section of the appraisal report.

If the cost approach was used it represents the “replacement cost estimate.” If used, its inclusion was based on one of the following: request by the client; age requirement under FHA/HUD guidelines; or deemed appropriate for use by the appraiser for “valuation purposes.” Regardless of the condition or reason for its use, it should not be relied upon for insurance purposes. The definition of “market value” used within this report is not consistent with the definition of “insurable value.”

Income Approach: Is applicable when investors regularly acquire properties that are similarly desirable to the subject for the express purpose of the income they provide. While rentals may exist in any area, their presence alone is not proof of a viable rental and investor marketplace. Use or exclusion of the income approach is specifically addressed in that section of the appraisal report.

Gross Living Area (GLA): The Greater Las Vegas Association of Realtors ® MLS auto-populates the GLA from Clark County Assessor (CCAO) records. Assessors in Nevada are granted (by statute), leeway in determination of the GLA via several commonly employed methods to measure properties and typically rounds measurements to the nearest foot. Therefore, it is common to have variances between the “as measured” GLA by the appraiser and the “as reported” GLA from the CCAO. The GLVAR MLS handles more than 90% of the transactions in this area. Buyers and sellers rely on the MLS and therefore, the GLAs therein are the de-facto standard used by the market as a decision making factor. The appraiser deems the CCAO reported GLA as being reasonable and reliable for comparison purposes, regardless of any other standard used by builders, architects, agents, etc. The appraiser has considered these facts in the analysis and reconciled in the value opinion, only differences in GLA that would be “market recognized” and contribute to greater utility or function in the subject or comparable and greater value by the buying and selling public.

Extent of Data Research-Comparable Data: The appraiser used reasonably available information from city/county records, assessor's records, multiple listing service (MLS) data and visual observation to identify the relevant characteristics of the subject property. Comparables used were considered relevant to the analysis of subject property and applicable to the appraisal problem. The data was adjusted to the subject to reflect the market's reaction (if any and in terms of value contribution) to differences. Photographs taken by the appraiser are originals and un-altered, unless physical access was unavailable. In some cases, MLS photographs may be used to illustrate property conditions, views, etc.

Public and Private Data: The appraiser has access to public records and data available on the internet, the Multiple Listing Service, various cost estimating services, flood data, maps and other property related information, along with private information and knowledge of the market that is pertinent and relevant for this assignment.

Adverse Factors: Based upon the standards of the party observing the property, a range of factors internal or external to the property may be "adverse" by their viewpoint. The appraiser noted factors that may affect the marketability and livability to potential buyers, based upon knowledge of the market and as evidenced by sales of properties with similar or comparable conditions. These items are noted in the report and the valuation approaches that were applied to the analysis. Some buyers in the market may consider factors such as drug labs, registered sex offenders, criminal activity, interim rehabilitation facilities, halfway houses or similar uses as "adverse". No attempt was made to investigate or discover such activities, unless such factors were readily apparent and obviously affecting the subject property as evidenced by market data. If the intended user or a reader has concerns in these areas, it is recommended that they secure this information from a reliable source.

Clarification of Scope of Work

File No. 34 Innisbrook

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Easements: Major power transmission and distribution lines, railroad and other services related easements, including utility easements, limited common areas and conditions that grant others the right to access the subject property and or travel adjacent to the private areas of the subject property. The term adverse applies to individual perspective. It may or may not be negative, dependent upon the individual. One perspective may hold easements to be unappealing visually or disruptive. From another, such easements and corridors provide open space and ensure greater privacy (due to the size of the easement) from neighboring properties. Unless the easement affects the utility or use of the site or improvements, any impact was only considered from the perspective of marketability. In cases where the site abuts a major power transmission easement, the towers are generally centered within the right of-way and engineered to collapse within the easement. The effect or impact is inconsistent (as measured in the market) and therefore unless compelling evidence was found in comparable data, no adjustment was made, only the presence stated.

Valuation Methodology: The data presented in the report is considered to be the most relevant to the valuation of the subject property (and its market segment) based on its current occupancy and market environment. In areas influenced by foreclosure, short-sale and REO activity, and motivated (or impacted) by factors that cannot be qualified or quantified, the transactional characteristics of those sales may not fully meet the definition of market value criteria and therefore may be misleading. Verifications and drive-by inspections frequently reveal inconsistencies between the MLS and public records. Through this process, the appraiser can present the rationale supporting the final value opinion within the reconciliation and the reader can comprehend the logic and its application to the valuation process.

The Value Opinion: The value opinion may not be valid in another time-period. It is important for anyone relying on the report to comprehend the dynamic nature of real estate and the validity of the single value point or value range reported. The reported value is a benchmark or reference in time (as of a specific date) and subject to change (sometimes rapidly), based upon many factors including market conditions, interest rates, supply and demand. Therefore, anyone relying on the reported conclusions should first comprehend and accept the assignment conditions, assumptions, limiting conditions and other factors stated within the report as being suitable and reliable for their purpose and intended use.

Specific Reporting Guidelines: Market participants have unique appraisal reporting guidelines. The COSOW is supplemental to the forms stated scope of work, providing an overview of the appraiser's actions with respect to general appraisal practice and the stated requirements of the assignment. The intent is to clarify what the appraiser did and or did not do in order to develop the value opinion. Guidelines require the borrower receive a copy of the appraisal report, however, the borrower is not an intended user. The appraisal process and specific reporting requirements are highly technical and in most cases, beyond the comprehension of most readers. Anyone choosing to rely upon the appraisal should read the report in its entirety and if needed, consult with professionals that can assist them with understanding the basis of this report and the required reporting requirements, prior to making any decisions based upon the conclusions and or observations stated within.

Use of Electronic Appraisal Delivery Services: If the client directed that the appraiser transmit the content of this report via Appraisal Port or a similar delivery portal service, pursuant to user agreements, these services disclaim any warranty that the service provided will be error free and that these services may be subject to transmission errors. Accordingly, the client should make its own determination as to the accuracy and reliability of any such service they employ. The appraiser makes no representations and specifically disclaims any warranty regarding the accuracy or portrayal of content transmitted via Appraisal Port or any similar service or their reliability. The appraiser uses such technology at the specific direction and sole risk of the client. At its request, the client may obtain a true copy of the original report directly from the appraiser via email (PDF), mail or other means.

