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IN THE

**SUPREME COURT
OF THE
STATE OF IDAHO**

ISC #44583, 44584, 44585
Bonner #CV2009-1810

Valiant Idaho, LLC
Cross-Claimant/Respondent

vs.

**North Idaho Resorts
JV, LLC
VP Incorporated**
Cross-Defendants/Appellants

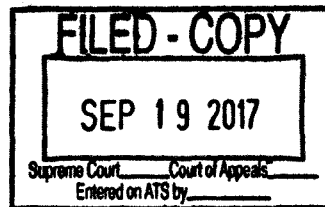
CLERK'S RECORD ON APPEAL

*Appealed from the District Court of the First Judicial District
of the State of Idaho, in and for the County of Bonner*

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44583

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WHEN RECORDED MAIL TO
B&K, Inc.
281 Lafayette Circle, 2nd floor
Lafayette CA 94549

FILED BY
First American Title
AUG 16 2008
4500
MARIE SCOTT
BONNER COUNTY RECORDER
DEPUTY

756402

Loan #P0106

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SUBORDINATION AGREEMENT

NOTICE: THIS SUBORDINATION AGREEMENT RESULTS IN YOUR SECURITY INTEREST IN THE PROPERTY BECOMING SUBJECT TO AND OF LOWER PRIORITY THAN THE LIEN OF SOME OTHER OR LATER SECURITY INSTRUMENT

THIS SUBORDINATION AGREEMENT is dated for identification purposes as of August 1, 2008, and is made by JV L.L.C aka J.V. LLC, an Idaho limited liability company (hereinafter the "Undersigned"), in favor of PENSICO TRUST CO., custodian for BARNEY NG ("Pensico") and MORTGAGE FUND '08 LLC, a Delaware limited liability company ("MF08") (Pensico and MF08 being collective "Lenders"), with reference to the following:

RECITALS

WHEREAS, Pend Oreille Bonner Development, LLC, a Nevada limited liability company ("Borrower"), has applied to Pensico to make a new loan in the principal sum of \$2,700,000 secured by a new mortgage ("Pensico Mortgage") that will encumber the Property legally described on Exhibit A hereto ("Property").

WHEREAS, Borrower has also applied to MF08 to make a new loan in the principal sum of \$21,980,000 secured by a new mortgage ("MF08 Mortgage") that will also encumber the Property. The Pensico Mortgage and the MF08 Mortgage are collectively referred to herein as the "Mortgages."

WHEREAS, the Undersigned is the current mortgagee of that certain mortgage that recorded on October 24, 1995, as Instrument No. 474746, in the office of the County Recorder of Bonner County, Idaho, which mortgage encumbers all or a portion of the Property.

WHEREAS, the Undersigned is also the current mortgagee of that certain mortgage that recorded on June 19, 2006, as Instrument No. 706470, in the office of the County Recorder of Bonner County, Idaho, which mortgage also encumbers all or a portion of the Property.

SUBORDINATION (JV) #P0106&7 (8-1-08)

EXHIBIT

Reeves # 2
B-19-13 PP

Handwritten: Barry
EXHIBIT NO. 2
V. LEGG, CSR

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WHEREAS, Lenders will not make their loans to Borrower unless the Undersigned unconditionally subordinates whatever interest the Undersigned may have in all of the Property, except Parcels 22, 23, and 24 as described on Exhibit A hereto, to the lien and charge of the Mortgages to be recorded in favor of Lenders.

WHEREAS, the Undersigned will benefit, directly or indirectly, if Lenders makes their loans to Borrower.

SUBORDINATION

NOW, THEREFORE, in consideration of the benefits that will result from Lenders making their loans to Borrower, the Undersigned unconditionally agrees as follows:

1. Whatever interest that the Undersigned has or may have in the all of the Property, except for Parcels 22, 23, and 24 as described on Exhibit A hereto, including the lien of any existing mortgage, shall be unconditionally and irrevocably subordinate and junior in priority in all respects to the liens of the Mortgages to be recorded in favor of Lenders, and any other secured interests such as UCC-1s or fixture filings that Lenders have in the Property, including all renewals, modifications, and extensions thereof.
2. This subordination agreement shall be binding upon and inure to the benefit of the parties hereto, including their heirs, administrators, estates, assigns, and successors in interest.
3. Lenders agree that without the Undersigned's prior written consent, Lenders will not increase the principal balance of their notes secured by the Mortgages, nor will Lenders increase the rate of interest, or the default rate of interest, called for in the documents evidencing their loans; provided, however, Lenders may add to the principal balance of the notes secured by the Mortgages (i) any interest or default interest, late charges, or other sums due or to become due under their loans; and (ii) any advances made by either Lender to cure defaults of Borrower or to otherwise preserve the value of the collateral securing their loans.
4. This subordination agreement, when executed, shall constitute the one and only agreement or set of rights and obligations as between Lenders and the Undersigned. The Undersigned expressly agrees that the Undersigned shall not be entitled to rely upon any fact, circumstance, assumption, representation, or understanding which is not expressly set forth in this subordination agreement.
5. The Undersigned expressly acknowledges and agrees that Lenders shall have absolutely no obligation or duty to insure that all or any portion of the proceeds of the loans being made to Borrower are used to improve or otherwise benefit or enhance to value of any portion of the Property.
6. The Undersigned further expressly acknowledges and agrees that Lenders shall have absolutely no duty of any kind or nature to protect the interests of the Undersigned.
7. The Undersigned further expressly acknowledges and agrees that this Agreement may be

executed in counterparts, each of which shall be deemed an original, and said collective counterparts shall together constitute one agreement, binding all of the parties, notwithstanding that all of the parties are not signatory to the same counterparts. For all purposes, including, without limitation, recordation, filing, and delivery, duplicate unexecuted and unacknowledged pages of the counterparts may be discarded and the remaining pages may be assembled as one document.

NOTICE: THIS SUBORDINATION AGREEMENT CONTAINS A PROVISION WHICH ALLOWS THE PERSON OBLIGATED ON YOUR REAL PROPERTY SECURITY TO OBTAIN A LOAN A PORTION OF WHICH MAY BE EXPENDED FOR OTHER PURPOSES THAN IMPROVEMENT OF THE LAND.

JV L.L.C aka J.V. LLC, an Idaho limited liability company

By: Hidden Lakes Limited Partnership, member

By:

James W. Berry
James W. Berry, a general partner

Date: 8

By:

William A. Berry
William A. Berry, a general partner

Date: _____

By: Sun Mountain, Inc., a managing member

By:

William A. Berry
William A. Berry, President

Date: _____

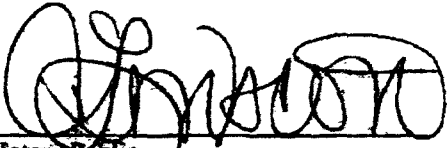
By:

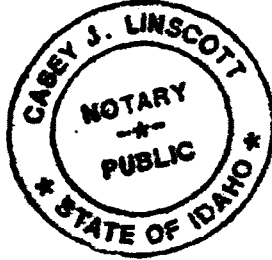
James W. Berry
James W. Berry, Secretary

Date: _____

STATE OF Idaho,
COUNTY OF Bonner^{SS}

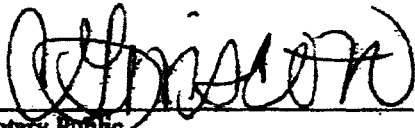
BEFORE ME this 5th day of Aug, 2008, personally appeared James W. Berry, to me personally known to be the person who is described in and who executed the above instrument and acknowledged that he is a partner of the limited partnership that is a member of the limited liability company named above, and he is an officer of the corporation that is a member of the limited liability company named above, and that he is authorized as such to execute the foregoing on behalf of said companies and that he executed the same of his own free will to bind said company.


Notary Public
Comm exp: 12/4/2013



STATE OF Idaho)
COUNTY OF Bonner^{SS}

BEFORE ME this 5th day of Aug, 2008, personally appeared William A. Berry, to me personally known to be the person who is described in and who executed the above instrument and acknowledged that he is a partner of the limited partnership that is a member of the limited liability company named above, and he is an officer of the corporation that is a member of the limited liability company named above, and that he is authorized as such to execute the foregoing on behalf of said companies and that he executed the same of his own free will to bind said company.


Notary Public
Comm exp: 12/4/2013

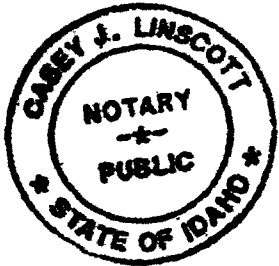


EXHIBIT A

PARCEL 1:

A tract of land located in Section 36, Township 58 North, Range 1 West AND Section 31, Township 58 North, Range 1 East of the Boise Meridian, Bonner County, Idaho, more particularly described as follows:
That portion of said Sections 36 and 31 lying East of Pack River Road, a county road, West of the Pack River, North of State Highway No. 200, and South of the South line of Government Lot 1 of said Section 31 and South of the South line of the Northeast quarter of the Northeast quarter of said Section 36;

LESS that land included in the Plat of Hidden Lakes Subdivision as recorded in Book 4 of Plats, page 64, records of Bonner County, Idaho.

ALSO LESS a parcel of land in Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho more particularly described as follows:
Commencing at the Southeast corner of said Section 36; Thence North $52^{\circ} 11' 33''$ West 953.40 feet (record per Instrument No. 457973 North $54^{\circ} 29' 16''$ West, 1010.58 feet) to a point on the Northerly right of way of State Highway No. 200 and the true point of beginning; Thence North $01^{\circ} 19' 29''$ West, 244.70 feet (record per Instrument No. 457973 = North $01^{\circ} 07' 07''$ East, 244.28 feet); Thence South $88^{\circ} 04' 08''$ West, 348.50 feet (record per Instrument No. 457973 South $87^{\circ} 52' 03''$ West, 348.49 feet); Thence South $01^{\circ} 19' 12''$ West, 250.00 feet (record per Instrument No. 457973 = South $01^{\circ} 07' 07''$ West, 250.00 feet) to the Northerly right of way of State Highway No. 200; Thence along said right of way North $80^{\circ} 34' 19''$ East 66.04 feet (record per Instrument No. 457973 = North $79^{\circ} 46' 41''$ East, 66.62 feet); Thence on a curve to the right having a central angle of $05^{\circ} 47' 35''$ and a radius of 2803.37 feet, for an arc distance of 283.45 feet (record per Instrument No. 457973 = a central angle of $05^{\circ} 47' 02''$ and an arc length of 282.99 feet) to the true point of beginning.

ALSO LESS a tract of land in the Southeast Quarter of the Southeast quarter (SE1/4 SE1/4) of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Commencing at a point on the East line of said Section 36, which is N $00^{\circ} 08' 06''$ E, 563.94 feet from the Southeast corner of the Section; thence, perpendicular to the East line of the Section, N $89^{\circ} 51' 54''$ W, 1103.43 feet to the Southwest corner of Instrument Number 457973 on the Northerly right of way of Highway 200 and the True Point of Beginning; thence, along the Western boundary of Instrument No. 457973, N $01^{\circ} 25' 02''$ E, 99.41 feet, to a 5/8 inch rebar and plastic cap stamped PLS 3628; thence S $32^{\circ} 20' 51''$ W, 132.00 feet, to a 5/8 inch rebar and plastic cap stamped PLS 3628 on the Northerly right of way of Highway 200; thence, along said right of way, N $79^{\circ} 54' 11''$ E, 69.24 feet, to the True Point of Beginning.

AND ALSO LESS a tract of land in the Southeast Quarter of the Southeast quarter (SE1/4 SE1/4) of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Commencing at a point on the East line of said Section 36, which is N $00^{\circ} 08' 06''$ E, 582.67 feet from the Southeast corner of the Section; thence, perpendicular to the East line of the Section, N $89^{\circ} 51' 54''$ W, 754.63 feet to the Southeast corner of Instrument Number 457973 on the Northerly right of way of Highway 200 and the True Point of Beginning; thence, along the Eastern boundary of that property described in Instrument Number 457973, N $01^{\circ} 19' 29''$ E, 244.70 feet, to the Northeast corner of that property described in Instrument Number 457973; thence, along the Northern boundary of Instrument Number 457973, S $88^{\circ} 04' 08''$ W, 77.25 feet, to a 5/8 inch rebar and plastic cap stamped PLS 3628; thence N $67^{\circ} 17' 36''$ E, 84.44 feet, to a 5/8 inch rebar and plastic cap stamped PLS 3628; thence N $88^{\circ} 04' 08''$ E, 41.01 feet, to a 5/8 inch rebar and plastic cap stamped PLS 3628; thence S $01^{\circ} 19' 29''$ W, 277.55 feet, to a 5/8 inch rebar and plastic cap stamped PLS 3628 on the Northerly right of way of Highway No. 200; thence, along said Highway right of way on a non-tangential curve to the left (radial bearing = S $02^{\circ} 28' 05''$ W), having a central angle of $00^{\circ} 50' 13''$ and a radius of 2803.37 feet, for an arc distance of 40.95 feet (radial = S $01^{\circ} 38' 12''$ W, chord = N $87^{\circ} 56' 41''$ W, 40.95 feet), to the True Point of Beginning.

LESS a tract of land in Government Lot 2 of Section 31, Township 58 North, Range 1 East of the Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Beginning at the intersection of the North line of said Government Lot 2 and an existing fence line marking the right of way of an old County Road, said point being South 89° 06' 38" East, 398.07 feet from the Northwest corner of Government Lot 2 (record 361.00 feet); Thence along said fence line as noted of record per Instrument No. 217765 on a curve to the left (radial bearing = North 62° 13' 42" East) having a central angle of 19° 17' 35" and a radius of 650.32 feet, for an arc distance of 218.98 feet (chord South 37° 25' 05" East, 217.95 feet); Thence continuing along said fence line, South 47° 03' 53" East, 43.24 feet; Thence North 89° 06' 38" West, 12.33 feet; Thence continuing along the fence line, South 59° 55' 24" East, 85.99 feet to an iron pipe as described in Instrument No. 217765; Thence along the fence line, South 70° 07' 45" East, 262.49 feet to an iron pipe as described in Instrument No. 217765 (record South 70° 18' 00" East 262.00 feet; Thence South 54° 48' 04" East 67.00 feet; Thence North 40° 08' 56" East, 168.45 feet to the right bank of Pack River (record = 200.00 feet to the thread of Pack River); Thence North 40° 08' 56" East to the intersection with the thread of Pack River; Thence Northerly and upstream along the thread line of Pack River to the intersection with the North line of Government Lot 2 of said Section 31; Thence South 89° 06' 38" East, along said North line to the true point of beginning.

LESS a tract of land in Government Lots 1 and 2 of Section 31, Township 58 North, Range 1 East and the Southeast quarter of the Northeast quarter of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho and more particularly described as follows:

Mary's Pack River Lots and all that property dedicated to the public for right of way as shown and recorded in Instrument No. 699091, records of Bonner County, Idaho.

PARCEL 2:

A tract of land located in Section 36, Township 58 North, Range 1 West AND Section 2, Township 57 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, more fully described as follows:
Beginning at a point that is North 80° 05' 57" East, a distance of 396.02 feet from the South quarter corner of said Section 36, said point also being at the intersection of the South right of way of State Highway No. 200 and the East right of way of the Old Country Road; thence South 5° 14' 00" East along said East right of way of the old country road, a distance of 171.80 feet; thence continuing South 14° 35' 50" East along said East right of way, a distance of 254.70 feet to an intersection with the North right of way of Old Highway No. 200 (FAP No. 95F); thence North 72° 38' 24" East along said North right of way, a distance of 372.40 feet; thence continuing along said North right of way, North 72° 58' 33" East, a distance of 336.00 feet to an intersection with the West high bank of Dry Creek; thence Northeasterly along said West high bank, a distance of 578 feet, more or less, to an intersection with the South right of way of said State Highway No. 200; thence Westerly along said South right of way the following six (6) courses:
1) Around a curve to the left with a radius of 2643.37 feet, a distance of 48.44 feet (the chord of which bears South 88° 02' 31" West, a distance of 48.43 feet);
2) North 79° 07' 52" West, 100.50 feet;
3) Around a curve to the left with a radius of 2668.37 feet, a distance of 247.30 feet (the chord of which bears South 82° 54' 00" West, a distance of 247.24 feet) to a P.S.C.;
4) Along a spiral curve (S=2° 12.3'), a distance of 207.68 feet (the chord of which bears South 70° 27' 12" West, a distance of 207.67 feet) to a P.S.;
5) South 69° 43' 21" West, 328.60 feet;
6) South 61° 11' 30" West, 119.79 feet to the point of beginning.

AND TOGETHER WITH any portion of the old Highway right of way abandonment, described in that certain Quitclaim Deed, executed by the State of Idaho, as Instrument No. 696025 and recorded on January 11, 2006, lying within the bounds of the above described property.

PARCEL 3:

A tract of land in Government Lot 2 of Section 31, Township 58 North, Range 1 East of the Boise Meridian, Bonner County, Idaho, being that property described in Instrument No. 495753 and more particularly described as follows:
Beginning at a point on the West line of said Government Lot 2 (West line of Section 31) which is South 00° 07'

21" West, 200.00 feet from the Northwest corner of said Government Lot 2; Thence parallel to the North line of Government Lot 2, South 89° 06' 38" East (record = South 89° 06' 55" East) 562.61 feet (record 562.58 feet); Thence North 47° 03' 53" West, 43.24 feet (record 43.21 feet); Thence on a curve to the right having a central angle of 19° 17' 35" (record = 19° 17' 39") and a radius of 650.32 feet, for an arc distance of 218.98 feet (chord = North 37° 25' 03" West 271.95 feet) to the North line of Government Lot 2; Thence along said North line North 89° 06' 38" West (record = North 89° 06' 55" West) 68.07 feet; Thence South 27° 14' 49" East 26.15 feet; Thence on a curve to the left having a central angle of 09° 49' 00" and a radius of 710.32 feet, for an arc distance of 121.70 feet (chord South 32° 09' 19" East, 121.55 feet); Thence South 80° 25' 01" West 412.81 feet (record = South 80° 24' 50" West 412.82 feet) to the point of beginning.

EXCEPTING from Parcels 1, 2 and 3, the following two tracts:

Any portion encompassed by the Plat of GOLDEN TEE ESTATES PLANNED UNIT DEVELOPMENT (PHASE ONE), according to the plat thereof, recorded in Book 6 of Plats, Page 108, records of Bonner County, Idaho.

AND any portion encompassed by the Plat of GOLDEN TEE ESTATES FIRST ADDITION, (PHASE TWO) according to the plat thereof, recorded in Book 6 of Plats, Page 114, records of Bonner County, Idaho.

EXCEPTING from Parcels 1, 2 and 3 above any portion lying within the bounds of the following plats:

REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

REPLAT OF BLOCKS 15 AND 16 OF THE REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 9 of Plats, page 5, records of Bonner County, Idaho.

REPLAT OF LOTS 5 & 6, BLOCK 22 AND LOT 20, BLOCK 20, REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 9 of Plats, page 6, records of Bonner County, Idaho.

PARCEL 4:

Block 5A; Lot 1A, Block 11; Lots 1A, 2A and 3A, Block 12; Lot 1, Block 14A; Lot 1, Block 17; Block 18, Lots 1, 2, 3, 8, 11, 12, 13, 14 and 16, Block 20; Lot 4, Block 22 of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

PARCEL 5:

Lots 1A and 2A, Block 15 and Block 16A of A REPLAT OF BLOCKS 15 AND 16 OF THE REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 9 of Plats, page 5, records of Bonner County, Idaho.

PARCEL 6:

Lot 20A, Block 20 and Lots 5A and 6A, Block 22, A REPLAT OF LOTS 5 & 6, BLOCK 22 AND LOT 20, BLOCK 20, REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 9 of Plats, page 6, records of Bonner County, Idaho.

PARCEL 7:

Lot 2, Block 3 in GOLDEN TEE ESTATES PLANNED UNIT DEVELOPMENT (PHASE ONE), according to the plat thereof, recorded in Book 6 of Plats, page 108, records of Bonner County, Idaho.

PARCEL 8:

Lot 1, Block 1 of the FIRST ADDITION TO HIDDEN LAKES, according to the plat thereof, recorded in Book 4 of Plats, page 161, records of Bonner County, Idaho.

PARCEL 9:

Lots 2, 3, 4 and 5, Block 2 of the SECOND ADDITION TO HIDDEN LAKES SUBDIVISION, according to the plat thereof, recorded in Book 5 of Plats, page 58, records of Bonner County, Idaho.