Assumptions, Limiting Conditions & Scope of Work

File No.: 34 Innisbrook

Property Address:	34 Innisbrook Avenue	City:	Las Vegas	State:	NV	Zip Code:	89113
Client:	Wright Finlay & Zak	Address:	7785 W Sahara Avenue, Ste 200, Las Vegas, NV 89117				
Appraiser:	R. Scott Dugan, SRA	Address:	8930 West Tropicana Avenue, Suite 1, Las Vegas, NV 89147				

STATEMENT OF ASSUMPTIONS & LIMITING CONDITIONS

— The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.

— The appraiser may have provided a sketch in the appraisal report to show approximate dimensions of the improvements, and any such sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size. Unless otherwise indicated, a Land Survey was not performed.

— If so indicated, the appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.

— The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.

— If the cost approach is included in this appraisal, the appraiser has estimated the value of the land in the cost approach at its highest and best use, and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used. Unless otherwise specifically indicated, the cost approach value is not an insurance value, and should not be used as such.

— The appraiser has noted in the appraisal report any adverse conditions (including, but not limited to, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property, or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property, or adverse environmental conditions (including, but not limited to, the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.

— The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.

— The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.

— If this appraisal is indicated as subject to satisfactory completion, repairs, or alterations, the appraiser has based his or her appraisal report and valuation conclusion on the assumption that completion of the improvements will be performed in a workmanlike manner.

— An appraiser's client is the party (or parties) who engage an appraiser in a specific assignment. Any other party acquiring this report from the client does not become a party to the appraiser-client relationship. Any persons receiving this appraisal report because of disclosure requirements applicable to the appraiser's client do not become intended users of this report unless specifically identified by the client at the time of the assignment.

— The appraiser's written consent and approval must be obtained before this appraisal report can be conveyed by anyone to the public, through advertising, public relations, news, sales, or by means of any other media, or by its inclusion in a private or public database.

— An appraisal of real property is not a 'home inspection' and should not be construed as such. As part of the valuation process, the appraiser performs a non-invasive visual inventory that is not intended to reveal defects or detrimental conditions that are not readily apparent. The presence of such conditions or defects could adversely affect the appraiser's opinion of value. Clients with concerns about such potential negative factors are encouraged to engage the appropriate type of expert to investigate.

The Scope of Work is the type and extent of research and analyses performed in an appraisal assignment that is required to produce credible assignment results, given the nature of the appraisal problem, the specific requirements of the intended user(s) and the intended use of the appraisal report. Reliance upon this report, regardless of how acquired, by any party or for any use, other than those specified in this report by the Appraiser, is prohibited. The Opinion of Value that is the conclusion of this report is credible only within the context of the Scope of Work, Effective Date, the Date of Report, the Intended User(s), the Intended Use, the stated Assumptions and Limiting Conditions, any Hypothetical Conditions and/or Extraordinary Assumptions, and the Type of Value, as defined herein. The appraiser, appraisal firm, and related parties assume no obligation, liability, or accountability, and will not be responsible for any unauthorized use of this report or its conclusions.

Additional Comments (Scope of Work, Extraordinary Assumptions, Hypothetical Conditions, etc.):

Important – Please Read – The client should review this report in its entirety to gain a full awareness of the subject property, its market environment and to account for identified issues in their business decisions. This appraisal report includes comments, observations, exhibits, maps, explanatory comments, and addenda that are necessary for the reader to comprehend the relevant characteristics of the subject property. The Expanded Comments and Clarification of Scope of Work provides specifics as to the development of the appraisal along with exceptions that may have been necessary to complete a credible report.

INTENDED USE/USER:

The intended user of this appraisal report is the lender/client. No additional intended users are identified by the appraiser. This report contains sufficient information to enable the client to understand the report. Any other party receiving a copy of this report for any reason is not an intended user; nor does it result in an appraiser-client relationship. Use of this report by any other party(ies) is not intended by the appraiser.

SCOPE OF WORK:

In the normal course of business, the appraiser attempted to obtain an adequate amount of information regarding the subject and comparable properties. Some of the required standardized responses, especially those in which the appraiser has not had the opportunity to verify personally or measure, could mistakenly imply greater precision and reliability in the data than is factually correct or typical in the normal course of business. Consequently, this information should be considered an estimate unless otherwise noted by the appraiser.

Examples include condition and quality ratings, as well as comparable sales and listing data. Not every element of the subject property was viewable, and comparable property data was generally obtained from third-party sources (real estate agents, buyers, sellers, public records, and the Greater Las Vegas Board of Realtors Multiple Listing Service).

Certifications

File No.: 34 Innisbrook


Property Address:	34 Innisbrook Avenue	City:	Las Vegas	State:	NV	Zip Code:	89113
Client:	Wright Finlay & Zak	Address:	7785 W Sahara Avenue, Ste 200, Las Vegas, NV 89117				
Appraiser:	R. Scott Dugan, SRA	Address:	8930 West Tropicana Avenue, Suite 1, Las Vegas, NV 89147				
APPRAISER'S CERTIFICATION							
<p>I certify that, to the best of my knowledge and belief:</p> <p>— The statements of fact contained in this report are true and correct.</p> <p>— The credibility of this report, for the stated use by the stated user(s), of the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.</p> <p>— I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.</p> <p>— I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.</p> <p>— My engagement in this assignment was not contingent upon developing or reporting predetermined results.</p> <p>— My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.</p> <p>— My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.</p> <p>— I did not base, either partially or completely, my analysis and/or the opinion of value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property, or of the present owners or occupants of the properties in the vicinity of the subject property.</p> <p>— Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.</p> <p>— Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification.</p>							
Additional Certifications:							
<p><u>Supplemental Certification:</u> In compliance with the Ethics Rule of USPAP, I hereby certify that I have not performed any services with regard to the subject property within the 3-year period immediately preceding the engagement of this assignment.</p> <p><u>Supplemental Certification:</u> The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives. The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute. As of the date of this report, I, R. Scott Dugan, SRA, Certified General Appraiser, have completed the continuing education program for Designated members of the Appraisal Institute.</p>							
Definition of Market Value: (X) Market Value () Other Value							
Source of Definition: FDIC Interagency Appraisal and Evaluation Guidelines (December 2, 2010) Appendix D							
<p>As defined in the Agencies' appraisal regulations, the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:</p> <ol style="list-style-type: none">1. Buyer and seller are typically motivated;2. Both parties are well informed or well advised, and acting in what they consider their best interest;3. A reasonable time is allowed for exposure in the open market;4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale. <p>*The definition of market value above is the most widely cited by federally regulated lending institutions, HUD and VA. Absent a specific definition from the client, this definition was used in the assignment.</p>							
SIGNATURES	Client Contact: Wright Finlay & Zak				Client Name: Wright Finlay & Zak		
	E-Mail: fharris@wrightlegal.net				Address: 7785 W Sahara Avenue, Ste 200, Las Vegas, NV 89117		
	APPRAISER				SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)		
							