PARCEL 10:

A tract of land in the East half of the Northeast quarter of the Southwest quarter and the Northwest quarter of the Southeast quarter of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Beginning at the Southeast corner of the East half of the Northeast quarter of the Southwest quarter of said Section 36; Thence along the South line of the East half of the Northeast quarter of the Southwest quarter, North 89° 36' 27" West, 661.51 feet (record = North 89° 37' 10" West, 661.57 feet to the Southwest corner of the East half of the Northeast quarter of the Southwest quarter; Thence along the West line of the East half of the Northeast quarter of the Southwest quarter, North 00° 10' 22" East 856.45 feet (record = North 00° 09' 25" East, 856.45 feet); Thence North 89° 10' 53" East, 30.21 feet (record = East, 29.58 feet) to the Westerly right of way of Berry Drive (shown as Olympic Drive on the Second Addition Plat to Hidden Lakes); Thence Southeasterly along said right of way the following six (6) courses:

1. On a non-tangential curve to the left (radial bearing = North 87° 39' 13" East) having a central angle of 36° 44' 06" and a radius of 131.00 feet for an arc distance of 83.99 feet (record = 84.54 feet) (chord = South 20° 42' 50" East, 82.56 feet - record = South 20° 37' 27" East, 83.08 feet);
2. Thence South 39° 04' 53" East, 419.67 feet (record = South 39° 06' 45" East, 419.68 feet);
3. Thence on a curve to the left having a central angle of 11° 42' 45" and a radius of 530.00 feet for an arc distance of 108.34 feet (chord = South 44° 56' 16" East, 108.15 feet - record = South 44° 58' 08" East, 108.16 feet);
4. Thence South 50° 47' 39" East, 69.68 feet (record = South 50° 49' 31" East, 69.68 feet);
5. Thence on a curve to the right having a central angle of 23° 42' 51" and a radius of 970.00 feet, for an arc distance of 401.47 feet (chord = South 38° 56' 14" East, 398.61 feet - record = South 38° 58' 05" East 398.61 feet);
6. Thence South 27° 04' 48" East, 31.65 feet to the South line of the Northwest quarter of the Southeast quarter (record = South 27° 06' 40" East, 30.77 feet);

Thence leaving said right of way North 89° 36' 03" West, 60.37 feet (record = North 89° 37' 09" West, 59.55 feet) to the point of beginning.

PARCEL 11:

A tract of land located in a portion of the Southwest quarter of the Southeast quarter of Section 36, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Beginning at the Northwest corner of said Southwest quarter of the Southeast quarter of Section 36; Thence South 89° 36' 03" East 60.37 feet (record = South 89° 37' 09" East, 59.55 feet) to the Westerly right of way of Berry Drive (shown as Olympic Drive on the Plat of the Second Addition to Hidden Lakes); thence along said right of way for the following four (4) courses;

1. South 27° 04' 48" East, 299.95 feet (record = South 27° 06' 40" east, 300.83 feet);
2. North 62° 55' 12" East, 60.00 feet (record = North 62° 53' 20" East, 60.00 feet);

3. North 27° 04' 48" West, 125.34 feet (record = North 27° 06' 40" West, 125.34 feet);

4. Thence on a curve to the right having a central angle of 79° 01' 27" and a radius of 25.00 feet, for an arc distance of 34.48 feet (chord = North 12° 25' 55" East, 31.81 feet - record = North 12° 24' 03" East, 31.81 feet) to a point on the Southerly right of way of Fairway View Drive, as shown on the Plat of First Addition to Hidden Lakes;

Thence along said right of way for the following eight (8) courses:

1. North 51° 56' 39" East, 74.67 feet (record = North 51° 54' 47" East, 74.67 feet);

2. Thence on a curve to the right having a central angle of 99° 26' 33" and a radius of 70.00 feet, for an arc distance of 121.49 feet (chord = South 78° 20' 05" East, 106.81 feet - record = South 78° 21' 57" East, 106.81 feet);

3. Thence South 28° 36' 48" East, 154.03 feet (record = South 28° 38' 40" East, 154.03 feet);

4. Thence on a curve to the right having a central angle of 55° 41' 27" and a radius of 90.08 feet for an arc distance of 87.48 feet (chord = South 00° 46' 05" East, 84.08 feet - record = South 00° 47' 56" East, 84.08 feet);

5. Thence South 27° 04' 39" West, 170.14 feet;

6. Thence on a curve to the right having a central angle of 71° 37' 11" and a radius of 60.0 feet, for an arc distance of 75.00 feet (chord = South 08° 43' 57" East, 70.21 feet);

7. Thence South 44° 32' 32" East, 50.94 feet;

8. Thence on a curve to the right having a central angle of 69° 10' 16" and a radius of 25.00 feet, for an arc distance of 30.18 feet (chord = South 09° 57' 24" East, 28.38 feet - record = South 11° 23' 51" East, 30.18 feet) to a point on the West right of way of Lower Pack River Road;

Thence Southerly along said right of way for the following four (4) courses:

1. on a non-tangential curve to the right having a central angle of 04° 15' 19" and a radius of 1180.00 feet for an arc distance of 87.69 feet (chord = South 22° 30' 38" West, 87.67 feet);

2. Thence South 20° 22' 44" West, 114.57 feet;

3. Thence on a curve to the left having a central angle of 22° 29' 50" and a radius of 502.65 feet, for an arc distance of 197.36 feet (chord = South 09° 07' 49" West, 196.10 feet);

4. Thence South 02° 07' 06" East, 157.81 feet to the Northerly right of way of State Highway No. 200;

Thence along the highway right of way, South 77° 42' 28" West, 72.14 feet (record = South 78° 15' 06" West, 71.11 feet); Thence continuing along the Highway right of way, South 69° 44' 57" West, 262.22 feet (record = South 69° 43' 16" West, 261.63 feet) to the West line of the Southwest quarter of the Southeast quarter of said Section 36; Thence along the West line of the Southwest quarter of the Southeast quarter, North 00° 08' 19" East, 1223.36 feet (record = North 00° 07' 13" East, 1223.17 feet) to the point of beginning.

PARCEL 12:

That portion of the Southeast quarter of the Northeast quarter of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonnier County, Idaho, lying West of the Lower Pack River Road.

EXCEPT the First Addition to Hidden Lakes Subdivision, according to the plat thereof, recorded in Book 4 of Plats,

page 161, records of Bonner County, Idaho.

PARCEL 13:

All that portion of the Southeast Quarter in Section 36, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Idaho, lying South of State Highway 200; and all that portion of Government Lot 4 in Section 31, Township 58 North, Range 1 East, Boise Meridian, Bonner County, Idaho, lying South of State Highway 200.

LESS the following described property:

A tract of land in the Southeast quarter of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, being that property described in Instrument No. 92981, records of Bonner County, Idaho and more particularly described as follows:

Commencing at the Southeast corner of said Section 36; Thence along the East line of Section 36, North $00^{\circ} 08' 06''$ East, 460.00 feet; Thence perpendicular to the East line of the Section, North $89^{\circ} 51' 54''$ West, 508.00 feet to the true point of beginning; Thence South $47^{\circ} 08' 06''$ West, 250.00 feet; Thence South $42^{\circ} 51' 54''$ East, 348.50 feet; Thence North $47^{\circ} 48' 06''$ East, 250.00 feet; Thence North $42^{\circ} 51' 54''$ West, 348.50 feet to the true point of beginning.

AND

All that portion of Government Lots 2, 3, 4, 5, 6, 7, 8 and 9; the Southwest quarter of the Northeast quarter; and the South half of the Northwest quarter of Section 2, Township 57 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, lying South of State Highway No. 200 and lying North and East of the Northern Pacific Railroad (now Montana Rail Link) right of way.

LESS that portion of Section 2, Township 57 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, being that property described in Instrument No. 592059 and more particularly described as follows:

Beginning at a right of way monument on the South right of way of State Highway No. 200, from which the Northwest corner of said Section 2 bears North $25^{\circ} 54' 43''$ West, 798.00 feet (record = North $26^{\circ} 28' 08''$ West, 798.11 feet; Thence along the South right of way of the Highway, North $68^{\circ} 35' 39''$ East, 266.10 feet; Thence continuing along the Highway right of way, on a curve to the left (radial bearing = North $14^{\circ} 03' 28''$ West) having a central angle of $00^{\circ} 08' 55''$ and a radius of 5799.58 feet for an arc distance of 15.03 feet (chord = North $75^{\circ} 52' 05''$ East, 15.03 feet - total distance along right of way from point of beginning 281.13 feet - record = 281.13 feet); Thence leaving said right of way South $00^{\circ} 04' 10''$ West, 725.53 feet; Thence North $89^{\circ} 14' 40''$ West, 330.00 feet; Thence North $00^{\circ} 03' 26''$ West 607.20 feet, to the Southerly right of way of State Highway No. 200; Thence along said right of way North $79^{\circ} 11' 55''$ East, 70.38 feet to the true point of beginning.

LESS a tract of land located in Section 36, Township 58 North, Range 1 West and Section 2, Township 57 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, being a portion of that property described in Instrument No. 464572 and more particularly described as follows:

Beginning at a point that is North $80^{\circ} 05' 57''$ East 386.02 feet from the South quarter of said Section 36, said point also being at the intersection of the South right of way of State Highway No. 200 and the East right of way of the Old County Road; Thence South $05^{\circ} 14' 00''$ East along the East right of way of the Old County Road, 171.80 feet; Thence continuing South $14^{\circ} 35' 50''$ East along said East right of way, 254.78 feet to the intersection with the North right of way of Old Highway 200 (FAP No. 95P); Thence North $72^{\circ} 36' 24''$ East along said North right of way, 372.40 feet; Thence continuing along said North right of way, North $72^{\circ} 58' 33''$ East, 336.00 feet to the intersection with the West high bank of Dry Creek; Thence Northeasterly along said West high bank, a distance of 578 feet, more or less, to the intersection with the South right of way of State Highway No. 200; Thence Westerly along said South right of way the following six (6) courses:

1. around a curve to the left with a radius of 2643.37 feet, a distance of 48.44 feet (chord South $88^{\circ} 02' 31''$ West, 48.43 feet);

2. North 79° 07' 52" West, 100.50 feet;

3. around a curve to the left with a radius of 2668.37 feet for a distance of 247.30 feet (chord = South 82° 54' 00" West, 247.24 feet);

4. along a spiral curve (South = 02° 12' 18"), a distance of 207.68 feet (chord = South 70° 27' 12" West, 207.67 feet);

5. South 69° 43' 21" West, 328.60 feet;

6. South 61° 11' 30" West, 119.79 feet to the point of beginning.

TOGETHER WITH any portion of the old highway right of way abandonment described in that certain Quitclaim Deed, executed by the State of Idaho, as instrument No. 696025 and recorded on January 11, 2006, and lying within the bounds of the above described property.

AND

Government Lots 5, 9, 10 and 11; the Southeast quarter of the Northwest quarter; the East half of the Southwest quarter; and Government Lot 6, all in Section 6, Township 57 North, Range 1 East of the Boise Meridian, Bonner County, Idaho.

LESS that property described in Instrument No. 22533, records of Bonner County, Idaho, and described as follows:

Beginning at the North quarter corner of said Section 6, Township 57 North, Range 1 East of the Boise Meridian, Bonner County, Idaho; Thence South 1669.70 feet to Pack River and the True Point of Beginning; Thence South 66° 47' West, 203 feet; Thence South 69° 54' West 165.3 feet; Thence South 79° 56' West, 242.5 feet; Thence South 01° 11' East, 146 feet; Thence South 25° 18' East, 118.20 feet; Thence South 54° 29' East, 137.2 feet; Thence South 68° 10' East, 267.1 feet; Thence North 535.6 feet to a point 1669.7 feet South of the North quarter corner of Section 6.

LESS a tract of land in Government Lot 6 and the Southeast quarter of the Northwest quarter of Section 6, Township 57 North, Range 1 East of the Boise Meridian, Bonner County, Idaho, being that property identified as Tract No. Q-1755-2 in Instrument No. 42975 and more particularly described as follows:

Beginning at a point on the Southerly right of way of State Highway No. 200 which is South 55° 03' 21" East, 2460.29 feet from the Northwest corner of said Section 6 (record South 55° 14' East, 2451.3); Thence South 14° 53' 00" East, 223.22 feet (record); Thence South 04° 43' 00" East, 640.00 feet (record); Thence South 39° 48' 00" East, 430.00 feet (record); Thence South 30° 28' 00" East, 387.49 feet (record = 500 feet plus or minus) to the East line of the Southeast quarter of the Northwest quarter of said Section 6.

TOGETHER WITH any portion of the Old Highway right of way abandonment described in that certain Quitclaim Deed, executed by the State of Idaho, as Instrument No. 696025 and recorded on January 11, 2006, lying within the bounds of the above described property.

EXCEPTING therefrom all of the above described properties, any portion lying within the bounds of the following plats:

Replat of Golden Tee Estates and Golden Tee Estates 1st Addition and Unplatted land, recorded in Book 8 of Plats, Page 77,
RePlat of Blocks 15 and 16 of the RePlat of Golden Tee Estates & Golden Tee Estates 1st Addition and Unplatted Land, recorded in Book 9 of Plats, page 5,

RePlat of Lots 5 and 6, Block 22 and Lot 20, Block 20; RePlat of Golden Tee Estates & Golden Tee Estates 1st Addition and Unplatted Land, recorded in Book 9 of Plats, page 6,
Golden Tee Estates 2nd Addition, recorded in Book 8 of Plats, Page 79,
Golden Tee Estates 3rd Addition, recorded in Book 8 of Plats, Page 78,
Golden Tee Estates 4th Addition, recorded in Book 8 of Plats, Page 80,
Golden Tee Estates 5th Addition, recorded in Book 8 of Plats, Page 81,
Golden Tee Estates 6th Addition, recorded in Book 8 of Plats, Page 82,
Golden Tee Estates 7th Addition, recorded in Book 9 of Plats, page 13,
Golden Tee Estates 8th Addition, recorded in Book 9 of Plats, page 7.:

PARCEL 14:

Lots 2, 4, 5, 6, 7 and 8, Block 1; Lots 2, 3, 5, 8 and 10, Block 2 of GOLDEN TEE ESTATES 2nd ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 79, records of Bonner County, Idaho.
EXCEPT all roads lying within each of the above described Additions.

PARCEL 15:

Lots 1, 5, 8, 9, 10, 11, 12, 13, 14, 16, and 17, Block 1; Lot 1, Block 2; Lots 2, 3, 4, 5, 7 and 8, Block 3; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, Block 4; Lots 1 and 2, Block 5; Lots 2, 3, and 4, Block 6; Lots 6 and 10, Block 7; Lots 1, 2, 4 and 6, Block 8; Lots 2 and 5, Block 9; Lot 8, Block 10 of GOLDEN TEE ESTATES 3rd ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 78, records of Bonner County, Idaho.

PARCEL 16:

Lots 3, 6 and 8, Block 1; Lot 1, Block 3; Lots 1, 2, 3, 6, 8 and 9, Block 4; Lots 1 and 7, Block 5 of GOLDEN TEE ESTATES 4TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 80, records of Bonner County, Idaho.

PARCEL 17:

Lots 1, 5, 7 and 9, Block 1; Lots 1, 5, 8, 9, and 11, Block 2, GOLDEN TEE ESTATES 5TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 81, records of Bonner County, Idaho.

PARCEL 18:

Lots 2 and 8, Block 1; Lots 2, 3 and 4, Block 2; Lot 1, Block 3; Lots 2, 3 and 4, Block 4 of GOLDEN TEE ESTATES 6TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 82, records of Bonner County, Idaho.

PARCEL 19:

Lots 1, 2, 3, 5, 6, 7 and 8, Block 1; Lots 1, 2, 4, 5, 6, 8 and 9, Block 2 of GOLDEN TEE ESTATES 7TH ADDITION, according to the plat thereof, recorded in Book 9 of Plats, page 13, records of Bonner County, Idaho.

PARCEL 20:

Lots 5, 6, 7 and 8, Block 1; Lots 1 and 2, Block 2, GOLDEN TEE ESTATES 8TH ADDITION, according to the plat thereof, recorded in Book 9 of Plats, page 7, records of Bonner County, Idaho.

PARCEL 21:

Lots 1A, 2A and 4A, Block 1, REPLAT OF LOTS 1 THROUGH 4, BLOCK 1, GOLDEN TEE ESTATES 8TH ADDITION AND BLOCK 16A, REPLAT OF BLOCKS 15 & 16 OF THE REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION, according to the plat thereof, recorded in Book 9 of Plats, page 82, records of Bonner County, Idaho.

PARCEL 22:

That portion of the Southwest quarter of the Southwest quarter of Section 16, Township 57 North, Range 1 East, Boise Meridian, lying West of the State Highway No. 200 right of way and East of the Northern Pacific Railway right of way, and lying North of the North line of the following described tract:

Beginning at a point where the Section line between Sections 16 and 21, Township 57 North, Range 1 West, Boise Meridian, intersects the State Highway on the Westerly side as it now exists; Thence in a Northwesterly direction along the Westerly side at said Highway, 752 feet; Thence in a Southwesterly direction, 97 feet; Thence in a Southeasterly direction, 672 feet to the Section line between Sections 16 and 21; Thence East on said Section line between said Sections 16 and 21, 104.25 feet, more or less, to the place of beginning.

SAID parcel is now described as follows:

A tract of land situated in the Southwest quarter of the Southwest quarter of Section 16, Township 57 North, Range 1 East of the Boise Meridian, Bonner County, Idaho, lying Southwest of the right of way of State Highway No. 200 and Northeast of the right of way of Montana Rail Link Railway, being a portion of that property described as Parcel 1 of Instrument No. 168846 and more particularly described as follows:

Commencing at the intersection of the South line of the Southwest quarter of the Southwest quarter of Section 16 and the Northeastery right of way of Montana Rail Link Railway which is South $88^{\circ} 10' 56''$ East, 944.95 feet from the Southwest corner of Section 16; Thence leaving said South line and along said right of way North $23^{\circ} 38' 59''$ West, 672.00 feet to the true point of beginning; Thence continuing along said right of way North $23^{\circ} 38' 59''$ West, 786.99 feet to the intersection with the North line of the Southwest quarter of the Southwest quarter; Thence leaving said right of way and along said North line South $88^{\circ} 43' 23''$ East, 241.38 feet to the Westerly right of way of State Highway No. 200; Thence leaving said North line and along said right of way the following four (4) courses:

1. on a non-tangential curve to the right having a central angle of $01^{\circ} 19' 25''$ (radial bearing = South $73^{\circ} 15' 16''$ West), a radius of 768.50 feet, for an arc length of 17.75 feet (chord = South $16^{\circ} 06' 41''$ East, 17.75 feet);
2. Thence along a line offset 50.00 feet Westerly of and parallel to a spiral curve (centerline $Is = 200$ feet, $a = 3.5$, $S = 7^{\circ}$) for a chord of South $10^{\circ} 43' 01''$ East 193.87 feet);
3. Thence South $08^{\circ} 25' 19''$ East, 86.06 feet;
4. Thence on a curve to the left having a central angle of $13^{\circ} 56' 46''$, a radius of 1482.53 feet, for an arc length of 360.87 feet (chord South $15^{\circ} 23' 43''$ East, 359.98 feet);

Thence leaving said right of way South $44^{\circ} 37' 10''$ West, 106.45 feet (record = "Southwesterly 97 feet") to the true point of beginning.

PARCEL 23:

That part of the Southwest quarter of the Southwest quarter in Section 16, Township 57 North, Range 1 East of the Boise Meridian, lying South and West of the Burlington Northern Inc. Railway right of way and Government Lot 5 in Section 17, Township 57 North, Range 1 East, of the Boise Meridian, save and excepting therefrom:

The South 350 feet of Government Lot 5 in said Section 17, and also that part of the Southwest quarter of the Southwest quarter in said Section 16 lying Westerly of said Burlington Northern Inc. right of way as now in use and described as follows:

Beginning at the Southwest corner of said Section 16; Thence North along the West Section line 350 feet; Thence East to the centerline of Trestle Creek; Thence Southeasterly along said centerline to the South line of Section 16; Thence West along the Section line 720 feet, more or less, to the point of beginning.

SAID parcel is now described as follows:

A tract of land situated in the Southwest quarter of the Southwest quarter of Section 16, lying Southwest of Montana Rail Link Railroad right of way and Government Lot 5 of Section 17, all in Township 57 North, Range 1 East of the Boise Meridian, Bonner County, Idaho; being a portion of that property described as Parcel 2 of

Instrument No. 168846 and more particularly described as follows:

Beginning at the intersection of the South line of the Southwest quarter of the Southwest quarter of Section 16 and the Southwesterly right of way of Montana Rail Link Railway which is South $88^{\circ} 10' 36''$ East, 834.19 feet from the Southwest corner of Section 16; Thence leaving said South line and along said right of way North $23^{\circ} 38' 59''$ West, 1457.84 feet to the intersection with the North line of the Southwest quarter of the Southwest quarter; Thence leaving said right of way and along the North line of the Southwest quarter of the Southwest quarter, North $88^{\circ} 43' 23''$ West, 243.71 feet to the Northwest corner of the Southwest quarter of the Southwest quarter; Thence along the North line of Government Lot 5 in Section 17, North $89^{\circ} 23' 45''$ West, 1223.84 feet to the meander line of Lake Pend Oreille, as defined by the original GLO Survey; Thence leaving said North line and along said meander line the following two (2) courses:

South $52^{\circ} 55' 48''$ East, 561.00 feet; Thence South $37^{\circ} 55' 48''$ East, 798.96 feet to a point on a line lying 350.00 feet North of and parallel to the South line of the Southwest quarter of the Southwest quarter of Section 16; Thence along said parallel line, South $88^{\circ} 10' 56''$ East, 281.27 feet to the West line of the said Southwest quarter of the Southwest quarter; Thence continuing South $88^{\circ} 10' 56''$ East, 159.02 feet to the intersection with the centerline of Trestle Creek; Thence along the centerline of Trestle Creek the following eight (8) courses:

1. South $52^{\circ} 54' 34''$ East, 63.58 feet;
2. Thence South $44^{\circ} 37' 26''$ East, 117.83 feet;
3. Thence South $42^{\circ} 08' 45''$ East, 77.28 feet;
4. Thence South $80^{\circ} 05' 07''$ East, 145.49 feet;
5. Thence South $55^{\circ} 15' 32''$ East, 86.34 feet;
6. Thence South $46^{\circ} 56' 31''$ East, 113.98 feet;
7. Thence South $75^{\circ} 43' 10''$ East, 58.83 feet;
8. Thence South $37^{\circ} 48' 28''$ East, 27.37 feet to the intersection with the South line of the Southwest quarter of the Southwest quarter;

Thence leaving said creek centerline and along said South line South $88^{\circ} 10' 56''$ East, 116.80 feet to the true point of beginning.

PARCEL 24:

A portion of the Northeast quarter of the Northwest quarter and Government Lot 1 of Section 21, Township 57 North, Range 1 East, Boise Meridian, Bonner County, Idaho, described as follows:

Beginning at a point where the South line of the Northeast quarter of the Northwest quarter of Section 21, Township 57 North, Range 1 East of the Boise Meridian, Bonner County, Idaho, intersects the West line of the Northern Pacific Railroad Company right of way; Thence 600 feet Northerly along said railroad right of way; Thence West to the meander line of lake; Thence 600 feet Southerly to the South line of Lot 1 of said Section 21; Thence East to the Point of Beginning.

SAID parcel is now described as follows:

A tract of land situated in the Northeast quarter of the Northwest quarter and Government Lot 1 of Section 21, Township 57 North, Range 1 East of the Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Beginning at the intersection of the South line of the Northeast quarter of the Northwest quarter of Section 21 and the Westerly right of way of Montana Rail Link Railroad which is South $88^{\circ} 55' 48''$ East 139.54 feet from the Southwest corner of said Northeast quarter of the Northwest quarter; Thence leaving said South line and along said right of way the following two (2) courses:

1. On a non-tangential curve to the left having a central angle of $10^{\circ} 44' 25''$ (radial bearing South $65^{\circ} 01' 49''$ West) a radius of 2664.79 feet, for an arc length of 499.53 feet (chord North $30^{\circ} 20' 24''$ West, 498.80 feet);

2. Thence North $25^{\circ} 10' 12''$ West, 100.47 feet;

Thence leaving said right of way and parallel to the South line of Government Lot 1, North $88^{\circ} 55' 48''$ West, 936.05 feet to the meander line of Lake Pend Oreille as defined in the original GLO Survey; Thence along said meander line the following two (2) courses:

1. South $14^{\circ} 25' 48''$ East, 271.54 feet;
2. Thence South $46^{\circ} 40' 48''$ East, 378.00 feet to the intersection with the South line of Government Lot 1;

Thence along said South line South $88^{\circ} 55' 48''$ East, 748.52 feet to the Southeast corner of Government Lot 1; Thence along the South line of the Northeast quarter of the Northwest quarter, South $88^{\circ} 55' 48''$ East, 139.54 feet to the true point of beginning.

Return To:
Independent Mortgage Ltd. Co.
P.O. Box 905
Sandpoint, Idaho 83864
FATCO 8266914-8

756411

FILED BY
First American Title
2008 JUL -6 10 33 AM
HARRI SCOTT
BONNER COUNTY RECORDER

ADDENDUM TO NOTICE OF AGREEMENT REGARDING SENIOR POSITION LIENS

Borrowers hereby agree that the balance of the senior position liens held by JV L.L.C., an Idaho limited liability company, and Pacific Capital Bank, N.A. dba First National Bank of Central California, will not be increased from their current balances as of the date of this document. Borrowers further agree that if there are any principal reductions, there will be no subsequent increases in principal balances to said senior position liens as long as this note and mortgage are outstanding.

Borrowers and Note Holders mutually agree that upon payment in full of this junior position note and mortgage, this agreement automatically becomes null and void.

IN WITNESS WHEREOF, the parties have executed this agreement on the dates appearing opposite their respective signatures.

FEND OREILLE BONNER DEVELOPMENT, LLC
a Nevada Limited Liability company

By: **FEND OREILLE BONNER DEVELOPMENT HOLDINGS, INC.**
A Nevada corporation, its Manager

By: Charles W. Reeves
Charles W. Reeves, President

July 31, 2008

STATE OF IDAHO)
County of BONNER)

On this day personally appeared before me, the undersigned Notary Public, CHARLES W. REEVES, known or identified to me to be the President of the Corporation that executed this instrument, or the person who executed this instrument on behalf of said Corporation as the sole member of Fend Oreille Bonner Development, LLC, and acknowledged to me that such Corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 31 day of July, 2008.

Tabellen Haupt
Notary Public - State of IDAHO
Residing at: SANDPOINT
My Commission Expires: 4/20/2013



AGREEMENT - 1

EXHIBIT

Reeves #3
8-19-13 PP

Berry
EXHIBIT NO. 3
8-9-13
V. LEGG, CSR

EXHIBIT A

LAKE PROPERTY LEGAL

PARCEL 22:

That portion of the Southwest quarter of the Southwest quarter of Section 16, Township 57 North, Range 1 East, Boise Meridian, lying West of the State Highway No. 200 right of way and East of the Northern Pacific Railway right of way, and lying North of the North line of the following described tract:

Beginning at a point where the Section line between Sections 16 and 21, Township 57 North,

Range 1 West, Boise Meridian, intersects the State Highway on the West side as it now exists; Thence in a Northwesterly direction along the West side of said Highway, 752 feet; Thence in a Southwesterly direction, 37 feet; Thence in a Southwesterly direction, 672 feet to the Section line between Sections 16 and 21; Thence East to said Section line between said Sections 16 and 21, 184.25 feet, more or less, to the place of beginning.

SAID parcel is now described as follows:

A tract of land situated in the Southwest quarter of the Southwest quarter of Section 16, Township 57 North, Range 1 East of the Boise Meridian, Bonner County, Idaho, lying Southwest of the right of way of State Highway No. 200 and Northeast of the right of way of

Montana Rail Link Railway, being a portion of that property described as Parcel 1 of Instrument No. 188448 and more particularly described as follows:

Commencing at the intersection of the South line of the Southwest quarter of the Southwest

quarter of Section 16 and the Northwestern right of way of Montana Rail Link Railway which

is South 58° 40' 58" East, 344.38 feet from the Southwest corner of Section 16; Thence leaving said South line and along said right of way North 23° 28' 58" West, 672.50 feet to the true point of beginning; Thence continuing along said right of way North 23° 28' 58" West, 788.50 feet to the intersection with the North line of the Southwest quarter of the Southwest quarter; Thence leaving said right of way and along said North line South 88° 43'

23" East, 261.90 feet to the West side right of way of State Highway No. 200; Thence leaving said North line and along said right of way the following four (4) courses:

1. on a non-tangential curve to the right having a central angle of 61° 18' 25" (radial bearing

= South 73° 15' 18" West), a radius of 788.50 feet, for an arc length of 17.75 feet (chord = South 18° 08' 41" East, 17.75 feet);

2. Thence along a line offset 40.00 feet West side of and parallel to a spiral curve (centerline is = 250 feet, $a = 3.5$, $b = 7$) for a chord of South 18° 43' 01" East 183.87 feet;

3. Thence South 68° 25' 18" East, 85.05 feet;

4. Thence on a curve to the left having a central angle of 13° 08' 48", a radius of 1482.63 feet, for an arc length of 308.87 feet (chord South 18° 23' 15" East, 308.98 feet);

Thence leaving said right of way South 44° 37' 18" West, 186.45 feet (record = "Southwesterly 37 feet") to the true point of beginning.

PARCEL 23:

That part of the Southwest quarter of the Southwest quarter in Section 16, Township 57 North, Range 1 East of the Boise Meridian, lying South and West of the Burlington

North

Inc. Railway right of way and

Government Lot 5 in Section 17, Township 57 North, Range 1 East, of the Boise Meridian,

curve and existing structure:

The South 300 feet of Government Lot 5 in said Section 17, and also that part of the Southwest quarter of the Southwest quarter in said Section 16 lying westerly of said boundary line, right of way as now in use and described as follows:

Beginning at the Southwest corner of said Section 16; Thence North along the West Section

line 300 feet; Thence East to the centerline of Treadle Creek; Thence Southeast along said centerline to the South line of Section 16; Thence West along the Section line 720 feet,

more or less, to the point of beginning.

SAID parcel is now described as follows:

A tract of land situated in the Southwest quarter of the Southwest quarter of Section 16, lying Southwest of Northern Rail Link Railroad right of way and Government Lot 5 of Section

17, all in Township 67 North, Range 1 East of the Boise Meridian, Bonner County, Idaho; being a portion of that property described as Parcel 2 of instrument No. 198846 and more particularly described as follows:

Beginning at the intersection of the South line of the Southwest quarter of the Southwest quarter of Section 16 and the Southeast right of way of Northern Rail Link Railway which is South 85° 40' 35" East, 134.19 feet from the Southwest corner of Section 16; Thence leaving said South line and along said right of way North 23° 38' 58" West, 1457.24 feet to the intersection with the North line of the Southwest quarter of the Southwest quarter; Thence leaving said right of way and along the North line of the Southwest quarter

of the Southwest quarter, North 85° 43' 23" West, 251.71 feet to the Northwest corner of the Southwest quarter of the Southwest quarter; Thence along the North line of Government

Lot 5 in Section 17, North 85° 27' 45" West, 1223.54 feet to the meander line of Lake Pond Cracks, as defined by the original G.L.O. Survey; Thence leaving said North line and along said

meander line the following two (2) courses:

South 82° 55' 45" East, 251.22 feet; Thence South 37° 55' 45" East, 192.85 feet to a point on a line lying 250.00 feet North of and parallel to the South line of the Southwest quarter of the Southwest quarter of Section 16; Thence along said parallel line, South 85° 19' 55" East,

251.27 feet to the West line of the said Southwest quarter of the Southwest quarter;

Thence

containing South 85° 19' 55" East, 129.22 feet to the intersection with the centerline of Treadle Creek; Thence along the centerline of Treadle Creek the following eight (8) courses:

1. South 82° 54' 34" East, 133.22 feet;

2. Thence South 44° 13' 28" East, 117.53 feet;

3. Thence South 42° 59' 45" East, 77.22 feet;

4. Thence South 80° 55' 57" East, 145.49 feet;

5. Thence South 55° 16' 31" East, 95.24 feet;

6. Thence South 45° 59' 31" East, 113.95 feet;

7. Thence South 75° 43' 18" East, 52.53 feet;

8. Thence South 37° 48' 25" East, 27.37 feet to the intersection with the South line of the Southwest quarter of the Southwest quarter;

Thence leaving said creek centerline and along said South line South 85° 19' 55" East,

418.50 feet to the true point of beginning.

PARCEL 24:

A portion of the Northeast quarter of the Northwest quarter and Government Lot 1 of Section 21, Township 67 North, Range 1 East, Boise Meridian, Bonner County, Idaho, described as follows:

APERT

Beginning at a point where the South line of the Northeast quarter of the Northwest quarter of Section 21, Township 67 North, Range 1 East of the Boise Meridian, Bonner County, Idaho, intersects the West line of the Northern Pacific Railroad Company right of way; Thence 685 feet Northerly along said railroad right of way; Thence West to the meander line of Lake; Thence 680 feet Southerly to the South line of Lot 1 of said Section 21; Thence East to the Point of Beginning.

SAID parcel is now described as follows:

A tract of land situated in the Northwest quarter of the Northwest quarter and Government Lot 1 of Section 21, Township 67 North, Range 1 East of the Boise Meridian, Bonner County, Idaho, more particularly

described as follows:

Beginning at the intersection of the South line of the Northeast quarter of the Northwest quarter of Section 21 and the Westerly right of way of Montana Fall Link Railroad which is South 88° 58' 48" East 130.54 feet from the Southwest corner of said Northeast quarter of the Northwest quarter; Thence leaving said South line and along said right of way the following two (2) courses:

1. On a non-tangential curve to the left having a central angle of 19° 44' 28" (radial bearing South 69° 01' 48" West) a radius of 2864.79 feet, for an arc length of 488.53 feet (chord North 30° 28' 34" West, 492.39 feet);

2. Thence North 26° 07' 42" West, 188.47 feet;

Thence leaving said right of way and parallel to the South line of Government Lot 1, North 88° 58' 48" West, 638.89 feet to the meander line of Lake Pond Crevice as defined in the original G.L.O. Survey; Thence along said meander line the following two (2) courses:

1. South 14° 28' 48" East, 271.54 feet;

2. Thence South 45° 40' 48" East, 378.89 feet to the intersection with the South line of Government Lot 1;

Thence along said South line South 88° 58' 48" East, 748.82 feet to the Southeast corner of Government Lot 1; Thence along the South line of the Northeast quarter of the Northwest quarter, South 88° 58' 48" East, 130.54 feet to the true point of beginning.

WILLIAM WALLACE STERLING
Attorney at Law
680 Salmela Road
Philo, California 95466

Tel: 707-895-2349 Fax: 707-895-3320
Email: williamsterling@prodigy.net

July 31, 2008

First American Title Company
419 North Second Avenue
Sandpoint, Idaho 83864

Your Escrow Number 239217-S
Loan Nos. P0106 & P0107

Attention: Mr. Rick Lynskey

Gentlemen:

I represent Pend Oreille Bonner Development, LLC, a Nevada limited liability company ("POB"), the borrower in the pending loan transaction. On behalf of POB I submit the following instructions to you in connection with the funding through the referenced escrow (the "Escrow") of the initial draw under the \$22,270,000 loan from Mortgage Fund '08 LLC to POB.

You presently hold, or will hold, prior to close of Escrow, a subordination agreement (the "Subordination") executed in recordable form by J.V., LLC, an Idaho limited liability company ("JV"), in favor of Pacific Capital Bank, N.A., a national banking association, doing business as First National Bank of Central California with an address of c/o Loan Services, PO Box 60654, Santa Barbara, California 93160-0654 ("FNB"). Please disregard any subordination document previously deposited with you. Mr. Berry will execute and deliver a replacement and updated document today.

The Subordination pertains to property which the parties commonly call the "Lake Parcels" or "Trestle Creek". JV presently holds a lien of first priority on the property. The Subordination, when recorded, will result in JV moving into second position and FNB into first position. JV will then be junior on the Lake Parcels/Trestle Creek property to indebtedness to FNB which the parties have agreed is not to exceed \$5,000,000.

JV also holds a secured position on property which the parties commonly call the "Golf Course" and/or "Moose Mountain". The Subordination does not pertain to this latter property and is to

James W. Berry
William A. Berry

Reeves # 4
8-19-13 pp

EXHIBIT

Berry
EXHIBIT NO. 4
8-4-13
V. LEGG, CSR

2229

have no effect upon lien priorities on the Golf Course/Moose Mountain property. The parties have elsewhere agreed that JV, if requested, will subordinate JV's secured position on the Golf Course/Moose Mountain to first priority indebtedness not to exceed \$25,000,000.

I am informed by legal counsel for JV, Gary Finney, Esq., that his principals, will execute the updated and revised Subordination today. Please refer to Mr. Finney, whose telephone number is 208-263-7712, if you have any questions concerning the availability of his client to execute the Subordination.

You may also wish to obtain Mr. Finney's countersignature on this instruction letter to signify his concurrence in the instructions. I have provided a signature line below for that purpose.

At such time as you hold funds sufficient to make the following disbursements to JV, namely,

\$300,000 on account of the principal balance of the promissory note to JV (the "JV Note", said note being a promissory note entitled *Secured Promissory Note* dated October 20, 1995 in the principal amount of Two Million Two Hundred Sixty-Four Thousand Five Hundred Dollars ((2,264,500) made in favor of JV by Richard Vilelli *et al.*, as amended;

Unpaid accrued interest on the JV Note through the date of close of Escrow, which your Casey Linscott has calculated; and

\$30,000 as an accommodation fee, which shall not reduce the principal balance of the JV Note;

and you also hold the Subordination executed in recordable form by JV,

THEN, you are hereby authorized, directed and instructed to disburse the funds described above to the account of JV and to record the Subordination in the Official Records of the County of Bonner.

As soon as the Subordination is recorded, please transmit a copy showing recording data to Mr. Finney, to the undersigned, and to FNE. The original, as indicated on the face of the Subordination, should be delivered to Pacific Capital Bank, NA.

Thank you very much for your services. Please notify me if you have any questions concerning the foregoing.

William W. Sterling
Attorney for POB

ACCEPTED AND APPROVED

Nancy A. Finney
Nancy Finney, Esq.
Attorney for JV

Finney Law

From: william sterling [williamsterling@prodigy.net]
Sent: Monday, March 31, 2008 11:24 AM
To: Gary Finney
Cc: Charles W. Reeves; Thomas J. Merschel; Sherry A Wagner; Chip Bowlby; Linda Brown
Subject: IDAHO CLUB LOAN FROM JV, LLC
Attachments: SubordinationAgr #2 WWS March 31, 2008.doc
March 31, 2008

Dear Mr. Finney:

I represent the Idaho Club and work closely with Chuck Reeves and his partners on various aspects of the project. Chuck is negotiating a loan from First National Bank ("FNB") in Montarey, California, in the principal amount of \$5,000,000.

I understand that you represent Jim Berry and his entity JV, LLC, which has agreed to subordinate its mortgage on the Lake Parcels, which is currently in first position, to a new first in favor of FNB.

Attached at Chuck Reeves' request, for your review and comment, is a form of subordination agreement.

My contact data is as follows:

William ("Bill") W. Sterling Tel 707-895-2349
680 Salmela Road Fax 707-895-3320
Philo, CA 95466 Email williamsterling@prodigy.net

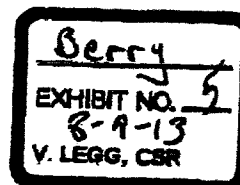
Please let me know if you have any questions. I shall look forward to working with you. I am in the course of preparing a letter agreement for the parties to memorialize the understanding conveyed to me that JV, LLC, is amenable to subordinating its mortgage to any new first which takes out and replaces the FNB first. I should be able to send a draft of the letter to you shortly.

Sincerely yours,

Bill Sterling

EXHIBIT

Reeves #5
8-19-13 PP



[Handwritten scribbles and signatures]

4697-7

Rex Finney

From: "William Sterling" <williamsterling@prodigy.net>
To: "Gary Finney" <finneylaw@niwb.net>
Cc: "Charles W. Reeves" <creeves@theidahoclub.com>; "Rex Finney" <rexfinney@niwb.net>
Sent: Thursday, July 24, 2008 12:07 PM
Attach: SUBORDINATION (JV) #P0106&7 (7-22-08).pdf
Subject: Fw: PEND OREILLE

Berry
EXHIBIT NO. 6
8-9-13
V. LEGG, CSR

July 24, 2008 at 12:05 pm

Dear Gary,

Chuck had asked me to send the attached form of Subordination Agreement to Rex, which I did, then later realized I should have sent it to you. Here it is.