	Appraiser Name: R. Scott Dugan, SRA				Supervisory or Co-Appraiser Name: _____		
	Company: R. Scott Dugan Appraisal Company, Inc.				Company: _____		
	Phone: 702-876-2000 Fax: 702-253-1888				Phone: _____ Fax: _____		
	E-Mail: appraisals@rsdugan.com				E-Mail: _____		
	Date Report Signed: February 08, 2017				Date Report Signed: _____		
	License or Certification #: A.0000166-CG State: NV				License or Certification #: _____ State: _____		
Designation: SRA				Designation: _____			
Expiration Date of License or Certification: 05/31/2017				Expiration Date of License or Certification: _____			
Inspection of Subject: <input type="checkbox"/> Interior & Exterior <input checked="" type="checkbox"/> Exterior Only <input type="checkbox"/> None				Inspection of Subject: <input type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None			
Date of Inspection: February 05, 2017				Date of Inspection: _____			

EXHIBIT B

EXHIBIT B

EXHIBIT B

Appraiser Resume (Qualifications) - Page 1

R. Scott Dugan, SRA

**GENERAL APPRAISAL EXPERIENCE:**

- Independent Real Estate Appraiser - September 1976 to Present
- Senior Real Estate Appraiser First Western Savings Association, Las Vegas, NV - 10/74 to 09/76
- Independent Real Estate Appraiser - 1969 to 1974

SPECIALIZED VALUATION EXPERIENCE:

Qualified Expert Witness: Real Estate and Appraisal Matters- District, Bankruptcy and Federal Courts

Forensic Review Expert: Appraisal reviews for litigation. Clients include major banks, attorneys and the FDIC.

TYPES OF PROPERTIES:

Residential, Condominium, Planned Unit Developments, Small Residential Income, Existing, Proposed and Vacant Land, Commercial and Income units.

LICENSING:

Licensed in the State of Nevada, Certified General Appraiser-License #A.0000166-CG

PROFESSIONAL DESIGNATION:

SRA Member - Appraisal Institute - 1989 to Present

EDUCATION:

Bachelor of Science in Business Administration - Finance, University of Nevada
High School Diploma - General Studies, Ed W. Clark High School, Las Vegas, NV

REALTOR ASSOCIATIONS:

Appraiser Member - National Association of Realtors - 1992 to Present

Appraiser Member - Greater Las Vegas Association of Realtors - 1992 to Present

MEMBERSHIPS:

Employee Relocation Council, Appraiser Member - 1990 to 2013

Member of the Clark County Board of Equalization - 1994 to Present (Current Vice Chair)

Relocation Appraisers & Consultants Member - 1995 to Present

REFERENCES:

Cheryl Moss, SVP - Chief Appraiser
Bank of Nevada
2700 W. Sahara Avenue
Las Vegas, NV 89102
702-252-6366

Glenn Anderson, MAI, SRPA
Glenn Anderson
1601 S. Rainbow Boulevard, Ste. 230
Las Vegas, NV 89146
702-307-0888

Terry Jones, VP
First Security Bank
10501 W. Gowan Road, Ste. 170
Las Vegas, NV 89129
702-853-0950

Sandy Boatwright, Branch Manager
I Mortgage
2855 St. Rose Parkway, Ste. 110
Henderson, NV 89052
702-575-6413

Dan Schwartz, VP
City National Bank
555 S. Flower St, 10th Floor
Los Angeles, CA 90071
213-673-9283

Jim Goodrich, MAI, SRA, CCIM
Goodrich Realty Consulting, LLC
2570 Eldorado Pkwy, Ste. 110
McKinney, TX 75070
972-529-2828

Timothy R. Morse - MAI, SRPA
Timothy R. Morse & Associates
801 S. Rancho Drive, Ste. B-1
Las Vegas, NV 89106
702-386-0068 X21

Rick Plette, Owner
Premier Mortgage Lending Group
8689 W. Sahara Ave, Ste. 100
Las Vegas, NV 89117
702-485-6600

Appraiser Resume (Qualifications) - Page 2

OFFICES HELD:

- Nevada Commission of Appraisers - Real Estate Division Educational Committee - 1994-1996
- Member of the Regional Ethics and Counseling Panel Appraisal Institute - 1994-1996
- State Chair Nevada, State Government Relations Subcommittee Appraisal Institute - 1994-1995
- Chapter Admissions Chair, Las Vegas Chapter Appraisal Institute - 1994
- Chapter Representative, Las Vegas Chapter Appraisal Institute - 1993-1995
- Vice Chair Nevada, State Government Relations Subcommittee Appraisal Institute - 1993
- Member of Region VII Nominating Committee Appraisal Institute - 1992-1995
- President, Las Vegas chapter Appraisal Institute - 1992
- First Vice President, Las Vegas Chapter Appraisal Institute - 1990 - 1991

CONTINUING EDUCATION: GENERAL, LITIGATION, APPRAISAL INSTITUTE, ERC, and SREA:

- A.I. Las Vegas Market Symposium 2014 – November 2014
- Unraveling the Mystery of Fannie Mae Appraisal Guidelines – June 2014
- Litigation Assignments for Residential Appraisers: Expert Work on Atypical Cases – June 2014
- Liability Issues for Appraisers Performing Litigation and Other Non-Lending Work – May 2014
- 2014 National USPAP Update Course – January 2014
- Las Vegas Market Symposium 2013 – November 2013
- Do's and Don't's of Litigation Support – October 2013
- Appraising the Appraisal: Appraisal Review-Residential – April 2013
- A. I. Uniform Appraisal Dataset Aftereffects: Efficiency vs. Obligation – February 2013
- Complex Litigation Appraisal Case Studies – January 2013
- Seller Concessions in Market Value Appraisals – November 2012
- National USPAP Update Course – May 2012
- Valuation of Basements – March 2012
- Accurately Analyzing and Reporting Market Rebounds and Declines – December 2011
- Las Vegas Market Symposium 2011 – October 2011
- The Uniform Appraisal Dataset from FNMA and FMAC – July 2011
- Tools, Techniques & Opportunities for Residential Appraising – November 2010
- Business Practice and Ethics – September 2010
- Appraisal Curriculum Overview Residential – September 2010
- Nevada Commission of Appraisers Hearing – June 2010
- Inspecting the Residential Green or High Performance House – January 2010
- ENERGY STAR and the Appraisal Process – January 2010
- 2009 National USPAP Update Course – January 2010
- A.I. Committee CE Credit – Chapter Level – December 2009
- Residential Design: The Making of a Good House November 2009
- The New Residential Market Conditions Form Seminar – March 2009
- REO Appraisal - Appraisal of Residential Property Foreclosure – October 2008
- National USPAP Update Course - Las Vegas, NV - March 2008
- Dealing with Client Pressure, Appraiser Identity Theft and Appraisal Report Tampering – March 2008
- Inside & Outside the Boxes, Developing & Communicating the URAR – October 2007
- Housing Market Analysis - September 2007
- Making Sense of the Changing Landscape of Value - Las Vegas, NV - July 2007
- The Real Estate Economy: What's in Store for 2008? - Las Vegas, NV - July 2007
- Real Estate Investing & Development - A Valuation Perspective - July 2007
- Litigation Skills for the Appraiser: An Overview - October 2006
- National USPAP Update Course - June 2006
- The Professional's Guide to the Uniform Residential Appraisal Report Seminar - July 2005
- Re-appraising, Re-addressing, and Re-assigning What to do and why Seminar - June 2005
- Market Analysis and the Site to Do Business Seminar - June 2005
- Secrets of a Successful Litigation Seminar - June 2005
- Mortgage Fraud & the Appraiser's Role Seminar - June 2005
- Uniform Standards of Professional Appraisal Practice Update Course - February 2005
- Course 705 Litigation Appraising - October 2004
- Avoiding Liability as a Residential Appraiser - October 2004
- AVM, VFR and Power Tools for Appraisers - September 2004
- Course 400 - National USPAP Update - November 2003
- Residential Sales Comparison Approach - October 2003
- Appraisal Review (Residential) - February 2003
- Nevada Real Estate Appraisal Statutes - October 2002
- National USPAP Update Course - June 2002
- Standard of Professional Practice Part A and Part B - Course 410 and 420 - September 2001
- Appraisal Procedures - Course 120 - November 2000
- Standards of Professional Practice Part A - Course 410 - October 1999
- Standards of Professional Practice Part B - Course 420 - October 1999
- Attacking & Defending an Appraisal in Litigation - September 1999
- FHA and the Appraisal Process - July 1999

Appraiser Resume (Qualifications) - Page 3

- Reporting Sales Comparison Grid Adjustments for Residential Properties - March 1999
- Valuation of Detrimental Conditions in Real Estate - September 1998
- Standards of Professional Practice Part C - Course 430 - May 1998
- Incorporating Energy Efficiency Into Residential Appraisals - December 1998
- Residential Design and Functional Utility Seminar - September 1997
- Alternative Residential Reporting Forms Seminar - July 1996
- Evaluation Guidelines Workshop - July/August 1994
- Understanding Limited Appraisals and Appraisal Reporting Options - July/August 1994
- Appraisal Review - Residential properties - July/August 1994
- Fair Lending and the Appraiser - July 1994
- Evaluation Guidelines Workshop July 1993
- Environmental Checklists, ASTM Property Screen Standard & the Valuation Process - July 1993
- Current Standards of Professional Appraisal Practice Issues - July 1993
- Americans With Disabilities Act (ADA) - July 1993
- The New Uniform Residential Appraisal Report - September 1993
- Intern Appraiser and the Law - February 1993
- Appraisal Reporting of Complex Residential Properties - December 1992
- Accrued Depreciation Seminar - September 1992
- Appraising from Blueprints - September 1992
- Appraising the Tough Ones - July 1992
- Employee or Independent Contractor - The Impact of an IRS Audit on an Appraiser - July 1992
- Landfills and Their Effect Upon Value - August 1991
- Subdivision Analysis - August 1991
- Real Estate Law for Real Estate Appraisers - August 1991
- Technical Inspection of Real Estate - August 1991
- Relocation Appraisal Seminar - August 1991
- Practical Approach: The New Small Residential Income Property Guidelines - July 1990
- Extraction of Market Data on Residential Properties - August 1990
- Residential Appraisal Report from the User's Perspective - August 1990
- Legislative Update Panel - August 1990
- Relocation Appraising in the 90's PHH Home Equity - September 1990
- Nevada Real Estate Appraisal Statute - October 1990
- Professional Practice and Real Estate Appraisal Law - October 1990
- Exam Preparation Seminar for Appraiser - General Certification - October 1990

ERC NATIONAL RELOCATION CONFERENCE:

- ERC - RAC Trac Conference - May 2007
- National Relocation Appraisal Forum - May 1996

PHH REAL ESTATE NETWORK:

- Regional Seminar "Hearts, Smarts & Courage" - September 1996
- "Force of Excellence" - November 1995
- Western Appraiser Regional Seminar "Leaders in Change" - September 19

CLIENTS: Banks and Mortgage Companies:

- | | |
|--|---|
| • AAA Mortgage | • D.L. Evans Bank |
| • Allegiance Relocation Services | • Deutsche Bank |
| • AMC Links | • ENG Lending |
| • Appraisal Logistics | • Evergreen Home Loans |
| • Appraisals2U | • Sirva Relocation |
| • Axia Home Loans | • Federal National Mortgage Association |
| • Bank of Las Vegas | • First Republic Bank |
| • Bank of Nevada | • First Security Bank of Nevada |
| • Bank of New York | • Guarantee Bank |
| • Boulder Dam Credit Union | • Guaranteed Rate |
| • Broad Street Nationwide Valuations | • Home Base Mortgage |
| • Capital One Bank | • HomeBridge Financial Services, Inc. |
| • Castle & Cook Mortgage | • Imortgage |
| • Chase Bank | • Irwin Union Bank and Trust Company |
| • Citibank | • J.P. Morgan |
| • Citicorp Mortgage, Inc. | • Kinecta Federal Credit Union |
| • City National Bank | • Leader One Financial |
| • Clark County Public Guardians Office | • Lender X |
| • Coester Appraisal Management Co. | • Meadows Bank |