We are aiming to close the initial funding by Monday if at all possible, and I think the likelihood is good that we shall be able to do so. First National Bank has been very, very slow in responding. I shall call you in the course of the afternoon to chat about any new developments.

Best regards,

Bill Sterling

EXHIBIT

Reeves #6
8-9-13 PP

— Original Message —

From: William Sterling
To: Rex Finney
Cc: Charles W. Reeves
Sent: Thursday, July 24, 2008 10:05 AM
Subject: Fw: PEND OREILLE

July 24, 2008 at 10:02 am

Dear Rex,

Chuck Reeves has asked me to forward to you a copy of the Subordination Agreement which JV Loans is to execute and deliver to First American Title Company as part of closing the impending escrow. Here it is.

Best regards,

Bill Sterling

TK 2 37
Jan King
5/29
Chuck read around
10/29 Jan 70
by end of month
SS that what you want
(not this now "Sasha Ann

Finney Law Office

From: william sterling (williamsterling@prodigy.net)
Sent: Thursday, July 24, 2008 4:27 PM
To: Gary Finney
Cc: Charles W. Reeves
Subject: PEND OREILLE

July 24, 2008 at 3:55 pm

Dear Gary,

I apologize for failing to return your phone call before you left the office this afternoon. I hope we may speak in the morning. Meanwhile let me seek to respond to the points you made in your telephone call to me.

Chuck Reeves has obtained a loan commitment under which he will make a series of draws. When I referred to the "initial funding", I meant the first draw, which we are working hard to close of record on Monday.

At this point I am in a taffy pull with First National Bank about obtaining documents from it which we need. The issues are bureaucratic, not substantive, but they are causing delay all the same.

What we would like to do at closing of the first draw is the following:

1. Leave Jim Berry's JV, LLC, deed of trust lien in first position on the Lake Parcels. This is the security position he has now.
2. Pay Jim out of escrow the sum of (A) the \$30,000 fee, which does not apply to the reduction of the principal balance of the loan and (B) any unpaid accrued interest through the date on which escrow for the first draw closes.
3. Pend Oreille will make the \$300,000 principal payment per the Third Amendment to the Note by August 1st.
4. At such time as we get the documentation we need from First National Bank, and following payment of the \$300,000 per #3 above, we would have First American record Jim's subordination of his lien on the Lake Parcels to the lien securing First National Bank's lien.
5. We would like Jim to execute the Subordination Agreement in favor of First National Bank in recordable form and deposit it in the escrow. I believe you already have the Subordination Agreement document. Please let me know right away if you do not have it. We should jointly then instruct First American to hold the Subordination Agreement until the \$300,000 payment has been completed through escrow and then to record the Subordination Agreement.

If you wish, I would be happy to draft escrow instructions regarding the foregoing for your review and approval.

In your telephone message you had asked about a title report. There is a now seriously dated title commitment which I fear may confuse matters more than clarify them. It does not show the recorded Third Amendment to the JV, LLC, note. It shows a subordination which will be cancelled at close of escrow as well as mechanics liens which will be released at close of escrow. At this point in time, with closing so imminent, I am loathe to burden First American with the request for an updated prelm or commitment. I am hopeful that you can live with that. Let's talk about this in the morning if it remains a concern for you.

Best regards,

Bill Sterling

7/25/08
707-895-2349 Wm Sterling
the psc held to an "instruction" for FATCO

EXHIBIT

Reeves # 7
8-19-13 PP

Berry
EXHIBIT NO. 1
8-9-13
v. LEGG, CSR

2234

The Network of Preferred Co...munity banks

CB5 Monterey
BRANCH NAME

Wire 61
ACCOUNT TITLE

10/29/07
DATE

1030
BR. NO.

22015000
ACCOUNT NUMBER

4,500,000⁰⁰
DOLLARS CENTS

COMPLETE DESCRIPTION

Loan # 101760163 Advance for outgoing wire
to Mountain West Bank for Paul Drette Benson
Development, LLC. Loan Draw

GENERAL
LEDGER
98-0200 (2/04)

CREDIT

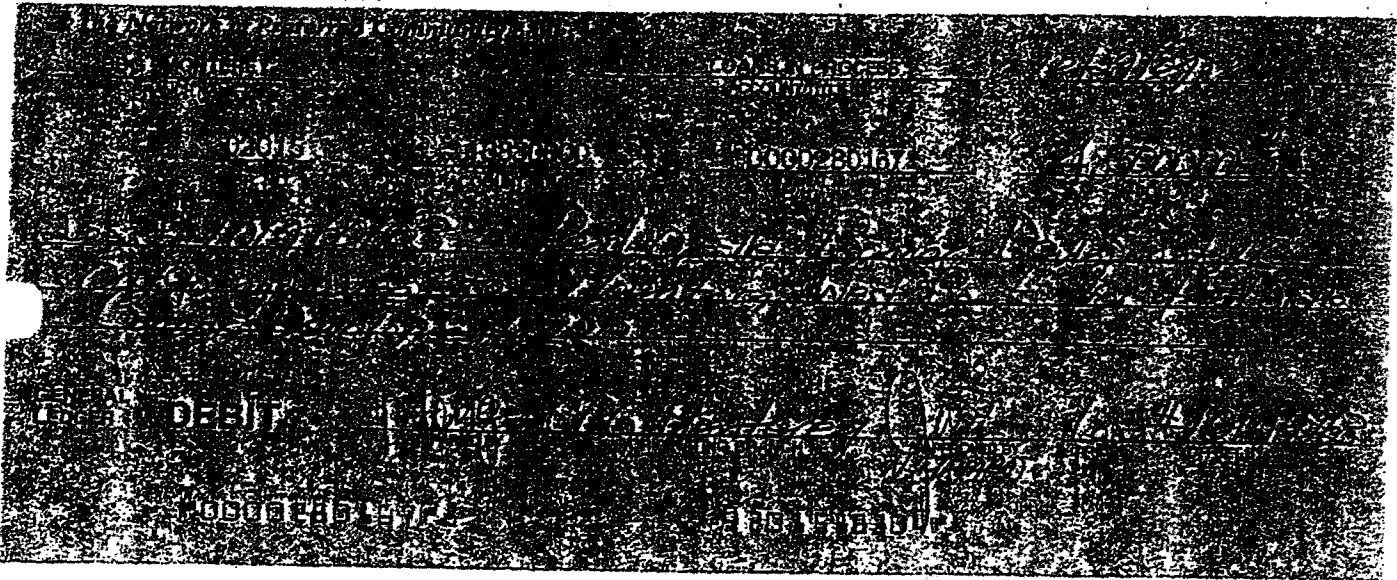
Prepared by [Signature]

CB5 Monterey
ORIGINATING BRANCH

[Signature]

Loan # 101760163
OFFSET BY

103022015000#775



EXHIBIT

JV'S # A
C. REEVES 8-19-13

Borrower's Settlement Statement

Property: NNA, Sandpoint, ID 83864

File No: 239217-S

Officer: Casey Linscott/cl

New Loan No:

Settlement Date: 07/31/2008

Disbursement Date: 07/31/2008

Print Date: 7/31/2008, 10:45 AM

Buyer: Pend Oreille Bonner Development LLC
 Address: 151 Clubhouse Way, Sandpoint, ID 83864
 Seller:
 Address:

New Loan(s)		
Lender: Mortgage Fund '08 LLC c/o Bar K, Inc.		
New Loan to File - Mortgage Fund '08 LLC c/o Bar K, Inc.		22,270,000.00
Loan Origination Fee - Mortgage Fund '08 LLC c/o Bar K, Inc.	189,000.00	
Document Preparation Fee - Mortgage Fund '08 LLC c/o Bar K, Inc.	11,000.00	
Payoff First Note - Loan No. P0099 - Mortgage Fund '08 LLC c/o Bar K, Inc.	6,473,545.18	
Payoff Second Note - Loan No. P0106 - Mortgage Fund '08 LLC c/o Bar K, Inc.	2,708,000.00	
Commission Due Bar K, Inc. per Note - Mortgage Fund '08 LLC c/o Bar K, Inc.	272,500.00	
3 Months Prepaid Interest - Mortgage Fund '08 LLC c/o Bar K, Inc.	81,000.00	
Attorney Fees/Administrative Charges - Mortgage Fund '08 LLC c/o Bar K, Inc.	15,000.00	
Retained Loan Funds - Mortgage Fund '08 LLC c/o Bar K, Inc.	12,480,000.00	
Lender: Penasco Trust Co., custodian fbo Barney Ng		
New Second Loan to File - Penasco Trust Co., custodian fbo Barney Ng		2,700,000.00
Escrow Charges to:		
Settlement or Closing Fee - First American Title Company	1,500.00	
Endorsements 9-3-06/21-06 - First American Title Company	140.00	
Policy-Extended Lender's Policy - First American Title Company	9,438.00	
Policy-Extended Lenders Policy - First American Title Company	27,583.00	
Recording Fee-Mortgage (x3) - First American Title Company	270.00	
Recording Fee-Releases - First American Title Company	15.00	
Recording Fee-All-Inclusive Mortgage (x3) - First American Title Company	279.00	
Recording/Filing Fee-UCC - First American Title Company	45.00	
Disbursements Paid:		
Pay Down JV, LLC Account per Agent to Fairbanks Escrow Company	323,915.63	
Payoff Lien #750247 to ACI Northwest, Inc.	1,400,000.00	
Pay Balance of 2007 Taxes on all parcels to Bonner County Tax Collector	124,314.64	
Pay Direct Per Agreement (Outside of PEC) to JV, LLC	30,000.00	
Pay on Account to Geneale Golf Builders, Inc.	450,000.00	
	Cash (From) (X To) Borrower	380,454.55
Totals	24,970,000.00	24,970,000.00

Casey Linscott
James C. Berry
Julie A. Berry

7/31/08

Berry

EXHIBIT

JVIS #B
 8-19-13 C. REEVES

2236

June 24, 2008

Recorded 6/24/08
Instrument No. 753907

THIRD AMENDMENT TO INDEBTEDNESS AND TO REAL ESTATE SECURITY, AND SUBORDINATION AGREEMENT
(TO BE RECORDED)

PARTIES:

A. HOLDER AND MORTGAGEE: J.V., LLC, an Idaho limited liability company
P.O. Box 8
Sandpoint, Idaho, 83864

Oerry
EXHIBIT NO. 8
8-9-13
V. LEGG, CSR

B. PAYOR AND MORTGAGOR: Pand Oreille Bonner Development Holdings, Inc., a Nevada corporation

EXHIBIT

JV'S #C
C. Received 8-19-13

C. INDEBTEDNESS AND REAL ESTATE SECURITY

This Agreement concerns and effects the following indebtedness and Real Estate Security:

1. A Promissory Note from V.P., Inc., an Idaho corporation, in the original sum of \$2,264,500.00 payable to the payee and holder, J.V., LLC, secured by a Real Estate Mortgage recorded October 24, 1995 as Instrument No. 474746 records of Bonner County, Idaho. This referenced real estate is referred to as MOOSE MOUNTAIN.

2. A Modification to Promissory Note and Real Estate Mortgage was signed by V.P., Inc. and J.V., LLC, dated February 7, 2005, which is not a recorded document.

3. Amendment of Promissory Note. This amendment includes a Subordination Agreement, and was signed by J.V., LLC and by the then new "Buyer" of the MOOSE MOUNTAIN real estate, Pand Oreille Bonner Development Holdings, Inc., and is dated June 19, 2006, which is not a recorded document. This document provided for additional real estate security to secure the original \$2,264,500.00 Promissory Note, dated October 20, 1995, which real estate is referred to as TREESTLE CREEK. The TREESTLE CREEK real estate was mortgaged to additionally secure J.V., LLC as Mortgagee by Pand Oreille Bonner Development Holdings, Inc., as Mortgagor, by a first priority lien by a Real Estate Mortgage,

recorded June 19, 2006, Instrument No. 706470 records of Bonner County, Idaho, on the TREXLER CREEK real estate.

4. Subordination Agreement. A Subordination Agreement between Fend Oreille Bonner Development Holdings, Inc., as Owner, and J.V., LLC, as holder and mortgages secured party was recorded June 19, 2006 as Instrument No. 706474 which was recorded again on June 20, 2006 as Instrument No. 706582 records of Bonner County, Idaho, which Subordination Agreement has the effect of subordinating J.V., LLC's original Promissory Note (\$2,264,500.00) and Real Estate Mortgage (recorded October 19, 1995, Instrument No. 474746) to a new Lender, R.E. Loans, Inc., on a Mortgage on MOOSE MOUNTAIN real estate to secure \$20,500,000.00 by a new Mortgage recorded June 19, 2006 as Instrument No. 706471 records of Bonner County, Idaho.

5. Second Subordination Agreement. A Second Subordination Agreement between V.P., Inc. and Fend Oreille Bonner Development Holdings, Inc. was recorded March 15, 2007 as Instrument No. 724833 records of Bonner County, Idaho.

D. COLLECTION AND INDENTURESS - ESCROW AGENT

The Promissory Note and Real Estate Mortgage held by J.V., LLC are held for collection on behalf of J.V., LLC at Panhandle Escrow Company, Sandpoint, Idaho, Escrow No. 2067429 and the present interest rate is 10% and the last principal balance was \$1,771,002.41 as of April 1, 2006.

E. THIRD AMENDMENT

The terms and conditions of this Third Amendment are agreed upon, as follows:

1. Fend Oreille Bonner Development Holdings, Inc. represents and warrants that it has paid the R.E. Loans, Inc.'s first priority Real Estate Mortgage indebtedness down from \$20.5 million to \$8 million secured on the MOOSE MOUNTAIN property and that J.V., LLC's Real Estate Mortgage, Instrument No. 474746 is the second priority lien on MOOSE MOUNTAIN by reason of the Subordination Agreement, Instrument No. 474746.

2. Fend Oreille Bonner Development Holdings, Inc. shall on or before July 1, 2006 pay the interest current and also pay in principal a sum of money to J.V., LLC through Panhandle Escrow No. 2067429 so that the principal balance is reduced to

\$1,500,000.00 as of June 15, 2008. The sum of money to be paid under this provision is approximately:

a. Interest	\$ 36,680.00
b. Principal	<u>4271,002.00</u>
TOTAL	<u>\$307,752.00</u>

3. In addition to the payment of the sums set forth in paragraph 2 above, and simultaneously with the payment referred to in paragraph 2 above, Bend Oreille Bonner Development Holdings, Inc. as and for an agreed consideration for J.V., LLC to enter into this agreement, shall also pay \$30,000.00 directly to J.V., LLC. This \$30,000.00 is over, above, and in addition to any sums or indebtedness owed to J.V., LLC and does not apply to interest, principal, or indebtedness.

4. As of June 15, 2008, the interest rate on the indebtedness due J.V., LLC shall increase from 10% to 12% simple annual interest.

5. The payor, Bend Oreille Bonner Development Holdings, Inc., commencing on July 15, 2008 and on the 15th of each month thereafter shall pay the monthly accrued interest at 12% per annum to J.V., LLC through the escrow agent. The Promissory Note and indebtedness shall be extended for 36 months from June 15, 2008, and the entire remaining principal and interest shall be due and payable on June 15, 2011. The real estate maturity date on all of the real estate mortgages to J.V., LLC shall be June 15, 2011.

6. After the payments referred to above are paid, the payor may prepay at any time without penalty.

7. J.V., LLC agrees to further subordinate the indebtedness owed to it and the Real Estate Mortgages referred to in this Agreement, on MOORE MOUNTAIN and on THURSTON CREEK, to a second priority lien position on both MOORE MOUNTAIN real estate and the THURSTON CREEK real estate, as follows:

a. On MOORE MOUNTAIN the second priority lien of J.V., LLC shall be inferior and subordinate to a first priority lien of no more than \$25,000,000.00.

b. On the THURSTON CREEK property the present first lien priority of J.V., LLC shall be subordinate and inferior to a new first lien priority of no more than \$5,000,000.00.

8. J.V., LLC agrees to execute partial releases of its Real Estate Mortgages provided the interest on the indebtedness is paid current for and in consideration of principal payments, as follows:

a. On the MOOSE MOUNTAIN real estate at \$8,000.00 per acre, which is the present agreed upon release payment rate.

b. On the EREBLE CREEK real estate, which presently does not have a release payment provision, the partial release of mortgage sums to be paid J.V., LLC in principal payments shall be:

i. For the release of any land upon which a condominium unit is constructed the partial release of mortgage sums to be paid J.V., LLC in principal payments is \$20,000.00 per each of such condominium units.

ii. For the release of a platted single family lot the partial release of mortgage sums to be paid J.V., LLC in principal payments is \$20,000.00 per lot.

F. EXISTING TERMS AND DOCUMENTS

Except for the modification and provisions set forth in this Agreement, all of the terms, conditions, and documents existing between the parties shall remain in force an effect as written.

G. TIME FOR PERFORMANCE

In the event Bend Orealla Bonner Development Holdings, Inc. does not perform and pay the sums due to J.V., LLC under this agreement and also bring the existing payments current on Fanhandle Escrow Account No. 2067429 by August 1, 2008 this Agreement is rescinded and terminated.

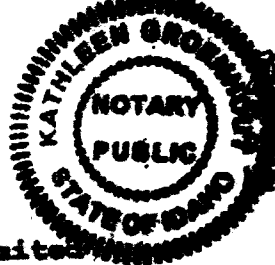
IN WITNESS WHEREOF, the parties have hereunto set their hands hereto on the 20th day of June, 2008.

FEND O'NEILLE BONNER DEVELOPMENT HOLDINGS, INC., a Nevada corporation

By: Charles W. Reeves
CHARLES W. REEVES, President
Date: 6/20/08

STATE OF IDAHO)
County of Bonner) ss.

On this 20th day of June, 2008, before me, the undersigned Notary Public, personally appeared, CHARLES W. REEVES, proved to me on the basis of satisfactory evidence, to be the President of FEND O'NEILLE BONNER DEVELOPMENT HOLDINGS, INC. that executed the instrument or the person who executed the instrument on behalf of the corporation and acknowledged to me that such corporation executed the same.



Kathleen Groenewald
Notary Public - State of Idaho
Residing at: STANDPOINT
Commission Expires: 4/20/2013

J.V. LLC, an Idaho limited liability company

By: James W. Berry
JAMES W. BERRY, a general partner
Date: 6/23/08

By: William A. Berry
WILLIAM A. BERRY, a general partner
Date: 6/23/08

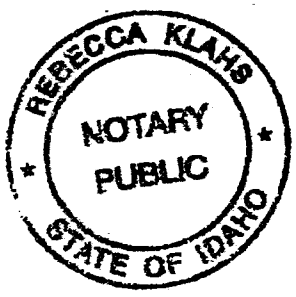
By: Sun Mountain, Inc., a managing member

By: William A. Berry
WILLIAM A. BERRY, President
Date: 6/23/08

By: James W. Berry
JAMES W. BERRY, Secretary
Date: 6/23/08

STATE OF IDAHO)
 : ss.
COUNTY OF BONNER)

On this 23rd day of June, 2008, before me, the undersigned Notary Public, personally appeared, WILLIAM A. BERRY and JAMES W. BERRY, known to me or proved to me on the basis of satisfactory evidence, to be the MANAGERS, PARTNERS, and OFFICERS who subscribed said J.V. LLC name to the foregoing instrument, and acknowledged to me that they executed the same in said name of J.V. LLC, by its members, the partnership & corporation.



Rebecca Klahs
Notary Public-State of Idaho
Residing at: Sandpoint
My Commission Expires: 12/14/2011

Detailed Repayment Analysis (Pages 19-28)

SOURCES & USES:

Loan proceeds of \$5,000M will finance working capital as well as support sales and marketing expense for Phase 1 of "The Idaho Club" project. Phase 1 consists of 226 units, or 170 custom home lots and 56 cabins slots. The line will have an interest reserve of \$500M based on a utilization rate of 65%. Interest expense in excess of reserve will be funded from net sales proceeds and/or borrower funds.