Appraiser Resume (Qualifications) - Page 4

- Mellon Bank
- Mutual of Omaha Bank
- Nationstar Mortgage
- Nevada Guardian Services
- Northern Trust Bank
- Paramount Residential Mortgage Group
- Premier Mortgage Lending Group
- Prudential Relocation
- Real Valuation Services
- Red Rock Mortgage
- Reichert Workforce Mobility
- Rels Valuation - Wells Fargo Bank
- REO Management Services
- RMS & Associates
- Royal Business Bank
- RPM Mortgage
- Settlement One
- SIRVA Relocation
- Solidifi
- Solution Star
- South Pacific Financial
- Stars Valuations Services
- The Home Lending Group
- Trimavin Appraisal Management Co.
- United States Appraisals
- US Bank
- Valuation Partners
- Veteran's Administration
- Washington Federal Savings
- Wells Fargo Bank

Attorneys / Others:

- Abrams, Jennifer
- Akerman, LLP
- Alverson, Taylor, Mortenson-Judd Balmer
- Americana Nevada Company
- Anderson, McPharlin & Conners
- Barney, Anthony
- Barranco & Kircher
- Black & Lobello
- Bourassa Law Group
- Boyce & Gianni
- Bradley Arant Boult Cummings
- Bremer Whyte Brown & O'Meara
- Brooks Hubley
- Cooper Castle
- Delanoy, Schuetz & McGaha
- Dickerson Law Group
- Drizin, Lee A
- Ecker Law Group
- Fennemore Craig
- Fine, Fran (Broker)
- Gerrard Cox Larsen
- Goodrich, Jim (Valuation Consulting)
- Gordon Silver
- Hansen, Randon
- Holland & Hart LLP
- Hoskin, Hughes and Pifer
- Jensen, Rob (Broker)
- Jolley Urga Wirth Woodbury & Standish
- Kainen Law Group
- Kelleher & Kelleher
- Kerr, Preston Sterling
- Kolesar & Leatham
- Koeller, Nebeker, Carlson & Halvek
- Leavitt, Andrew
- Lee & Russell
- Lee, Hernandez, Kelsey, & Brooks
- Love, Tom (Broker)
- Mazur Brooks
- Menninger, Carol
- Millier & Wright Rawlings, Olsen, Cannon, Gormley & Desruisseaux
- Mullin Hoard Brown
- Shapiro, Florence (Broker)
- Shea & Carlyon
- Wilson Elser Moskowitz Edleman & Diker
- Wolfe & Wyman
- Wright Finlay & Zak
- Woodbury & Standish

(Rev. February 19, 2015)

EXHIBIT C

EXHIBIT C

EXHIBIT C

ATTORNEY WORKLOAD REPORT

	Subject Address	Name	Purpose	Attorney or Client	Court Date	Case No.
1	Lots 1, 3, 4 & 5 Ghost Dance	Town & Country vs Goddard	Court Testimony	Holland & Hart LLP	12/20/2010	
2	2966/2970 San Lorenzo	Bank of Nevada	Deposition/Crt Testimony	Lionel, Sawyer & Collins	1/6/2011	120-201-0069
3	5025 Kell Lane	OneCap Mortgage	District Court Appearance	Reade & Associates	1/25/2011	
4	2966/2970 San Lorenzo	Bank of Nevada	Federal Court Testimony	Lionel, Sawyer & Collins	1/28/2011	120-201-0069
5	940 N Sloan Lane #105	Bank of Nevada	Court Testimony/Settled	Mazur & Associates	3/3/2011	
6	Platinum	Platinum Condo Dev	Litigation/Deposition	Foley & Lardner LLP	7/4/2011	209CV00671PMPGWF
7	4945 Ghost Dance Circle	Goddard	Federal Court Testimony	Town & Country Bank	9/8/2011	2:09CV00686RLHLRL
8	2132 Country Cove	Bank of Nevada vs King	District Court Testimony	Gerrard & Cox	10/6/2011	A627640
9	14480 Roundabout Circle	Shavitz vs Jacobs Construction	District Court Deposition	Schofield Miller Law Firm	12/5/2011	A-09-592088-D
10	39 Quail Hollow Drive	Limpcomb vs Smith	Depo/Court Testimony	Silvermann Decaria & Kattelman	1/8/2012	D-11-444324-D
11	645 San Drive	M&I vs. Long	Court Testimony	Cooper Castle Law Firm	1/13/2012	A-11-65-203-C
12	7811 Dana Point Court	BoNV vs Troncosco	Court Testimony	Mazur & Brooks	9/24/2012	A647414
13	2139 Wilbanks Circle	BoNV vs Deevers	Court Testimony	Mazur & Brooks	10/4/2012	A-12-655231-C
14	22 Sawgrass Court	Provident vs Levy	Deposition	Cooper Castle Law Firm	10/5/2012	A-09-601666-C
15	23 Mallard Creek Trail	Goldstein/Irfield	Deposition	The Bourassa Law Group	11/30/2012	A617125
16	8031 Springbuck Court	BoNV vs Townsend	Deficiency Hearing	Michael Marcellette	4/2/2013	A-12-671738-C
17	49 Hawk Ridge Drive	BoNV vs Barry	Deficiency Hearing	Michael Marcellette	5/7/2013	A-12655559-C
18	1500 Windhaven	FDIC	Deposition	Kolesar & Leatham	7/23/2013	8408-2
19	32 Via Vasari	Deutsche Bank	Litigation	Blut Law Group	Current	A-11-651083-C
20	8623 Fire Mountain	Bank of Nevada	Deficiency Hearing	Mazur & Brooks	7/31/2013	A-11-642953-C
21	1157 Via Casa Palmero	FDIC vs Rekis	Deposition	Kolesar & Leatham	8/29/2013	2:12-cv-02061-GMN
22	51 Agate Ave #303	Giuliano vs Giuliano	Court Testimony	Zashin & Rich	10/9/2013	DR12343002
23	FDIC Reviews	FDIC vs Core Logic	Deposition	Mullin Hoard Brown	12/10/2013	8:11-cv-00704-DOC-AN
24	53 Hawk Ridge Drive	D&J Family Trst vs Palm Canyon	Deposition	Bourassa Law Group	12/17/2013	A646373
25	FDIC Reviews	FDIC vs LSI Appraisal LLC	Deposition	K&L Gates LLP	1/8/2014	SACV11-706 DOC(Any)
26	8 Rue Meditera Drive	RBM Constuction vs Rosenaur	Deposition	Bremer, Whyte, Brown & Omeara	1/15/2014	09-A596366
27	2621 Dandelion Street	Puckett vs Bank of Nevada	Court Testimony	Michael Marcellette	2/13/2014	A-13-677331-C
28	3180 Darby Gardens Court	Everflow	Court Testimony	Lionel, Sawyer & Collins	3/4/2014	A-11-652597-B
29	4381 W Flamingo Rd #39301	Royal Business Bank vs Lin	Court Testimony	Compton Law	3/26/2014	A-14-694431
30	7229 Mira Vista Street	Anthony Savino	Court Testimony	McDonald Law Offices	6/12/2014	A-13-674390-C
31	1147 Evening Canyon Ave	Ana Thompson	Court Testimony	Brooks Hudley LLP	9/26/2014	A-13-17461
32	4381 W Flamingo Rd #18321	Palms Place vs Lue Garlick	Deficiency Hearing	Brownstein Hyatt Farber Schreck	11/4/2014	A-14-697506-B
33	6683 Mermaid Cr.	McGee vs. Citi Mortgage	Deposition	Wolfe & Wyman	11/24/2014	2:12-CV-02025JCM/PAL

EXHIBIT D

EXHIBIT D

EXHIBIT D

**R Scott Dugan, SRA
R Scott Dugan Appraisal Company, Inc.
Fee Schedule
(As of November 15, 2014)**

Assignments are for bid on a case-by-case basis. Standard fees for additional work (if needed) are listed below:

Expert Witness Work and Testimony:

- Deposition, Court Testimony, Trial Preparation - \$400/Hour
- Supplemental Work and Research - \$400/Hour
- Consulting Meetings, Case Discussions, etc. - \$200/Hour

There is a three-hour minimum for deposition and court testimony. If either is canceled within 24 hours of a scheduled appearance, the client will be billed for 50% of the minimum, in addition to any time for preparation.

The above fees are exclusive of the costs associated with both the development of the valuation report or consulting study, and that of supporting materials that may be required for trial.

EXHIBIT E

EXHIBIT E

EXHIBIT E



B7
File No. 34Innisbrook

***** INVOICE *****

File Number: 34Innisbrook

02/08/2017

ATTN: Faith

Wright Finlay & Zak
7785 W Sahara Avenue, Ste 200
Las Vegas, NV 89117

Borrower : Timpa
Reference/Case # : B7

FOR THE PROPERTY LOCATED AT:

34 Innisbrook Avenue
Las Vegas, NV 89113

GPAP Exterior (L)

\$ 750.00
\$
\$
\$
\$
\$

Invoice Total
Deposit
Deposit

\$ 750.00
(
(
(
(
(
(

Amount Due

\$ 750.00

Terms: Due and Payable Upon Receipt - Now accepting Visa, MC & Amex

Please Make Check Payable To:

R. SCOTT DUGAN APPRAISAL CO., INC.
8930 W. TROPICANA AVENUE, SUITE 1
LAS VEGAS, NV 89147-8129

Fed. I.D. #: 88-0222300

REFERENCING THE FILE NUMBER, BORROWER OR CASE NUMBER NOTED ABOVE
WILL HELP US TO PROPERLY CREDIT YOUR ACCOUNT

TMST1082

EXHIBIT L

1 MICHAEL F. BOHN, ESQ.
Nevada Bar No.: 1641
2 mbohn@bohnlawfirm.com
LAW OFFICES OF
3 MICHAEL F. BOHN, ESQ., LTD.
376 East Warm Springs Road, Ste. 140
4 Las Vegas, Nevada 89119
(702) 642-3113/ (702) 642-9766 FAX
5 Attorney for plaintiff

7 DISTRICT COURT
8 CLARK COUNTY NEVADA

9 SATICOY BAY LLC SERIES 34 INNISBROOK,
10 Plaintiff,

CASE NO.: A71016
DEPT NO.: XV

11 vs.

12 THORNBURG MORTGAGE SECURITIES TRUST
2007-3; and RECONTRUST COMPANY, N.A. a
13 division of BANK OF AMERICA; FRANK TIMPA and
14 MADELAINE TIMPA, individually and as trustees of
the TIMPA TRUST,

15 Defendants.

16 And all related matters.
17

18 **PLAINTIFF'S RESPONSES TO DEFENDANT, THORNBURG MORTGAGE**
19 **SECURITIES TRUST 2007-3'S FIRST SET OF REQUESTS FOR ADMISSIONS**

20 Plaintiff, Saticoy Bay LLC Series 34 Innisbrook, by and through their attorney, Michael F. Bohn,
21 Esq., hereby responds to the defendant's requests for admissions as follows:

22 **REQUEST FOR ADMISSION NO. 1:**

23 Admit that YOU attended the HOA foreclosure auction for the Property on or around August 8,
24 2013.

25 **RESPONSE TO REQUEST NO. 1:**

26 Deny. Date of auction was November 7, 2014.

27 ...
28

1 **REQUEST FOR ADMISSION NO. 2:**

2 Admit that YOU were not the highest bidder on the Property at the HOA Foreclosure Sale.

3 **RESPONSE TO REQUEST NO. 2:**

4 Deny

5 **REQUEST FOR ADMISSION NO. 3:**

6 Admit that prior to purchasing the Property, YOU researched the fair market value of the Property.

7 **RESPONSE TO REQUEST NO. 3:**

8 Admit.

9 **REQUEST FOR ADMISSION NO. 4:**

10 Admit that YOU had knowledge that the Property would be placed up for auction prior to the date
11 of the Foreclosure Sale.