Sources and Uses			
Pend Oreille Bonner Development LLC			
Sources		Uses	
Total Commitment	5,000,000	Seller Carry Back	2,000,000
		Interest Reserves (1)	500,000
			2,500,000
		Availability of funds (see summary purpose)	2,500,000

(1) 65% usage @ WSJP-7.75% for 24 mos.

REPAYMENT ANALYSIS:

Primary source of repayment will be derived from the aggregate sale of the 226 units in Phase 1. Repayment is as follows:

AGGREGATE UNIT SALES

Home sites	170	\$470,000 (1)	\$79,900,000
Cabin Lots	56	\$170,000 (2)	\$9,520,000
Total	226	\$640,000	\$89,420,000

(1) Refer to Exhibit 1A on pages 20-21 for average sales price of homesites

(2) Refer to Exhibit 2B on page 26 for average sales price of cabin lots and lot premiums

Add: Premium (Lots)	\$3,920,000
Aggregate Retail Value (226 units):	\$93,340,000
Average value (total) per unit:	\$413,009

LOAN REPAYMENT

Unit Sales	Per Unit	Total Units
Avg. Retail Sales Price	\$413,009	\$93,340,000
Less: POB Equity	\$70,796	\$16,000,000
Less: FNB Rev LOC	\$22,124	\$5,000,000
Less: R.E. Loans LLC	\$93,805	\$21,200,000

SUMMARY OF REAL ESTATE CLOSINGS

Title Name	Homesites	Lodge Homes	Total
Founders Program	30		30
Jack Nicklaus	35		35
Prior Sale	17	9	26
Model Homes		3	3
C. Reeves		1	1
Total Closings	82	13	95
Labor Day Sales Launch 2007			
Title Name	Homesites	Lodge Homes	Total
(See Sales Report on pgs. 20-21, 25-26)	30	11	41
Total Closings	30	11	41
Total Closings as of Sept. 30, 2007	112		136

EXHIBIT

JV'S # D
C. Reeves 8-19-13

- **Speculative development.** This project is classified as a speculative development. This is mitigated by the overall demand for resort living and a targeted market of buyers who have discretionary income. The developers have closed approximately 95 of the real estate offerings of Phase 1 over the past year. The recent sales event launched on Labor Day, September 3, 2007, secured another 41 real estate sales contracts. Total closings as of September 5, 2007 consist of 136 units.
- **Slowdown in housing market.** The housing market has been substantially impacted by sub-prime lending, growing inventory glut across used and new home segments, and declining home prices. These factors will continue to apply downward pressure on home prices which is expected to continue through 2008-2009. Nevertheless economists believe the market is near the bottom with some stabilization in the deterioration of home prices. Although the outlook for primary homes and investment properties is cloudy, the vacation-home market is expected to remain strong as baby boomers and affluent home buyers continue to buy vacation properties as a lifestyle choice. (See article referencing the projected housing growth from the USA TODAY dd. September 26th on Page 13 of this report)

Mitigants

- Demand for resort like housing in Northern Idaho and successful Labor Day sales launch, exhibiting 41 releases, resulting in 41 sales contracts.
- Experience and track record of both guarantors in numerous real estate projects.
- Guarantor's HVC relationship with the FNB and previous lending experience with principals.

Relationship Strategy:

The bank has established a valuable/profitable working relationship with Bowlby and Merschel. Among other projects, they developed Pasadera (high-end housing surrounding golf course). Historically, equity partners and other large commercial banks have funded their construction loans. As MDG is a very profitable customer to the bank, we have followed this relationship out of our geographic footprint. The relationship has mutually fostered over the last 3 years and guarantors' are pleased with the level of service CBG Monterey has been able to provide despite their main office relocating to Reno, NV in 2003 (Merschel's office and staff are still local). The partners travel between Monterey, the California Central Valley, and Reno NV with ease via a leased private jet. This has afforded the banking relationship to be maintained on a personal level with frequent contact.

The bank continues to support Bowlby and Merschel with credit and deposit products, recently financing land acquisitions for Palisade Land Investors LLC, Monterey Park Place LLC, and Monterey Somerset Investors, LLC for projects located in the Somerset Mastered Planned Community, West Reno NV. Over the last three years as local projects have wound down, MDG started developing projects in Reno Nevada, east of Lake Tahoe in the Eastern Sierra, the California Central Valley, and currently in Bonner County, Idaho. Current deposits aggregate approximately \$12,000M with FNB. Over the past year Bowlby and Merschel have funded the subject development with approximately \$3,000M from their personal proceeds.

As recent as August 2006, the principals paid off the Los Castillos, LLC \$10,000M R/E Construction commitment extended by FNB in July 2004. The project of 11 SPEC homes located at the Pasadera Golf and Country Club ranging from \$1,895M-\$2,295M SOLD OUT 3 months prior to expiration of our loan commitment. The facility and loan agreement was handled as agreed. The project generated approximately \$6,000M in profits to MDG et al.

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CREDIT AUTHORIZATION (CA1)

Date:	October 18, 2007	TIN/SSN:	20-4795488
Borrower:	Pend Oreille Bonner Development, LLC	POB Address:	151 Clubhouse Way Sandpoint ID, 83864
Relationship:	Monterey Development Group Chip L. Bowlby Thomas J. Merschel	MDG Address:	6900 S. McCarran Blvd. #1010 Reno, NV 89509
Primary Contact:	Chuck Reeves, President	Primary Phone #:	(208) 255-4079 x 101
MDG Contact:	Sherry Wagner, VP Operations	MDG Phone #:	(775) 324-6900 x 102
Borrower Rating:	4	Holding/Operating:	Both
NAICS:	237210	Legal Entity:	Nevada LLC
RM/Officer #:	Niraj Maharaj / M06	HVC (Yes/No):	Yes
Primary RM/Off. #:	Same	SNC (Yes/No):	No
HRI (Yes/No):	No	Documentation Prep:	Loan Services

A	B	C	D
Total Aggregate Debt	Aggregated Debt for Loan Approval (less carve outs)	Amount of this Request	Total Relationship Debt (for informational purposes only)
\$39,395,000	\$39,395,000	\$5,000,000	\$39,395,000

Facility #1	
Amount:	\$5,000,000
Action / Type of Credit:	New / Revolving Line of Credit
Facility Risk Rating:	1
Loan Number / Note Date:	101760163 / OCT/29/2007
Summary Purpose:	To provide operating line that will assist borrower with working capital and marketing expense for Phase 1 of proposed development known as "The Idaho Club Lake & Golf Retreat" in Sandpoint, Idaho. Portion of the proceeds will payoff a \$2,000M private seller carry back note originating from the purchase of the subject property in June 2006. (See Sources & Uses on Page 3)
Repayment Schedule:	Interest only, due monthly.
Repayment Sources - Primary:	Facility II as described on Page 2.
Secondary:	Liquidation of collateral
Tertiary:	Liquidation of guarantors' assets. (Aggregate liquid assets is \$21,000M and Combined Net Worth is \$135,532M)
Repayment Analysis:	Interest Reserve allocation of \$500M. (See Sources & Uses for Page 3 & 19) IR calculated based on 65% utilization for 24 months @ 7.75%
Term / Maturity / Amortization:	90 days
Pricing - Rate:	WSJ Prime
Floor:	6.0%
Fees:	\$25,000 (0.50% of commitment)
Collateral - Secured / Unsecured:	Secured
Description:	Assignment of deposit totaling \$5,000M: • Chip Bowlby MMA# 100065580; \$2,500M • Thomas Merschel MMA# 101435493; \$2,500M
Location:	First National Bank in Monterey, CA
Valuation:	\$5,000,000
Valuation Source:	PCB Vision as of 10/18/07
LTV / LTC:	n/a
Priority Liens:	None

EXHIBIT

JV'S # E

C. Reeves 8-19-13

COLLATERAL

UCC Collateral Code: --
Owner:

Blanket lien filing

New Subtypes: Construction Crops SBA
 Existing: Original Filing No. Original Filing Date

Specific filing For New Specific Filing, Fax to 805-884-7330 or email LS Documentation

New
 Existing: Original Filing No. Original Filing Date

County/Fixture filing Legal description & property owner of location address is required; Fax to 805-884-7330

New
 Existing: Original Filing No. Original Filing Date

Location address (Inc. City, St, and ZIP):

Legal owner of Location above:

Landlord's Release & Consent: Date of Lease:

Property Owner's name: Signer:

Real Estate Collateral Code: 103 PUD - Abundance of

Caution
Owner:

Leasehold

Forward all supporting documents: Escrow Instructions, Prelim Title Report, and Flood Certificate.

Property Street Address: NNA / Highway 200

City, State ZIP: Sandpoint, Idaho 83852

County: Bonner

APN(s): RP57N01E66160A , RP57N01E213750A

, RP57N01E179000A, RP57N01E166200A

Appraised value: \$ 12,000,000.00 Date: 12/04/2007 LTV %:

65 %

Lien position: Second

of Units:

Occupancy Code: --

Use Existing Deed of Trust secured on Loan #

Cross Collateralize: -- If yes, cross with loan #'s:

DMV Titled Collateral Code: --

Owner:

Year: Make: Model: VIN:

Reg State: CA

CD/Savings Collateral Code: --

Owner:

Account #: Balance:

Additional Info:

Life Insurance Collateral Code: --

Owner:

Insurance Company:

Address (Inc. City, St, and ZIP):

Policy No.:

Policy Face Amount:

EXHIBIT

JV'S #F
C. REYES 8-19-13

June 24, 2008

Recorded 6/24/08
Instrument No. 753907

**THIRD AMENDMENT TO INDEBTEDNESS AND TO REAL
ESTATE SECURITY, AND SUBORDINATION AGREEMENT**
(TO BE RECORDED)

PARTIES:

- A. **HOLDER AND MORTGAGEE:** J.V., LLC, an Idaho limited liability company
P.O. Box 8
Sandpoint, Idaho, 83864
- B. **PAYOR AND MORTGAGOR:** Pend Oreille Bonner Development Holdings, Inc., a Nevada corporation
-
-

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This Agreement concerns and effects the following Indebtedness and Real Estate Security:

1. A Promissory Note from V.P., Inc., an Idaho corporation, in the original sum of \$2,264,500.00 payable to the payee and holder, J.V., LLC, secured by a Real Estate Mortgage recorded October 24, 1995 as Instrument No. 474746 records of Bonner County, Idaho. This referenced real estate is referred to as MOOSE MOUNTAIN.

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3. Amendment of Promissory Note. This amendment includes a Subordination Agreement, and was signed by J.V., LLC and by the then new "Buyer" of the MOOSE MOUNTAIN real estate, Pend Oreille Bonner Development Holdings, Inc., and is dated June 19, 2006, which is not a recorded document. This document provided for additional real estate security to secure the original \$2,264,500.00 Promissory Note, dated October 20, 1995, which real estate is referred to as TRESTLE CREEK. The TRESTLE CREEK real estate was mortgaged to additionally secure J.V., LLC as Mortgagee by Pend Oreille Bonner Development Holdings, Inc., as Mortgagor, by a first priority lien by a Real Estate Mortgage,



recorded June 19, 2006, Instrument No. 706470 records of Bonner County, Idaho, on the FRESLIE CREEK real estate.

4. Subordination Agreement. A Subordination Agreement between Pend Oreille Bonner Development Holdings, Inc., as Owner, and J.V., LLC, as holder and mortgagee secured party was recorded June 19, 2006 as Instrument No. 706474 which was recorded again on June 20, 2006 as Instrument No. 706582 records of Bonner County, Idaho, which Subordination Agreement has the effect of subordinating J.V., LLC's original Promissory Note (\$2,264,500.00) and Real Estate Mortgage (recorded October 19, 1995, Instrument No. 474746) to a new Lender, R.E. Loans, Inc., on a Mortgage on MOOSE MOUNTAIN real estate to secure \$20,500,000.00 by a new Mortgage recorded June 19, 2006 as Instrument No. 706471 records of Bonner County, Idaho.

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E. THIRD AMENDMENT

The terms and conditions of this Third Amendment are agreed upon, as follows:

1. Pend Oreille Bonner Development Holdings, Inc. represents and warrants that it has paid the R.E. Loans, Inc.'s first priority Real Estate Mortgage indebtedness down from \$20.5 million to \$8 million secured on the MOOSE MOUNTAIN property and that J.V., LLC's Real Estate Mortgage, Instrument No. 474746 is the second priority lien on MOOSE MOUNTAIN by reason of the Subordination Agreement, Instrument No. 474746.

2. Pend Oreille Bonner Development Holdings, Inc. shall on or before July 1, 2009 pay the interest current and also pay in principal a sum of money to J.V., LLC through Panhandle Escrow No. 2067429 so that the principal balance is reduced to

\$1,500,000.00 as of June 15, 2008. The Sum of money to be paid under this provision is approximately:

a.	Interest	\$ 36,650.00
b.	Principal	<u>\$271,002.00</u>
	TOTAL	<u>\$307,752.00</u>

3. In addition to the payment of the sums set forth in paragraph 2 above, and simultaneously with the payment referred to in paragraph 2 above, Pend Oreille Bonner Development Holdings, Inc. as and for an agreed consideration for J.V., LLC to enter into this agreement, shall also pay \$30,000.00 directly to J.V., LLC. This \$30,000.00 is over, above, and in addition to any sums or indebtedness owed to J.V., LLC and does not apply to interest, principal, or indebtedness.

4. As of June 15, 2008, the interest rate on the indebtedness due J.V., LLC shall increase from 10% to 12%, simple annual interest.

5. The payor, Pend Oreille Bonner Development Holdings, Inc., commencing on July 15, 2008 and on the 15th of each month thereafter shall pay the monthly accrued interest at 12% per annum to J.V., LLC through the escrow agent. The Promissory Note and indebtedness shall be extended for 36 months from June 15, 2008, and the entire remaining principal and interest shall be due and payable on June 15, 2011. The real estate maturity date on all of the real estate mortgages to J.V., LLC shall be June 15, 2011.

6. After the payments referred to above are paid, the Payor may prepay at any time without penalty.

7. J.V., LLC agrees to further subordinate the indebtedness owed to it and the Real Estate Mortgage referred to in this Agreement, on MOOSE MOUNTAIN and on TRESTLE CREEK, to a second priority lien position on both MOOSE MOUNTAIN real estate and the TRESTLE CREEK real estate, as follows:

a. On MOOSE MOUNTAIN the second priority lien of J.V., LLC shall be inferior and subordinate to a first priority lien of no more than \$25,000,000.00.

b. On the TRESTLE CREEK property the present first lien priority of J.V., LLC shall be subordinate and inferior to a new first lien priority of no more than \$5,000,000.00.

B. J.V., LLC agrees to execute partial releases of its Real Estate Mortgages provided the interest on the indebtedness is paid current for and in consideration of principal payments, as follows:

a. On the MOOSE MOUNTAIN real estate at \$8,000.00 per acre, which is the present agreed upon release payment rate.

b. On the TRESTLE CREEK real estate, which presently does not have a release payment provision, the partial release of mortgage sums to be paid J.V., LLC in principal payments shall be:

i. For the release of any land upon which a condominium unit is constructed the partial release of mortgage sums to be paid J.V., LLC in principal payments is \$20,000.00 per each of such condominium units.

ii. For the release of a platted single family lot the partial release of mortgage sums to be paid J.V., LLC in principal payments is \$20,000.00 per lot.

F. EXISTING TERMS AND DOCUMENTS

Except for the modification and provisions set forth in this Agreement, all of the terms, conditions, and documents existing between the parties shall remain in force an effect as written.

G. TIME FOR PERFORMANCE

In the event Pend Oreille Bonner Development Holdings, Inc. does not perform and pay the sums due to J.V., LLC under this agreement and also bring the existing payments current on Panhandle Escrow Account No. 2067429 by August 1, 2008 this Agreement is rescinded and terminated.

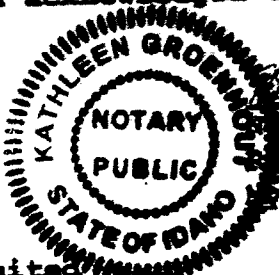
IN WITNESS WHEREOF, the parties have hereunto set their hands hereto on the 20th day of June, 2008.

FEND OREILLE BONNER DEVELOPMENT HOLDINGS, INC., a Nevada corporation

By: *Charles W. Reeves*
CHARLES W. REEVES, President
Date: 6/20/08

STATE OF IDAHO)
 : ss.
County of Bonner)

On this 20th day of June, 2008, before me, the undersigned Notary Public, personally appeared, CHARLES W. REEVES, proved to me on the basis of satisfactory evidence, to be the President of FEND OREILLE BONNER DEVELOPMENT HOLDINGS, INC. that executed the instrument or the person who executed the instrument on behalf of the corporation and acknowledged to me that such corporation executed the same.



Kathleen Groenewald
Notary Public-State of Idaho
Residing at: SPENDPOINT
Commission Expires: 4/20/2013

J.V. LLC, an Idaho limited liability company

By: Hidden Lakes Limited Partnership, member

By: *James W. Berry*
JAMES W. BERRY, a general partner
Date: 6/23/08

By: *William A. Berry*
WILLIAM A. BERRY, a general partner
Date: 6/23/08

By: Sun Mountain, Inc., a managing member

By: *William A. Berry*
WILLIAM A. BERRY, President

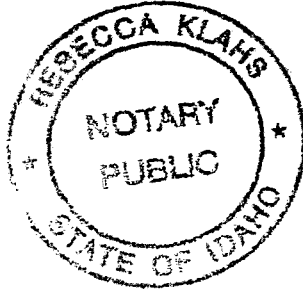
Date: 6/23/08

By: *James W. Berry*
JAMES W. BERRY, Secretary

Date: 6/23/08

STATE OF IDAHO)
): ss.
COUNTY OF BONNER)

On this 23rd day of June, 2008, before me, the undersigned Notary Public, personally appeared, WILLIAM A. BERRY and JAMES W. BERRY, known to me or proved to me on the basis of satisfactory evidence, to be the MANAGERS, PARTNERS, and OFFICERS who subscribed said J.V. LLC name to the foregoing instrument, and acknowledged to me that they executed the same in said name of J.V. LLC, by its members, the partnership & corporation.