12 **RESPONSE TO REQUEST NO. 4:**

13 Admit.

14 **REQUEST FOR ADMISSION NO. 5:**

15 Admit that at the time that YOU purchased Your interest in the Property, You had reviewed the
16 publicly recorded documents on file with the Clark County Recorder's office that related to the Property.

17 **RESPONSE TO REQUEST NO. 5:**

18 Admit.

19 **REQUEST FOR ADMISSION NO. 6:**

20 Admit that prior to purchasing its interest in the Property, YOU were aware that Thornburg's deed
21 of trust had been recorded against the property.

22 **RESPONSE TO REQUEST NO. 6:**

23 Admit.

24 **REQUEST FOR ADMISSION NO. 7:**

25 Admit that prior to you purchasing your interest in the Property, THORNBURG held a beneficial
26 interest in the Deed of Trust.

1 **RESPONSE TO REQUEST NO. 7:**

2 Admit.

3 **REQUEST FOR ADMISSION NO. 8:**

4 Admit that you subsequently acquired Your interest in the Property from the HOA via a
5 Foreclosure Deed.

6 **RESPONSE TO REQUEST NO. 8:**

7 Admit.

8 **REQUEST FOR ADMISSION NO. 9:**

9 Admit the Property sold for less than the fair market value at the time of the foreclosure.
10

11 **RESPONSE TO REQUEST NO. 9:**

12 Deny.

13 **REQUEST FOR ADMISSION NO. 10:**

14 Admit that Property sold for less than the assessed value of the property according to the Clark
15 County Assessor's records at the time of the foreclosure.

16 **RESPONSE TO REQUEST NO. 10:**

17 Admit.

18 **REQUEST FOR ADMISSION NO. 11:**

19 Admit that YOU believed the fair market value of the Property was greater than the amount You
20 paid for the property at the HOA foreclosure.

21 **RESPONSE TO REQUEST NO. 11:**

22 Deny.

23 **REQUEST FOR ADMISSION NO. 12:**

24 Admit that the amount that YOU paid for the Property was based, in part, on the fact that you
25 obtained title without warranty, express or implied, regarding title, possession or encumbrances.
26

27 **RESPONSE TO REQUEST NO. 12:**

28 Deny.

1 **REQUEST FOR ADMISSION NO. 13:**

2 Admit that YOU have obtained income from the rental or lease of the Property.

3 **RESPONSE TO REQUEST NO. 13:**

4 Admit.

5 **REQUEST FOR ADMISSION NO. 14:**

6 Admit that the Property is currently rented or leased to a third party.

7 **RESPONSE TO REQUEST NO. 14:**

8 Admit that the property has been leased.

9 **REQUEST FOR ADMISSION NO. 15:**

10 Admit that you have purchased other properties at HOA foreclosure sales or from a Homeowner's
11 Association at an HOA foreclosure sale prior to November 7, 2014.

12 **RESPONSE TO REQUEST NO. 15:**

13 Admit.

14 **REQUESTS FOR ADMISSION NO. 16:**

15 Admit that you entered into an agreement (written or oral) with the HOA to acquire YOUR
16 interest in the Property.

17 **RESPONSE TO REQUEST NO. 16:**

18 Deny.

19 **REQUEST FOR ADMISSION NO. 17:**

20 Admit that prior to purchasing the Property, YOU were aware that the amounts included in the
21 HOA lien notices included amounts subordinate to THORNBURG's lien.

22 **RESPONSE TO REQUEST NO. 17:**

23 Objection, ambiguous.

24 **REQUEST FOR ADMISSION NO. 18:**

25 Admit that YOU were aware that litigation would likely ensue upon purchasing the Property.

26 ...

1 **RESPONSE TO REQUEST NO. 18:**

2 Admit.

3 **REQUEST FOR ADMISSION NO. 19:**

4 Admit YOU have entered into a lease agreement concerning the use of the Property.

5 **RESPONSE TO REQUEST NO. 19:**

6 Admit that the property has been leased.

7 **REQUEST FOR ADMISSION NO. 20:**

8 Admit YOU have received income through leasing YOUR interest in the Property.

9 **RESPONSE TO REQUEST NO. 20:**

10 Admit.

11 **REQUEST FOR ADMISSION NO. 21:**

12 Admit YOU have no evidence that THORNBURG had actual notice prior to the HOA Sale that
13 the HOA was asserting a lien against the Property for unpaid HOA assessments, dues and/or fines.

14 **RESPONSE TO REQUEST NO. 21:**

15 Deny.

16 **REQUEST FOR ADMISSION NO. 22:**

17 Admit YOU have no evidence that THORNBURG had actual notice, prior to the HOA Sale, that
18 the HOA recorded a Notice of Delinquent Assessment (Lien) against the Property.

19 **RESPONSE TO REQUEST NO. 22:**

20 Deny.

21 **REQUEST FOR ADMISSION NO. 23:**

22 Admit YOU have no evidence that THORNBURG was notified, prior to the HOA Sale, that the
23 HOA recorded a Notice of Default and Election to Sell Under Homeowners Association Lien against the
24 Property.

25 **RESPONSE TO REQUEST NO. 23:**

26 Deny.

1 **REQUEST FOR ADMISSION NO. 24:**

2 Admit YOU have no evidence that THORNBURG had actual notice, prior to the HOA Sale, that
3 the HOA recorded a Notice of Foreclosure Sale against the Property.

4 **RESPONSE TO REQUEST NO. 24:**

5 Deny.

6 **REQUEST FOR ADMISSION NO. 25:**

7 Admit that the HOA Sale was not commercially reasonable as to the manner of the sale.

8 **RESPONSE TO REQUEST NO. 25:**

9 Objection. Commercial reasonableness is not required in a foreclosure sale conducted pursuant
10 to NRS Chapter 116. Without waiving this objection the plaintiff denies this request. The auction and
11 sale was conducted pursuant to Chapter NRS 116, and as a matter of law was commercially reasonable.
12 Plaintiff therefore denies.