Rebecca Klahs
Notary Public-State of Idaho
Residing at: Sandpoint
My Commission Expires: 12/14/2011

July 31, 2008

First American Title Company

419 North Second Ave. • Sandpoint, ID 83864

Borrower's Settlement Statement

Property: NNA, Sandpoint, ID 83864

File No: 239217-S

Officer: Casey Linscott/cl

New Loan No:

Settlement Date: 07/31/2008

Disbursement Date: 07/31/2008

Print Date: 7/31/2008, 10:45 AM

Buyer: Pend Oreille Bonner Development LLC

Address: 151 Clubhouse Way, Sandpoint, ID 83864

Seller:

Address:

Charge Description	Borrower Charge	Borrower Credit
New Loan(s):		
Lender: Mortgage Fund '08 LLC c/o Bar K, Inc.		
New Loan to File - Mortgage Fund '08 LLC c/o Bar K, Inc.		24,370,000.00
Loan Origination Fee - Mortgage Fund '08 LLC c/o Bar K, Inc.	189,000.00	
Document Preparation Fee - Mortgage Fund '08 LLC c/o Bar K, Inc.	11,000.00	
Payoff First Note - Loan No. P0099 - Mortgage Fund '08 LLC c/o Bar K, Inc.	6,473,545.18	
Payoff Second Note - Loan No. P0106 - Mortgage Fund '08 LLC c/o Bar K, Inc.	2,700,000.00	
Commission Due Bar K, Inc. per Note - Mortgage Fund '08 LLC c/o Bar K, Inc.	272,500.00	
3 Months Prepaid Interest - Mortgage Fund '08 LLC c/o Bar K, Inc.	81,000.00	
Attorney Fees/Administrative Charges - Mortgage Fund '08 LLC c/o Bar K, Inc.	15,000.00	
Retained Loan Funds - Mortgage Fund '08 LLC c/o Bar K, Inc.	12,480,000.00	
Lender: Panco Trust Co., custodian fbo Barney Ng		
New Second Loan to File - Panco Trust Co., custodian fbo Barney Ng		2,780,000.00
Title/Escrow Charges to:		
Settlement or Closing Fee - First American Title Company	1,500.00	
Endorsements 9.3-06/21-06 - First American Title Company	140.00	
Policy-Extended Lenders Policy - First American Title Company	2,438.00	
Policy-Extended Lenders Policy - First American Title Company	17,583.00	
Recording Fee-Mortgage (x3) - First American Title Company	270.00	
Recording Fee-Releases - First American Title Company	15.00	
Recording Fee-All-Inclusive Mortgage (x3) - First American Title Company	279.00	
Recording/Filing Fee-UCC - First American Title Company	45.00	
Disbursements Paid:		
Pay Down IV, LLC Account per Agent to Panhandle Escrow Company	323,715.83	
Payoff Lien #750247 to ACL Northwest, Inc.	1,400,000.00	
Pay Balance of 2007 Taxes on all parcels to Bonner County Tax Collector	124,314.64	
Pay Direct Per Agreement Outside of PEC) to IV, LLC	30,000.00	
Pay on Account to Genesis Golf Builders, Inc.	450,000.00	
	Cash (From) (X To) Borrower	380,454.55
	Totals	24,970,000.00 24,370,000.00

Casey Linscott
James C. Barry 7/31/08
Julie A. Barry



First American Title Company

419 North Second Ave. • Sandpoint, ID 83864

Borrower's Final Settlement Statement

EM
TO
CR
4-15-9

Property: NNA, Sandpoint, ID 83864

File No: 239217-S

Officer: Casey Linscott/cl

New Loan No:

Settlement Date: 07/31/2008

Disbursement Date: 08/06/2008

Print Date: 8/6/2008, 3:13 PM

Buyer: Pend Oreille Bonner Development LLC

Address: 151 Clubhouse Way, Sandpoint, ID 83864

Seller:

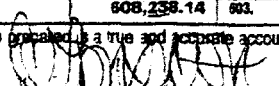
Address:

Charge Description	Borrower Charge	Borrower Credit
New Loan(s):		
Lender: Mortgage Fund '08 LLC c/o Bar K, Inc.		
New Loan to File - Mortgage Fund '08 LLC c/o Bar K, Inc.		21,980,000.00
Retained Loan Funds - Mortgage Fund '08 LLC c/o Bar K, Inc.	12,257,174.82	
Document Preparation Fee - Mortgage Fund '08 LLC c/o Bar K, Inc.	11,000.00	
Payoff First Note - Loan No. P0099 - Mortgage Fund '08 LLC c/o Bar K, Inc.	6,172,325.18	
Payoff Second Note - Loan No. P0106 - Mortgage Fund '08 LLC c/o Bar K, Inc.	2,700,000.00	
Commission Due Bar K, Inc. per Note - Mortgage Fund '08 LLC c/o Bar K, Inc.	279,500.00	
3 Months Prepaid Interest - Pensco Trust Co.	81,000.00	
Attorney Fees/Administrative Charges - Mortgage Fund '08 LLC c/o Bar K, Inc.	15,000.00	
Lender: Pensco Trust Co., custodian for Barney Ng		
New Loan to File - Pensco Trust Co., custodian for Barney Ng		2,700,000.00
Loan Origination Fee - Pensco Trust Co., custodian for Barney Ng	189,000.00	
Title/Escrow Charges to:		
Settlement or Closing Fee - First American Title Company	1,500.00	
Endorsements 9.3-06/21-06 - First American Title Company	140.00	
Policy-Extended Lender's Policy - First American Title Company	9,438.00	
Policy-Extended Lenders Policy - First American Title Company	27,583.00	
Recording Fee-Subordination Agmt (RE Loans) - First American Title Company	48.00	
Recording Fee-Subordination Agmt (JVLLC) - First American Title Company	45.00	
Recording Fee-Subordination Agmt (RE Loans) - First American Title Company	24.00	
Certified Copy Fee - First American Title Company	8.00	
Filing Fee/UCC w/ State of Nevada - First American Title Company	80.00	
Recording Fee-Mortgage (x3) - First American Title Company	270.00	
Recording Fee-Release - First American Title Company	15.00	
Recording Fee-All-Inclusive Mortgage (x3) - First American Title Company	279.00	
Recording Fee-UCC - First American Title Company	39.00	
Disbursements Paid:		
Pay Down JV, LLC Account per Agmt to Panhandle Escrow Company	317,809.11	
Payoff Lien #758247 to ACI Northwest, Inc.	1,400,000.00	
Pay Direct Per Agreement (Outside of PBC) to JV, LLC	30,000.00	
Pay on Account to Genesis Golf Builders, Inc.	200,000.00	
Principal Reduction on Note / Account #81014 to Independent Escrow	530,000.00	
Pay on Account to Peak Sand & Gravel	250,000.00	
Pay Balance of 2007 Taxes on all parcels to Bonner County Tax Collector	123,447.23	
Bank Fee / Sage Holdings Account to Panhandle State Bank	15,000.00	
Cash (From) (X To) Borrower	69,274.66	
Totals	24,680,000.00	24,680,000.00

REVISED FINAL

Initials: _____



A. Settlement Statement		B. Type of Loan	
First American Title Company Settlement Statement		1-5. Loan Type Conv. Unins.	
		6. File Number 239217-S	
		7. Loan Number	
		8. Mortgage Insurance Case Number	
C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown; items marked "PCC" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.			
D. Name of Borrower: Peed Orville Bonner Development LLC 191 Clubhouse Way, Sandpoint, ID 83864			
E. Name of Seller:			
F. Name of Lender: Pensco Trust Co., custodian for Barney Ng c/o Bar K, Inc., 201 Lafayette Circle Lafayette, CA 94549			
G. Property Location: NNA, Sandpoint, ID 83864			
H. Settlement Agent: First American Title Company Address: P.O. Box 302, Sandpoint, ID 83864		I. Settlement Date: 07/31/2008	
Place of Settlement Address: 419 N. Second Ave., Sandpoint, ID 83864		Print Date: 08/05/2008, 1:55 PM	
		Disbursement Date: 08/06/2008	
J. Summary of Borrower's Transaction		K. Summary of Seller's Transaction	
100. Gross Amount Due From Borrower		400. Gross Amount Due To Seller	
101. Contract Sales Price		401. Contract Sales Price	
102. Personal Property		402. Personal Property	
103. Settlement charges to borrower (line 1400)	23,759,314.83	403. Total Deposits	
104. Pay Balance of 2007 Taxes on all parcels to Bonner County	123,447.23	404.	
105. Loan Origination Fee - Pensco Trust Co., custodian for	189,000.00	405.	
Adjustments for items paid by seller in advance		Adjustments for items paid by seller in advance	
106. City/town taxes		406. City/town taxes	
107. County taxes		407. County taxes	
108. Assessments		408. Assessments	
109.		409.	
110.		410.	
111.		411.	
112.		412.	
113.		413.	
114.		414.	
115.		415.	
120. Gross Amount Due From Borrower	24,071,761.86	420. Gross Amount Due To Seller	
200. Amounts Paid By Or In Behalf of Borrower		500. Reductions in Amount Due to Seller	
201. Deposit or earnest money		501. Excess deposit (see instructions)	
202. Principal amount of new loan(s)	21,980,000.00	502. Settlement charges (line 1400)	
203. Existing loan(s) taken subject		503. Existing loan(s) taken subject	
204. New Loan to File from Pensco Trust Co., custodian for	2,700,000.00	504. Payoff of first mortgage loan	
205.		505. Payoff of second mortgage loan	
206.		506.	
207.		507.	
208.		508.	
209.		509.	
Adjustments for items unpaid by seller		Adjustments for items unpaid by seller	
210. City/town taxes		510. City/town taxes	
211. County taxes		511. County taxes	
212. Assessments		512. Assessments	
213.		513.	
214.		514.	
215.		515.	
216.		516.	
217.		517.	
218.		518.	
219.		519.	
220. Total Paid By/For Borrower	24,680,000.00	520. Total Reduction Amount Due Seller	
300. Cash At Settlement From/To Borrower		600. Cash At Settlement To/From Seller	
301. Gross amount due from Borrower (line 120)	24,071,761.86	601. Gross amount due to Seller (line 420)	
302. Less amounts paid by/for Borrower (line 220)	24,680,000.00	602. Less reductions in amounts due to Seller (line 520)	
303. Cash (From) (X To) Borrower	608,238.14	603.	
The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement.			
Settlement Agent: 		Date: 8-5-08	

* See Supplemental Page for details.

Settlement Charges		
	Paid From Borrower's Funds at Settlement	Paid From Seller's Funds at Settlement
700. Total Sales/Broker's Commission based on price		
Division of Commission (line 700) as follows:		
701.		
702.		
703. Commission paid at Settlement		
704.		
Items Payable in Connection with Loan		
801. Loan Origination Fee		
802. Loan Discount		
803. Appraisal Fee		
804. Credit Report		
805. Lender's Inspection Fee		
806. Mortgage Insurance Application Premium		
807. Assumption Fee		
808. Retained Loan Funds - Mortgage Fund '06 LLC c/o Bar K, Inc.	12,257,174.82	
809. Document Preparation Fee - Mortgage Fund '06 LLC c/o Bar K, Inc.	11,000.00	
810. Payoff First Note - Loan No. P9009 - Mortgage Fund '06 LLC c/o Bar K, Inc.	6,172,325.18	
811. Payoff Second Note - Loan No. P9109 - Mortgage Fund '06 LLC c/o Bar K, Inc.	2,700,000.00	
812. Commission Due Bar K, Inc. per Note - Mortgage Fund '06 LLC c/o Bar K, Inc.	279,500.00	
813. 3 Months Prepaid Interest - Pensco Trust Co.	81,000.00	
814. Attorney Fees/Administrative Charges - Mortgage Fund '06 LLC c/o Bar K, Inc.	15,000.00	
Supplemental Summary		
900. Items Received by Lender to be Paid in Advance		
901. Interest		
902.		
903. Hazard Insurance Premium for		
904.		
905.		
Supplemental Summary		
1000. Reserves Deposited with Lender		
1001. Hazard Insurance		
1002. Mortgage Insurance		
1003. City Property Taxes		
1004. County Property Taxes		
1005. Annual assessments		
1006.		
1007.		
1008. Aggregate Accounting Adjustment		
1100. Title Charges		
1101. Settlement or closing fee - First American Title Company	1,500.00	
1102. Abstract or title search		
1103. Title examination		
1104. Title Insurance Binder		
1105. Document Fee		
1106. Notary Fee		
1107. Attorney Fee		
(Includes above item numbers.)		
1108. Title Insurance - See supplemental page for breakdown of individual fees and payees	37,021.00	
(Includes above item numbers.)		
1109. Lender's coverage \$26,376,000.00 Premium: \$37,021.00		
1110. Owner's coverage \$0.00		
1111. Endorsements 9.3-0921-06 - First American Title Company	140.00	
1112.		
1113.		
1114.		
1115.		
1116.		
1117.		
1200. Government Recording and Transfer Charges		
1201. Recording fees: Deed \$45.00 Mortgage \$549.00 Release \$15.00	609.00	
1202. City/county stamps:		
1203. State stamps:		
1204. Recording/Filing Fee-UCC - First American Title Company	45.00	
1205. Recording Fee-Subordination Agent (Sage Holdings) - First American Title Company	48.00	
1206. Recording Fee-Subordination Agent (RE Loans) - First American Title Company	36.00	
1300. Additional Settlement Charges		
1301. Survey to		
1302. Pest Inspection to		
1303. Pay Cover JV, LLC Account per Agent to Panhandle Escrow Company	323,915.63	
1304. Payoff Lien #750247 to ACI Northwest, Inc.	1,400,000.00	
1305. Pay Direct Per Agreement (Outside of PEC) to JV, LLC	30,000.00	
1306. Pay on Account to Genesis Golf Builders, Inc.	450,000.00	
1307.		
1308.		
1309.		
1310.		
1311.		
1312.		
1313.		
1314.		
Supplemental Summary		
1400. Total Settlement Charges (enter on lines 183, Section J and 502, Section K)	23,759,314.63	

* See Supplemental Page for details.

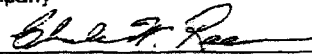
Supplemental Page HUD-1 Settlement Statement	File No. 239217-S
First American Title Company Settlement Statement	Loan No.
	Settlement Date: 07/31/2008
Borrower Name & Address: Pend Oreille Bonner Development LLC 151 Clubhouse Way, Sandpoint, ID 83864	
Seller Name & Address:	

Section L. Settlement Charges continued	Paid From Borrower's Funds at Settlement	Paid From Seller's Funds at Settlement
1108. Supplemental Summary	57,021.00	
a) Policy-Extended Lender's Policy - First American Title Company	9,438.00	
b) Policy-Extended Lender's Policy - First American Title Company	27,583.00	
1201. Supplemental Summary	609.00	
a) Recording Fee-Mortgage (x3) - First American Title Company	270.00	
b) Recording Fee-Rateeeds - First American Title Company	15.00	
c) Recording Fee-All-inclusive Mortgage (x3) - First American Title Company	279.00	
d) Recording Fee-Subordination Agent (JMLC) - First American Title Company	45.00	

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and distributions made on my account or by me in this transaction. I further certify that I have received a copy of the HUD-1 Settlement Statement.

BUYER(S):

Pend Oreille Bonner Development, LLC
By: Pend Oreille Bonner Development
Holdings, Inc.; a Nevada limited liability
company


By: Charles W. Reeves, President

First American Title Company

By Casey Linacott

Instrument # 859659

BONNER COUNTY, SANDPOINT, IDAHO

5-22-2014 11:45:08 No. of Pages: 11

Recorded for : BCT

R. ANN DUTSON-SATER

Ex-Officio Recorder Deputy *W* Fee: 0.00

Index to TAX DEED

NAME: PEND OREILLE BONNER DEV LLC

TAX DEED

WHEREAS, on May 21, 2014 a delinquency hearing for the issuance of a Tax Deed was duly and regularly held pursuant to Idaho Code 63-1006, as appears in the records of the Bonner County Recorder at 1500 Hwy 2 Sandpoint, Idaho and is recorded in the Commissioner's Minutes;

WHEREAS, as a result of said hearing the Board of County Commissioners in and for Bonner County, Idaho, did direct that the Bonner County Treasurer shall issue this Tax Deed in favor of Bonner County, Idaho, for the herein described property; and

WHEREAS, the name and address of the former owner of said described property is:

PEND OREILLE BONNER DEV LLC

151 CLUB HOUSE WAY

SANDPOINT, ID 83864

NOW, THEREFORE, in consideration of the aforesaid and by reason of Idaho Code 63-1006, Cheryl D. Piehl, the duly elected and qualified Treasurer in and for Bonner County, Idaho, does hereby grant, convey, transfer, release and remise unto Bonner County, Idaho, whose current address is 1500 Hwy 2 Suite 304, Sandpoint, Idaho, all right, title, and interest to the following described property:

SEE ATTACHED LEGAL

Dated: May 22, 2014

Signed: *Cheryl D Piehl*

Cheryl D Piehl, Bonner County Treasurer

STATE OF IDAHO

County of Bonner

On this 22nd day of May 2014 before me, the duly elected and qualified Recorder in and for Bonner County, Idaho, personally appeared Cheryl D Piehl, in her capacity of Bonner County Treasurer known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Signed: *Ann Dutson-Sater*

Ann Dutson-Sater, Bonner County Recorder

Page 1 of 11

01/29/2015 2:08 PM



Real property in the County of Bonner, State of Idaho, described as follows:

PARCEL 1:

Roads, Lots 14 and 15, Block 2, Lot 5A, Block 4, Lot 4, Block 7, Lot 13A, Block 13, Lots 1 and 2, Block 19, Lots 1, 2, 3, 11, 12, 13, 14 and 16, Block 20; Lot 4, Block 22 of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

PARCEL 2:

Lot 2A, Block 15 of A REPLAT OF BLOCKS 15 AND 16 OF THE REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 9 of Plats, page 5, records of Bonner County, Idaho.

PARCEL 3:

Lot 20A, Block 20 and Lots 5A and 6A, Block 22, A REPLAT OF LOTS 5 & 6, BLOCK 22 AND LOT 20, BLOCK 20, REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 9 of Plats, page 6, records of Bonner County, Idaho.

PARCEL 4:

Lot 21A, Block 2, of REPLAT OF LOTS 20 AND 21, BLOCK 2 REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION, according to the plat thereof, recorded in Book 9 of Plats, page 81, records of Bonner County, Idaho.

PARCEL 5:

Roads, Lots 1, 2, 4, 5, 6, 7 8 and 9, Block 1, Lots 1, 2, 3, 5, 8, 9, Block 2 of GOLDEN TEE ESTATES 2nd ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 79, records of Bonner County, Idaho.

PARCEL 6:

Roads, Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17, Block 1; Lot 1, Block 2; Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 3; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, Block 4; Lots 1, 2 and 8, Block 5; Lots 3, and 4, Block 6; Lots 6 and 10, Block 7; Lots 1, 2, 4, 5 and 6, Block 8; Lots 3, 5 and 10, Block 9, Lots 6 and 10, Block 10 and Lot 2, Block 11 of GOLDEN TEE ESTATES 3rd ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 78, records of Bonner County, Idaho.

PARCEL 7:

Roads, Lots 1, 6 and Block 1; Lot 5, Block 2; Lots 1 Block 3; Lots 1, 2, 3, 4, 5, 6, 8 and 9, Block 4; Lots 1, 5 Block 5 of GOLDEN TEE ESTATES 4TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 80, records of Bonner County, Idaho.

PARCEL 8:

Roads, Lots 1, 5, 6, 7 and 9, Block 1; Lots 1, 3, 5, 8, 9 and 11, Block 2, GOLDEN TEE ESTATES 5TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 81, records of Bonner County, Idaho.

PARCEL 9:

Roads, Lots 2 and 8, Block 1; Lots 2, 3, 4 and 5, Block 2; Lot 1, Block 3; Lots 1, 2, 3, 4 and 5, Block 4 of GOLDEN TEE ESTATES 6TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 82, records of Bonner County, Idaho.

PARCEL 10:

Lots 1, 2, 3, 5, 6 and 7, Block 1; Lots 1, 2, 4, 5, 6, 8 and 9, Block 2 of GOLDEN TEE ESTATES 7TH ADDITION, according to the plat thereof, recorded in Book 9 of Plats, page 13, records of Bonner County, Idaho.

PARCEL 11:

Lots 1, 2, 4, 5, 6, 7 and 8, Block 1; Lots 1 and 2, Block 2, GOLDEN TEE ESTATES 8TH ADDITION, according to the plat thereof, recorded in Book 9 of Plats, page 7, records of Bonner County, Idaho.

PARCEL 12:

Lots 1A, 2A and 4A, Block 1, REPLAT OF LOTS 1 THROUGH 4, BLOCK 1 AND BLOCK 16A, REPLAT OF BLOCKS 15 & 16 OF THE REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION, according to the plat thereof, recorded in Book 9 of Plats, page 82, records of Bonner County, Idaho.

PARCEL 13:

Lot 2, Block 3 in GOLDEN TEE ESTATES PLANNED UNIT DEVELOPMENT (PHASE ONE), according to the plat thereof, recorded in Book 6 of Plats, page 108, records of Bonner County, Idaho.

PARCEL 14:

Lot 1, Block 1 of the FIRST ADDITION TO HIDDEN LAKES, according to the plat thereof, recorded in Book 4 of Plats, page 161, records of Bonner County, Idaho.

PARCEL 15:

Lots 2, 3, 4 and 5, Block 2 of the SECOND ADDITION TO HIDDEN LAKES SUBDIVISION, according to the plat thereof, recorded in Book 5 of Plats, page 58, records of Bonner County, Idaho.

Also the following:

PARCEL 1:

A tract of land located in Section 36, Township 58 North, Range 1 West AND Section 31, Township 58 North, Range 1 East of the Boise Meridian, Bonner County, Idaho, more particularly described as follows:

That portion of said Sections 36 and 31 lying East of Pack River Road, a county road, West of the Pack River, North of State Highway No. 200, and South of the South line of Government Lot 1 of said Section 31 and South of the South line of the Northeast quarter of the Northeast quarter of said Section 36;

LESS that land included in the Plat of Hidden Lakes Subdivision as recorded in Book 4 of Plats, page 64, records of Bonner County, Idaho.

ALSO LESS a parcel of land in Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho more particularly described as follows:

Commencing at the Southeast corner of said Section 36; Thence North 52° 11' 33" West 953.40 feet (record per Instrument No. 457973 North 54° 29' 10" West, 1010.58 feet) to a point on the Northerly right of way of State Highway No. 200 and the true point of beginning; Thence North 01° 19' 29" West, 244.70 feet (record per Instrument No. 457973 = North 01° 07' 07" East, 244.28 feet); Thence South 88° 04' 08" West, 348.56 feet (record per instrument No. 457973 South 87° 52' 03" West, 348.49 feet); Thence South 01° 19' 12" West, 250.00 feet (record per instrument No. 457973 = South 01° 07' 07" West, 250.00 feet) to the Northerly right of way of State Highway No. 200; Thence along said right of way North 80° 34' 19" East 66.64 feet (record per Instrument No. 457973 = North 79° 46' 41" East, 66.62 feet); Thence on a curve to the right having a central angle of 05° 47' 35" and a radius of 2803.37 feet, for an arc distance of 283.45 feet (record per Instrument No. 457973 = a central angle of 05° 47' 02" and an arc length of 282.99 feet) to the true point of

beginning.

ALSO LESS a tract of land in the Southeast Quarter of the Southeast quarter (SE1/4 SE1/4) of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Commencing at a point on the East line of said Section 36, which is N 00° 08' 06" E, 563.94 feet from the Southeast corner of the Section; thence, perpendicular to the East line of the Section, N 89° 51' 54" W, 1103.43 feet to the Southwest corner of Instrument Number 457973 on the Northerly right of way of Highway 200 and the True Point of Beginning; thence, along the Western boundary of Instrument No. 457973, N 01° 25' 02" E, 99.41 feet, to a 5/8 inch rebar and plastic cap stamped PLS 3628; thence S 32° 20' 51" W, 132.00 feet, to a 5/8 inch rebar and plastic cap stamped PLS 3628 on the Northerly right of way of Highway 200; thence, along said right of way, N 79° 54' 11" E, 69.24 feet, to the True Point of Beginning.

AND ALSO LESS a tract of land in the Southeast Quarter of the Southeast quarter (SE1/4 SE1/4) of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Commencing at a point on the East line of said Section 36, which is N 00° 08' 06" E, 582.67 feet from the Southeast corner of the Section; thence, perpendicular to the East line of the Section, N 89° 51' 54" W, 754.63 feet to the Southeast corner of Instrument Number 457973 on the Northerly right of way of Highway 200 and the True Point of Beginning; thence, along the Eastern boundary of that property described in Instrument Number 457973, N 01° 19' 29" E, 244.70 feet, to the Northeast corner of that property described in Instrument Number 457973; thence, along the Northern boundary of Instrument Number 457973, S 88° 04' 08" W, 77.25 feet, to a 5/8 inch rebar and plastic cap stamped PLS 3628; thence N 67° 17' 36" E, 84.44 feet, to a 5/8 inch rebar and plastic cap stamped PLS 3628; thence N 88° 04' 08" E, 41.01 feet, to a 5/8 inch rebar and plastic cap stamped PLS 3628; thence S 01° 19' 29" W, 277.55 feet, to a 5/8 inch rebar and plastic cap stamped PLS 3628 on the Northerly right of way of Highway No. 200; thence, along said Highway right of way on a non-tangential curve to the left (radial bearing = S 02° 28' 05" W), having a central angle of 00° 50' 13" and a radius of 2803.37 feet, for an arc distance of 40.95 feet (radial = S 01° 38' 12" W, chord = N 87° 56' 41" W, 40.95 feet), to the True Point of Beginning.

LESS a tract of land in Government Lot 2 of Section 31, Township 58 North, Range 1 East of the Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Beginning at the intersection of the North line of said Government Lot 2 and an existing fence line marking the right of way of an old County Road, said point being South 89° 06' 38" East, 398.07 feet from the Northwest corner of Government Lot 2 (record 361.00 feet); Thence along said fence line as noted of record per Instrument No. 217765 on a curve to the left (radial bearing = North 62° 13' 42" East) having a central angle of 19° 17' 35" and a radius of 650.32 feet, for an arc distance of 218.98 feet (chord South 37° 25' 05" East, 217.95 feet); Thence continuing along said fence line, South 47° 03' 53" East, 43.24 feet; Thence North 89° 06' 38" West, 12.33 feet; Thence continuing along the fence line, South 59° 55' 24" East, 65.99 feet to an iron pipe as described in Instrument No. 217765; Thence along the fence line, South 70° 07' 45" East, 262.49 feet to an iron pipe as described in Instrument No. 217765 (record South 70° 18' 00" East 262.00 feet; Thence South 54° 48' 04" East 67.00 feet; Thence North 40° 08' 56" East, 168.45 feet to the right bank of Pack River (record = 200.00 feet to the thread of Pack River); Thence North 40° 08' 56" East to the intersection with the thread of Pack River; Thence Northerly and upstream along the thread line of Pack River to the intersection with the North line of Government Lot 2 of said Section 31; Thence South 89° 06' 38" East, along said North line to the true point of beginning.

LESS a tract of land in Government Lots 1 and 2 of Section 31, Township 58 North, Range 1 East and the Southeast quarter of the Northeast quarter of Section 36, Township 58 North, Range 1 West of the Boise

Meridian, Bonner County, Idaho and more particularly described as follows:

Mary's Pack River Lots and all that property dedicated to the public for right of way as shown and recorded in Instrument No. 699091, records of Bonner County, Idaho.

PARCEL 2:

A tract of land located in Section 36, Township 58 North, Range 1 West AND Section 2, Township 57 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, more fully described as follows:

Beginning at a point that is North 80° 05' 57" East, a distance of 386.02 feet from the South quarter corner of said Section 36, said point also being at the intersection of the South right of way of State Highway

No. 200 and the East right of way of the Old Country Road; thence South 5° 14' 00" East along said East right of way of the old country road, a distance of 171.80 feet; thence continuing South 14° 35' 50" East along said East right of way, a distance of 254.70 feet to an intersection with the North right of way of Old Highway No. 200 (FAP No. 95F); thence North 72° 38' 24" East along said North right of way, a distance of 372.40 feet; thence continuing along said North right of way, North 72° 58' 33" East, a distance of 336.00 feet to an intersection with the West high bank of Dry Creek; thence Northeastly along said West high bank, a distance of 578 feet, more or less, to an intersection with the South right of way of said State Highway No. 200; thence Westerly along said South right of way the following six (6) courses:

- 1) Around a curve to the left with a radius of 2643.37 feet, a distance of 48.44 feet (the chord of which bears South 88° 02' 31" West, a distance of 48.43 feet);
- 2) North 79° 07' 52" West, 100.50 feet;
- 3) Around a curve to the left with a radius of 2668.37 feet, a distance of 247.30 feet (the chord of which bears South 82° 54' 00" West, a distance of 247.24 feet) to a P.S.C.;
- 4) Along a spiral curve (S=2° 12.3'). a distance of 207.68 feet (the chord of which bears South 70° 27' 12" West, a distance of 207.67 feet) to a P.S.;
- 5) South 69° 43' 21" West, 328.60 feet;
- 6) South 61° 11' 30" West, 119.79 feet to the point of beginning.

AND TOGETHER WITH any portion of the old Highway right of way abandonment, described in that certain Quitclaim Deed, executed by the State of Idaho, as Instrument No. 696025 and recorded on January 11, 2006, lying within the bounds of the above described property.

PARCEL 3:

A tract of land in Government Lot 2 of Section 31, Township 58 North, Range 1 East of the Boise Meridian, Bonner County, Idaho, being that property described in Instrument No. 495753 and more particularly described as follows:

Beginning at a point on the West line of said Government Lot 2 (West line of Section 31) which is South 00° 07' 21" West, 200.00 feet from the Northwest corner of said Government Lot 2; Thence parallel to the North line of Government Lot 2, South 89° 06' 38" East (record = South 89° 06' 55" East) 562.61 feet (record 562.58 feet); Thence North 47° 03' 53" West, 43.24 feet (record 43.21 feet); Thence on a curve to the right having a central angle of 19° 17' 35" (record = 19° 17' 39") and a radius of 650.32 feet, for an arc distance of 218.98 feet (chord = North 37° 25' 03" West 271.95 feet) to the North line of Government Lot 2; Thence along said North line North 89° 06' 38" West (record = North 89° 06' 55" West) 68.07 feet; Thence South 27° 14' 49" East 26.15 feet; Thence on a curve to the left having a central angle of 09° 49' 00" and a radius of 710.32 feet, for an arc distance of 121.70 feet (chord South 32° 09' 19" East, 121.55 feet); Thence South 80° 25' 01" West 412.81 feet (record = South 80° 24' 50" West 412.82 feet) to the point of beginning.

EXCEPTING from Parcels 1, 2 and 3, the following two tracts:

Any portion encompassed by the Plat of GOLDEN TEE ESTATES PLANNED UNIT DEVELOPMENT (PHASE ONE), according to the plat thereof, recorded in Book 6 of Plats, Page 106, records of Bonner County, Idaho.

AND any portion encompassed by the Plat of GOLDEN TEE ESTATES FIRST ADDITION, (PHASE TWO) according to the plat thereof, recorded in Book 6 of Plats, Page 114, records of Bonner County, Idaho.

EXCEPTING from Parcels 1, 2 and 3 above any portion lying within the bounds of the following plats:

REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77,



records of Bonner County, Idaho.

REPLAT OF BLOCKS 15 AND 16 OF THE REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 9 of Plats, page 5, records of Bonner County, Idaho.

REPLAT OF LOTS 5 & 6, BLOCK 22 AND LOT 20, BLOCK 20, REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 9 of Plats, page 6, records of Bonner County, Idaho.

PARCEL 4:

Block 5A; Lot 1A, Block 11; Lots 1A, 2A and 3A, Block 12; Lot 1, Block 14A; Lot 1, Block 17; Block 18, of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

PARCEL 5:

Lot 1A, Block 15 and Block 16A of A REPLAT OF BLOCKS 15 AND 16 OF THE REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 9 of Plats, page 5, records of Bonner County, Idaho.

PARCEL 6:

That part of the Southeast quarter of the Northeast quarter lying North and West of Fairway View Drive of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho.

and

A tract of land in the East half of the Northeast quarter of the Southwest quarter and the Northwest quarter of the Southeast quarter of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Beginning at the Southeast corner of the East half of the Northeast quarter of the Southwest quarter of said Section 36; Thence along the South line of the East half of the Northeast quarter of the Southwest quarter, North 89° 36' 27" West, 661.51 feet (record = North 89° 37' 10" West, 661.57 feet to the Southwest corner of the East half of the Northeast quarter of the Southwest quarter; Thence along the West line of the East half of the Northeast quarter of the Southwest quarter, North 00° 10' 22" East 856.45 feet (record = North 00° 09' 25" East, 856.45 feet); Thence North 89° 10' 53" East, 30.21 feet (record = East, 29.58 feet) to the Westerly right of way of Berry Drive (shown as Olympic Drive on the Second Addition Plat to Hidden Lakes); Thence Southeasterly along said right of way the following six (6) courses:

1. On a non-tangential curve to the left (radial bearing = North 87° 39' 13" East) having a central angle of 36° 44' 06" and a radius of 131.00 feet for an arc distance of 83.99 feet (record = 84.54 feet) (chord = South 20° 42' 50" East, 82.56 feet - record = South 20° 37' 27" East, 83.08 feet);
2. Thence South 39° 04' 53" East, 419.67 feet (record = South 39° 06' 45" East, 419.68 feet);
3. Thence on a curve to the left having a central angle of 11° 42' 45" and a radius of 530.00 feet for an arc distance of 108.34 feet (chord = South 44° 56' 16" East, 108.15 feet - record = South 44° 58' 08" East, 108.16 feet);
4. Thence South 50° 47' 39" East, 69.68 feet (record = South 50° 49' 31" East, 69.68 feet);
5. Thence on a curve to the right having a central angle of 23° 42' 51" and a radius of 970.00 feet, for an arc distance of 401.47 feet (chord = South 38° 56' 14" East, 398.61 feet - record = South 38° 58' 05" East 398.61 feet);
6. Thence South 27° 04' 48" East, 31.65 feet to the South line of the Northwest quarter of the Southeast quarter (record = South 27° 06' 40" East, 30.77 feet);
Thence leaving said right of way North 89° 36' 03" West, 60.37 feet (record = North 89° 37' 09" West, 59.55 feet) to the point of beginning.

PARCEL 7:

A tract of land located in a portion of the Southwest quarter of the Southeast quarter of Section 36, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Beginning at the Northwest corner of said Southwest quarter of the Southeast quarter of

Section 36; Thence South 89° 36' 03" East 60.37 feet (record = South 89° 37' 09" East, 59.55 feet) to the Westerly right of way of Berry Drive (shown as Olympic Drive on the Plat of the Second Addition to Hidden Lakes); thence along said right of way for the following four (4) courses;

1. South 27° 04' 48" East, 299.95 feet (record = South 27° 06' 40" East, 300.83 feet);
2. North 62° 55' 12" East, 60.00 feet (record = North 62° 53' 20" East, 60.00 feet);
3. North 27° 04' 48" West, 125.34 feet (record = North 27° 06' 40" West, 125.34 feet);
4. Thence on a curve to the right having a central angle of 79° 01' 27" and a radius of 25.00 feet, for an arc distance of 34.48 feet (chord = North 12° 25' 55" East, 31.81 feet - record = North 12° 24' 03" East, 31.81 feet) to a point on the Southerly right of way of Fairway View Drive, as shown on the Plat of First Addition to Hidden Lakes;

Thence along said right of way for the following eight (8) courses:

1. North 51° 56' 39" East, 74.67 feet (record = North 51° 54' 47" East, 74.67 feet);
2. Thence on a curve to the right having a central angle of 99° 26' 33" and a radius of 70.00 feet, for an arc distance of 121.49 feet (chord = South 78° 20' 05" East, 106.81 feet - record = South 78° 21' 57" East, 106.81 feet);
3. Thence South 28° 36' 48" East, 154.03 feet (record = South 28° 38' 40" East, 154.03 feet);
4. Thence on a curve to the right having a central angle of 55° 41' 27" and a radius of 90.00 feet for an arc distance of 87.48 feet (chord = South 00° 46' 05" East, 84.08 feet - record = South 00° 47' 56" East, 84.08 feet);
5. Thence South 27° 04' 39" West, 170.14 feet;
6. Thence on a curve to the right having a central angle of 71° 37' 11" and a radius of 60.0 feet, for an arc distance of 75.00 feet (chord = South 08° 43' 57" East, 70.21 feet);
7. Thence South 44° 32' 32" East, 50.94 feet;
8. Thence on a curve to the right having a central angle of 69° 10' 16" and a radius of 25.00 feet, for an arc distance of 30.18 feet (chord = South 09° 57' 24" East, 28.38 feet - record = South 11° 23' 51" East, 30.18 feet) to a point on the West right of way of Lower Pack River Road;

Thence Southerly along said right of way for the following four (4) courses:

1. on a non-tangential curve to the right having a central angle of 04° 15' 19" and a radius of 1180.00 feet for an arc distance of 87.69 feet (chord = South 22° 30' 38" West, 87.67 feet);
2. Thence South 20° 22' 44" West, 114.57 feet;
3. Thence on a curve to the left having a central angle of 22° 29' 50" and a radius of 502.65 feet, for an arc distance of 197.36 feet (chord = South 09° 07' 49" West, 196.10 feet);
4. Thence South 02° 07' 06" East, 157.81 feet to the Northerly right of way of State Highway No. 200;

Thence along the highway right of way, South 77° 42' 28" West, 72.14 feet (record = South 78° 15' 06" West, 71.11 feet); Thence continuing along the Highway right of way, South 69° 44' 57" West, 262.22 feet (record = South 69° 43' 16" West, 261.65 feet) to the West line of the Southwest quarter of the Southeast quarter of said Section 36; Thence along the West line of the Southwest quarter of the Southeast quarter, North 00° 08' 19" East, 1223.36 feet (record = North 00° 07' 13" East, 1223.17 feet) to the point of beginning.

PARCEL 8:

All that portion of the Southeast Quarter in Section 36, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Idaho, lying South of State Highway 200; and all that portion of Government Lot 4 in Section 31, Township 58 North, Range 1 East, Boise Meridian, Bonner County, Idaho, lying South of State Highway 200.

LESS the following described property:

A tract of land in the Southeast quarter of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, being that property described in Instrument No. 92981, records of Bonner

County, Idaho and more particularly described as follows:

Commencing at the Southeast corner of said Section 36; Thence along the East line of Section 36, North 00° 08' 06" East, 460.00 feet; Thence perpendicular to the East line of the Section, North 89° 51' 54" West, 568.00 feet to the true point of beginning; Thence South

47° 08' 06" West, 250.00 feet; Thence South 42° 51' 54" East, 348.50 feet; Thence North 47° 48' 06" East, 250.00 feet; Thence North 42° 51' 54" West, 348.50 feet to the true point of beginning.

AND

All that portion of Government Lots 2, 3, 4, 5, 6, 7, 8 and 9; the Southwest quarter of the Northeast quarter; and the South half of the Northwest quarter of Section 2, Township 57 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, lying South of State Highway No. 200 and lying North and East of the Northern Pacific Railroad (now Montana Rail Link) right of way.

LESS that portion of Section 2, Township 57 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, being that property described in Instrument No. 592059 and more particularly described as follows:

Beginning at a right of way monument on the South right of way of State Highway No. 200, from which the Northwest corner of said Section 2 bears North 25° 54' 43" West, 798.00 feet (record = North 26° 28' 08" West, 798.11 feet; Thence along the South right of way of the Highway, North 68° 35' 39" East, 266.10 feet; Thence continuing along the Highway right of way, on a curve to the left (radial bearing = North 14° 03' 28" West) having a central angle of 00° 08' 55" and a radius of 5799.58 feet for an arc distance of 15.03 feet (chord = North 75° 52' 05" East, 15.03 feet - total distance along right of way from point of beginning 281.13 feet - record = 281.13 feet); Thence leaving said right of way South 00° 04' 10" West, 725.53 feet; Thence North 89° 14' 40" West, 330.00 feet; Thence North 00° 03' 26" West 607.20 feet, to the Southerly right of way of State Highway No. 200; Thence along said right of way North 79° 11' 55" East, 70.38 feet to the true point of beginning.

LESS a tract of land located in Section 36, Township 58 North, Range 1 West and Section 2, Township 57 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, being a portion of that property described in Instrument No. 464572 and more particularly described as follows:

Beginning at a point that is North 80° 05' 57" East 386.02 feet from the South quarter of said Section 36, said point also being at the intersection of the South right of way of State Highway No. 200 and the East right of way of the Old County Road; Thence South 05° 14' 00" East along the East right of way of the Old County Road, 171.80 feet; Thence continuing South 14° 35' 50" East along said East right of way, 254.70 feet to the intersection with the North right of way of Old Highway 200 (FAP No. 95F); Thence North 72° 38' 24" East along said North right of way, 372.40 feet; Thence continuing along said North right of way, North 72° 58' 33" East, 336.00 feet to the intersection with the West high bank of Dry Creek; Thence Northeasterly along said West high bank, a distance of 578 feet, more or less, to the intersection with the South right of way of State Highway No. 200; Thence Westerly along said South right of way the following six (6) courses:

1. around a curve to the left with a radius of 2643.37 feet, a distance of 48.44 feet (chord South 88° 02' 31" West, 48.43 feet);
2. North 79° 07' 52" West, 100.50 feet;
3. around a curve to the left with a radius of 2668.37 feet for a distance of 247.30 feet (chord = South 82° 54' 00" West, 247.24 feet);
4. along a spiral curve (South = 02° 12' 18"), a distance of 207.68 feet (chord = South 70° 27' 12" West, 207.67 feet);
5. South 69° 43' 21" West, 328.60 feet;
6. South 61° 11' 30" West, 119.79 feet to the point of beginning.

TOGETHER WITH any portion of the old highway right of way abandonment described in that certain Quitclaim Deed, executed by the State of Idaho, as instrument No. 696025 and recorded on January 11, 2006, and lying within the bounds of the above described property.

AND

Government Lots 5, 9, 10 and 11; the Southeast quarter of the Northwest quarter; the East half of the Southwest quarter; and Government Lot 6, all in Section 6, Township 57 North, Range 1 East of the Boise Meridian, Bonner County, Idaho.

LESS that property described in Instrument No. 22533, records of Bonner County, Idaho, and described as follows:

Beginning at the North quarter corner of said Section 6, Township 57 North, Range 1 East of the Boise Meridian, Bonner County, Idaho; Thence South 1669.70 feet to Pack River and the True Point of Beginning; Thence South 66° 47' West, 203 feet; Thence South 69° 54' West 165.3 feet; Thence South 79° 56' West, 242.5 feet; Thence South 01° 11' East, 146 feet; Thence South 25° 18' East, 118.20 feet; Thence South 54° 29' East, 137.2 feet; Thence South 68° 10' East, 267.1 feet; Thence North 535.6 feet to a point 1669.7 feet South of the North quarter corner of Section 6.