13 **REQUEST FOR ADMISSION NO. 26:**

14 Admit that the HOA Sale was not commercially reasonable as to the method of the sale.

15 **RESPONSE TO REQUEST NO. 26:**

16 See response to request no. 26.

17 **REQUEST FOR ADMISSION NO. 27:**

18 Admit that you were the only prospective purchaser to bid on the Property.

19 **RESPONSE TO REQUEST NO. 27:**

20 Deny.

21 **REQUEST FOR ADMISSION NO. 28:**

22 Admit that Thornburg's predecessor in interest attempted to make a payment in an amount equal
23 to 9 months of assessments to the HOA prior to the HOA foreclosure sale.

24 **RESPONSE TO REQUEST NO. 28:**

25 Objection, ambiguous as to time.

26 ...

1 **REQUEST FOR ADMISSION NO. 28:(sic)**

2 Admit that Thornburg's predecessor in interests' attempted payment equal to 9 months of
3 assessments constitutes the super-priority amount for the Property.

4 **RESPONSE TO REQUEST NO. 28:**

5 See response to prior request.

6 Dated this 7th day of April, 2017.

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8 LAW OFFICES OF
MICHAEL F. BOHN, ESQ., LTD.

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10 By: /s/ /Michael F. Bohn, Esq./
Michael F. Bohn, Esq.
11 376 E. Warm Springs Rd., Ste. 140
12 Las Vegas, NV 89119
Attorney for plaintiff

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCF 5, NEFCR 9 and EDCR 8.05, I hereby certify that I am an employee of LAW
3 OFFICES OF MICHAEL F. BOHN., ESQ., and on the 7th day of April, 2017, an electronic copy
4 of the PLAINTIFF'S RESPONSES TO DEFENDANT, THORNBURG MORTGAGE SECURITIES
5 TRUST 2007-3'S FIRST SET OF REQUESTS FOR ADMISSIONS was served on opposing counsel via
6 the Court's electronic service system to the following:
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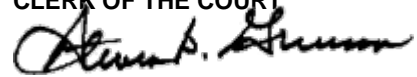
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17 Republic Services, Inc.

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Attorney for defendants,
Frank and Madeline Timpa

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20 /s/ /Maggie Lopez/
An Employee of the LAW OFFICES OF
21 MICHAEL F. BOHN, ESQ., LTD.
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OPPS
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Attorneys for Republic Services, Inc.

DISTRICT COURT
CLARK COUNTY, NEVADA

SATICOY BAY LLC SERIES 34
INNISBROOK,

Plaintiff,

vs.

THORNBROOK MORTGAGE
SECURITIES TRUST 2007-3;
RECONSTRUCT COMPANY, N.A. a
division of BANK OF AMERICA; FRANK
TIMPA AND MADELAINE TIMPA,
Individually and as trustees of the TIMPA
TRUST,

Defendants.

ALL RELATED CLAIMS.

CASE NO.: A-14-710161-C

DEPT. NO.: XXXI

REPUBLIC SERVICES, INC.'S
PARTIAL OPPOSITION TO
PLAINTIFF SATICOY BAY, LLC
SERIES 43 INNISBROOK'S MOTION
FOR SUMMARY JUDGMENT

COMES NOW Defendant, REPUBLIC SERVICES, INC. (hereinafter "Republic"), by and through its attorney, Drew J. Starbuck, Esq. of The Law Offices of WILLIAMS ❖ STARBUCK, and hereby submits this Partial Opposition to Plaintiff, SATICOY BAY LLC SERIES 34 INNISBROOK (hereinafter "Plaintiff")'s Motion for Summary Judgment.

...

1 This Partial Opposition is based on the following arguments and the arguments of counsel at
2 the time of hearing on this matter.

3 DATED this 14th day of May, 2018.

4 WILLIAMS ❖ STARBUCK

5 /s/ Drew J. Starbuck
6 DONALD H. WILLIAMS, ESQ.
7 Nevada Bar no. 5548
8 DREW J. STARBUCK, ESQ.
9 Nevada Bar No. 13964
612 So. Tenth Street
Las Vegas, NV 89101
Attorneys for Republic Services, Inc.

10
11 **MEMORANDUM OF POINTS AND AUTHORITIES**

12 **I. PARTIAL OPPOSITION TO MOTION FOR SUMMARY JUDGMENT**

13 **a. LEGAL STANDARD**

14 NRS 444.520(3) affords special properties to Republic's liens: "*Until paid, any fee or*
15 *charge levied pursuant to subsection 1 constitutes a perpetual lien against the property*
16 *served, superior to all liens, claims and titles other than liens for general taxes and special*
17 *assessments. The lien is not extinguished by the sale of any property on account of*
18 *nonpayment of any other lien, claim or title*, except liens for general taxes and special
19 assessments. The lien may be foreclosed in the same manner as provided for the foreclosure of
20 mechanics' liens." (See NRS 444.520(3)). (Emphasis added).

21 **b. ARGUMENT**

22 Pursuant to NRS 444.520(3), Republic's liens are not extinguished by the sale of the
23 property, and given the super-priority status of Republic's liens, none of the parties in this
24 matter are above Republic. Thus, Republic is simply asking the Court to stay consistent with
25 Nevada law, and formally order that Republic maintains the priority position it would be in
26 regardless of the outcome of this lawsuit.

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DATED this 14th day of May, 2018.

/s/ Drew J. Starbuck
DONALD H. WILLIAMS, ESQ.
Nevada Bar No. 5548
DREW J. STARBUCK, ESQ.
Nevada Bar No. 13964
612 So. Tenth Street
Las Vegas, Nevada 89101
Attorneys for Republic Services, Inc.

1 **CERTIFICATE OF SERVICE**

2 I HEREBY CERTIFY that I am an employee of Williams ❖ Starbuck, and pursuant to
3 NRCP 5(b), EDCR 8.05, Administrative Order 14-2, and NEFCR 9, I caused a true and correct
4 copy of the foregoing **REPUBLIC SERVICES, INC.'S PARTIAL OPPOSITION TO**
5 **PLAINTIFF SATICOY BAY, LLC SERIES 43 INNISBROOK'S MOTION FOR**
6 **SUMMARY JUDGMENT** to be submitted via electronic mail and electronically for filing
7 and service with the Eighth Judicial District Court via the Court's Electronic Filing System on
8 the 14th day of May, 2018.

9 /s/ Robin Gullo

10 Employee of Williams ❖ Starbuck
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