LESS a tract of land in Government Lot 6 and the Southeast quarter of the Northwest quarter of Section 6, Township 57 North, Range 1 East of the Boise Meridian, Bonner County, Idaho, being that property identified as Tract No. Q-1755-2 in Instrument No. 42975 and more particularly described as follows:

Beginning at a point on the Southerly right of way of State Highway No. 200 which is South 55° 03' 21" East, 2460.29 feet from the Northwest corner of said Section 6 (record South 55° 14' East, 2451.3); Thence South 14° 53' 00" East, 223.22 feet (record); Thence South 04° 43' 00" East, 640.00 feet (record); Thence South 39° 48' 00" East, 430.00 feet (record); Thence South 30° 28' 00" East, 387.49 feet (record = 500 feet plus or minus) to the East line of the Southeast quarter of the Northwest quarter of said Section 6.

TOGETHER WITH any portion of the Old Highway right of way abandonment described in that certain Quitclaim Deed, executed by the State of Idaho, as Instrument No. 696025 and recorded on January 11, 2006, lying within the bounds of the above described property. EXCEPTING therefrom all of the above described properties, any portion lying within the bounds of the following plats:

Replat of Golden Tee Estates and Golden Tee Estates 1st Addition and Unplatted land, recorded in Book 8 of Plats, Page 77,

RePlat of Blocks 15 and 16 of the RePlat of Golden Tee Estates & Golden Tee Estates 1st Addition and Unplatted Land, recorded in Book 9 of Plats, page 5,

RePlat of Lots 5 and 6, Block 22 and Lot 20, Block 20, RePlat of Golden Tee Estates & Golden Tee Estates 1st Addition and Unplatted Land, recorded in Book 9 of Plats, page 6,

Golden Tee Estates 2nd Addition, recorded in Book 8 of Plats, Page 79,

Golden Tee Estates 3rd Addition, recorded in Book 8 of Plats, Page 78,

Golden Tee Estates 4th Addition, recorded in Book 8 of Plats, Page 80,

Golden Tee Estates 5th Addition, recorded in Book 8 of Plats, Page 81,

Golden Tee Estates 6th Addition, recorded in Book 8 of Plats, Page 82,

Golden Tee Estates 7th Addition, recorded in Book 9 of Plats, page 13,

Golden Tee Estates 8th Addition, recorded in Book 9 of Plats, page 7.:

AND

ALSO THE FOLLOWING ATTACHED PARCELS, CONTINUED
ON THE FOLLOWING PAGES, ALL LOCATED IN THE COUNTY
OF BONNER, STATE OF IDAHO

31-58N-1E/36-58N-1W GOLDEN
TEE ESTS 1ST ADDN PUD PHASE
TWO, PRIVATE ROADS,
RECORDED IN BOOK 6 OF PLATS,
PAGE 114, RECORDS OF BONNER
COUNTY, IDAHO

AND

31-58N-1E/36-58N-1W
GOLDEN TEE ESTS & GOLDEN
TEE ESTS 1ST ADD REPLAT BLK
5A, BLK 12 LOT 3A, BLK 15 LOT
1A, REPLAT BLK 16A, BLK 17 LOT
1, BLK 18 GOLDEN TEES ESTS
GOLF COURSE,
RECORDED IN BOOK 8 OF PLATS,
PAGE 77, RECORDS OF BONNER
COUNTY, IDAHO

AND

31/58N-1E/36-58N-1W GOLDEN TEE
ESTS & GOLDEN TEE ESTS 1ST ADD
REPLAT BLK 14A LOT 1 GOLF
MAINTENANCE, PARKING,
TRANSFER STATION,
RECORDED IN BOOK 8 OF
PLATS, PAGE 77, RECORDS OF
BONNER COUNTY, IDAHO

AND

6-57N-1E LOTS 5, 9, 10, SENW &
E2SW LESS PLATS; LOT 11, LOT 6
LESS PT Q-1754-2,

AND

2-57N-1W GOV LOTS 2, 7, 8 & 9
GOV LOTS 3 & 4 LESS TAX 1, 5, 6
GOV LOTS 5, 6 SENW & SWNE N
OF RR R/W ALL LESS PLATS,

(9)

AND

31-58N-1E GOV LOT 4
S OF STATE HWY 200,

AND

36-58N-1W SENE W OF FAIRWAY
VIEW DRIVE; SE W OF CO RD &
E2NESW LESS PLATS;
UNPLATTED ADJ TO LOT 10 1ST
ADD HIDDEN LAKES,

AND

36-58N-1W SE E OF PACK RIVER
RD & N OF HWY 200 LESS TAX 6,
PLATS & PT TAX 1,

AND

36-58N-1W SE S OF HWY 200 LESS
2 AC TO STATE & LESS PT PLAT

AND

EXCEPTING THAT PARCEL
DEEDED TO AVISTA UTILITY AT
DOCUMENT # 728423 RECORDED
IN THE RECORDS OF BONNER
COUNTY. IDAHO.

Gary Finney

From: Gery Edson <gedson@gedson.com>
Sent: Monday, January 26, 2015 2:17 PM
To: Finney Gary
Cc: Cheryl Piehl; Tammy Furey
Subject: Fwd: ADVICE OF CREDIT - BANK CONFIDENTIAL

Gary,

This letter will confirm our phone call today ,wherein you requested I provide you documentation concerning the redemption of former POBD property. You have made that request before and as I recalled we did in fact provide it to you by email on September 3, 2014 at 1:41 MST. That email contains all the enclosures showing the email requests made to the Treasurer's office by Valiant to redeem.

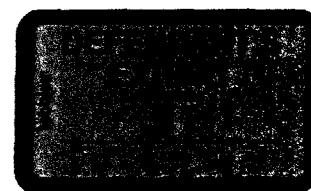
I have also attached the Wire transfer credit acknowledgment showing the payment amount and date. This completes your request for the second time. Please review your email records before asking for duplicates as these expenses are not typical county expenses and mcv be charged back at the actual rates of production. Thank you for your consideration.

Gery Edson

*Gery W. Edson, P.A.
CW Moore Plaza
250 South Fifth Street, Suite 820
P.O. Box 448
Boise, Idaho 83701
Phone: (208) 345-8700
Cellular: (208) 859-8711
Fax: (208) 389-9449*

CONFIDENTIALITY NOTICE: This e-mail is intended only for the personal and confidential use of the individual(s) named as recipients and is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521. It may contain information that is privileged, confidential and/or protected from disclosure under applicable law including, but not limited to, the attorney-client privilege and/or work product doctrine. If you have received this e-mail in error, please notify the sender at (208) 345-8700 and delete this message from your computer. Do not deliver, distribute or copy this transmission, disclose its contents or take any action in reliance on the information it contains.

From: wirenotifications@panhandlebank.com [mailto:wirenotifications@panhandlebank.com]
Sent: Monday, July 07, 2014 1:29 PM
To: Cheryl Piehl; Clorissa Koster
Subject: ADVICE OF CREDIT - BANK CONFIDENTIAL



WIRE OPERATIONS ADVICE OF CREDIT

ON JULY 07, 2014, WE CREDITED YOUR ACCOUNT
D/XXX3105 FOR USD 1,665,855.14

DETAILS OF PAYMENT

PAYMENT DATE AND TIME: 07-JUL-2014 15:28:26 CT
RECEIVED AMOUNT: USD 1,665,855.14
METHOD OF PAYMENT: FED Receive
TRANSACTION NUMBER: 201407070010732
OMAD(CYCLE DATE/LTERM/OMSN) REFERENCE: 20140707/MMQFMPCS/000030/
20141880570600

RECEIVED FROM: F/122241255
FIRST AMERICAN TRUST, FSB
SANTA ANA
CA

ORIGINATOR: X/3021820000
FIRST AMERICAN TITLE COMPANY
- NCS
ATTN NCS CORP ACCOUNTING
215 SOUTH STATE STREET, SUITE
380
SALT LAKE CITY UT 84111

CREDITED TO: D/XXX3105
BONNER COUNTY
1500 HIGHWAY 2 STE 304
SANDPOINT ID 83864-1793

ORIGINATOR TO BENEFICIARY INFO: PROPERTY TAX REDEMPTION,
PEND OREIL
LE BONNER DEV. LLC, ATTN
CHERYL PIE

TEL, PH 208-265-1433, ESCROW NC
675934-A-LA2. SENDER BRIAN
SERIKAKU

BANK TO BANK
INFORMATION:

BEGIN,54026,2182,529,6262538,675934

-A,END

This e-mail contains confidential and privileged information. If you are not the intended recipient (or have received this e-mail in error), please notify the sender immediately and destroy this e-mail. Any unauthorized copying, disclosure or distribution of the material in this e-mail is strictly prohibited. When contacting this institution, please use reference number: 201407070010732.

Gary Finney

JV - Bonner County Tax Reports

From: Tammy Furey <tfurey@gedson.com>
Sent: Wednesday, September 03, 2014 12:41 PM
To: Finney Gary
Cc: Gery Edson; Cheryl Piehl
Subject: Bonner County/JV, LLC
Attachments: 09-03-14 Ltr to Gary Finney.pdf

Dear Mr. Finney,

Please see Mr. Edson's attached letter regarding the above-referenced matter. Thank you.

Tammy Furey
 Assistant to Gery W. Edson
 Phone - (208) 345-8700

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PHONE CALL	FOR	<i>GAF</i>	DATE	<i>9/3/14</i>	TIME	<i>3:41</i>	A.M. P.M.
	M	<i>Jim Berry</i>					
	OF						
	PHONE		CELL				
	MESSAGE	<i>Redeemed on</i>					
		<i>1st of</i>					
		<i>July</i>					
SIGNED	<i>[Signature]</i>						
	<input checked="" type="checkbox"/>	TELEPHONED					
	<input type="checkbox"/>	RETURNED YOUR CALL					
	<input type="checkbox"/>	PLEASE CALL					
	<input type="checkbox"/>	WILL CALL AGAIN					
	<input type="checkbox"/>	CAME TO SEE YOU					
	<input type="checkbox"/>	WANTS TO SEE YOU					

9/4
cc ✓ 1. All of this for JV Berry

LAW OFFICE OF
GERY W. EDSON, P.A.

A Professional Corporation

250 South Fifth Street, Suite 820
Post Office Box 448
Boise, Idaho 83701-0448

Telephone: (208) 345-8700
Facsimile: (208) 389-9449
Email gedson@gedson.com

Licensed in Idaho (No. 2984)
and Utah (No. 5891)

September 3, 2014

VIA EMAIL

Gary A. Finney
120 E. Lake Street, Suite 317
Sandpoint, ID 83864
Fax: (208) 263-8211
garyfinney@finneylaw.net

Re: Bonner County Tax Deed POBD/JV, L.L.C.
Your File #4697-21

Dear Gary:

I am in receipt of your letter dated August 25, 2014, requesting documentation concerning Valiant's redemption requests made to the County. Initially, I note that you failed to comply with local County regulations which require requests for information be made in writing on the forms provided by the County. Be that as it may, I have reviewed the County's files and note that the requests made by Valiant's agents occurred via email correspondence on July 2, 2014. Copies of the relevant emails, with the associated "chain" communications are enclosed with this correspondence.

Yours very truly,

GERY W. EDSON, P.A.,



Gery W. Edson

GWE/t
Encl.
cc: Client

Cheryl & Gery: It was great meeting you last week. Hope you are having a sunny day up there in beautiful Idaho, and thank you for the update. Please do e-mail us if there is in fact a partial redemption by JVLLC today at 1:00 p.m. along with the new payoff amount so that our group may redeem the remainder of the unpaid taxes.

Regards,

Brian J. Kramer

From: William Haberman [<mailto:william.haberman@me.com>]
Sent: Wednesday, July 02, 2014 11:55 AM
To: Cheryl Piehl
Cc: bkramer@bikpc.com; gedson@gedson.com; Tammy Furey
Subject: Re: Possible change in Redemption payoff

Cheryl -- Thanks for the update. We plan to redeem on Monday, latest Tuesday AM. So, please forward the reduced amount asap so we can plan for either contingency. Regards, Bill

On Jul 2, 2014, at 2:31 PM, Cheryl Piehl wrote:

Bill & Brian –

Yesterday Brian from First American Title called for a payoff to redeem all of the properties formerly owned by Pend Oreille Bonner Dev. I gave him the payoff of \$1,805,656.46 - \$100.00 (auctioneer fee) = \$1,805,556.46 to July 3 and the per diem of \$369.03.

Please note this amount may change as I received a call today that JVLLC will be bringing me a check today at 1:00 for the south properties = \$1,308,932.07 with their per diem. I will need to recalculate your amount to redeem the remaining parcels.

This does add a slight complication. I cannot give legal advice, but it is my understanding that regardless of who redeems the properties there will still need to be foreclosure process. You may want to contact the title company.

I will try to get you a new amount if needed.

Sincerely,

Cheryl Piehl
Bonner County Treasurer
208-265-1433

12100 Wilshire Blvd, Ste 800
Los Angeles, CA. 90025

From: Cheryl Piehl [<mailto:CherylP@co.bonner.id.us>]
Sent: Wednesday, July 02, 2014 12:10 PM
To: bkramer@bjkpc.com; William Haberman
Cc: gedson@gedson.com; Tammy Furey
Subject: RE: Possible change in Redemption payoff

Bill & Brian -

Should know something soon. We will let you know ASAP.

Yes it is beautiful here, close to 90 degrees.

Cheryl Piehl
Bonner County Treasurer

From: bkramer@bjkpc.com [<mailto:bkramer@bjkpc.com>]
Sent: Wednesday, July 02, 2014 12:04 PM
To: William Haberman; Cheryl Piehl
Cc: gedson@gedson.com; Tammy Furey
Subject: RE: Possible change in Redemption payoff

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Bonner County Treasurer
208-265-1433

From: William Haberman willam.haberman@me.com
Subject: Re: Possible change in Redemption payoff
Date: July 2, 2014 at 12:55 PM
To: Cheryl Piehl CherylP@co.bonner.id.us
Cc: Kramer Brian bkramer@bjkpc.com, gedson@gedson.com, Tammy Furey tfurey@gedson.com

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Bonner County Treasurer
208-265-1433

From: bkramer@bjkpc.com
Subject: RE: Possible change in Redemption payoff
Date: July 2, 2014 at 1:04 PM
To: William Haberman william.haberman@me.com, Cheryl Piehl CherylP@co.bonner.id.us
Cc: gedson@gedson.com, Tammy Furey tfurey@gedson.com

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Bonner County Treasurer
208-265-1433

From: bkramer@bjkpc.com
Subject: RE: Possible change in Redemption payoff
Date: July 2, 2014 at 3:13 PM
To: Cheryl Piehl CherylP@co.bonner.id.us, William Haberman william.haberman@me.com
Cc: gedson@gedson.com, Tammy Furey tfurey@gedson.com

Cheryl:

It's a real sizzler down here in Los Angeles too at 80' but feeling hotter than that in this dry heat.

Your message definitely has piqued our curiosity. Can you please send us an e-mail before the close of your business day letting us know whether or not JVLLC has redeemed the taxes referenced in your prior e-mail or not. Either way we would certainly like to get this information from you today.

Brian J. Kramer

Ph.: (424) 228-4133 or (310) 850-1894
Fax: (310) 751-6613
Email: bkramer@bjkpc.com

Office Address:
12100 Wilshire Blvd. Ste 800
Los Angeles, CA. 90025

From: Cheryl Piehl [mailto:CherylP@co.bonner.id.us]
Sent: Wednesday, July 02, 2014 12:10 PM
To: bkramer@bjkpc.com; William Haberman
Cc: gedson@gedson.com; Tammy Furey
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Yes it is beautiful here, close to 90 degrees.

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From: bkramer@bjkpc.com [mailto:bkramer@bjkpc.com]
Sent: Wednesday, July 02, 2014 12:04 PM
To: William Haberman; Cheryl Piehl
Cc: gedson@gedson.com; Tammy Furey
Subject: RE: Possible change in Redemption payoff

From: Cheryl Piehl CherylP@co.bonner.id.us
Subject: RE: Redemption - 4 parcels & south portion of golf course
Date: July 2, 2014 at 3:42 PM
To: bkramer@bjkpc.com, William Haberman william.haberman@me.com
Cc: gedson@gedson.com, Tammy Furey tfurey@gedson.com

Hello –

Mr. Berry redeemed – RP57N01W020600A, RP58N01W369341A, RP033810010010A, RP033810020010A and the south of Hwy 200 portion of the Golf Course – RP0435905A000BA. He estimated the amounts at \$140,000, I sent him back to the bank. He paid a total of \$140,999.86 (needed the per diem).

I am attaching a new payoff on the remaining properties. This figure is good to Monday, July 7. The total remaining is \$1,665,855.14 to redeem.

I have no idea what his reason is for this redemption. I was expecting all or none, so I was caught a little off guard. Had to balance the numbers & verify information before recalculating.

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Office Address:

From: bkramer@bjkpc.com
Subject: RE: Redemption - 4 parcels & south portion of golf course
Date: July 2, 2014 at 3:59 PM
To: Cheryl Piehl CherylP@co.bonner.id.us, William Haberman william.haberman@me.com
Cc: gedson@gedson.com, Tammy Furey tfurey@gedson.com

Thank you for your e-mail.

You mention you sent Mr. Berry "back to the bank." Is he still claiming he is going to go to the bank and come back with more money to redeem any further portion of the \$1.3 due on the south parcels?

If so, when does he plan on doing so?

I take it that he has paid you with a suitable cashier's check and the redemption is irrevocable for the portion he has redeemed?

We do not need to know what Mr. Berry's intentions are for redeeming, but we would appreciate knowing if he has expressed the intention to redeem further portions of the Idaho Club on or prior to next Monday.

Brian J. Kramer

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From: Cheryl Piehl [mailto:CherylP@co.bonner.id.us]
Sent: Wednesday, July 02, 2014 2:43 PM
To: bkramer@bjkpc.com; William Haberman
Cc: gedson@gedson.com; Tammy Furey
Subject: RE: Redemption - 4 parcels & south portion of golf course

Hello --

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Subject: RE: Redemption - 4 parcels & south portion of golf course
Date: July 2, 2014 at 4:04 PM
To: bkramer@bjkpc.com, William Haberman william.haberman@me.com
Cc: gedson@gedson.com, Tammy Furey tfurey@gedson.com

Bill –

Mr. Berry brought in a cashier's check for \$140,000, he didn't have the interest figured correctly for the 5 parcels. So, I sent him back to get cash for the remainder.

I'm assuming he is not coming back to pay on any other properties, but I have to say that he continues to surprise me almost daily. At this point I do not have any idea what his next step is.

If anything changes I will let you know ASAP as we would all like to find a resolution.

Cheryl

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Cc: gedson@gedson.com; Tammy Furey
Subject: RE: Possible change in Redemption payoff

Cheryl & Gery: It was great meeting you last week. Hope you are having a sunny day up there in beautiful Idaho, and thank you for the update. Please do e-mail us if there is in fact a partial redemption by JVLLC today at 1:00 p.m. along with the new payoff amount so that our group may redeem the remainder of the unpaid taxes.

Regards,

Brian J. Kramer

From: William Haberman [<mailto:william.haberman@me.com>]
Sent: Wednesday, July 02, 2014 11:55 AM
To: Cheryl Piehl
Cc: bkramer@bjkpc.com; gedson@gedson.com; Tammy Furey
Subject: Re: Possible change in Redemption payoff

Cheryl -- Thanks for the update. We plan to redeem on Monday, latest Tuesday AM. So, please forward the reduced amount asap so we can plan for either contingency. Regards, Bill

On Jul 2, 2014, at 2:31 PM, Cheryl Piehl wrote:

Bill & Brian –

Yesterday Brian from First American Title called for a payoff to redeem all of the properties formerly owned by Pend Oreille Bonner Dev. I gave him the payoff of \$1,805,656.46 - \$100.00 (auctioneer fee) = \$1,805,556.46 to July 3 and the per diem of \$369.03.

Please note this amount may change as I received a call today that JVLLC will be bringing me a check today at 1:00 for the south properties = \$1,308,932.07 with their per diem. I will need to recalculate your amount to redeem the remaining parcels.

This does add a slight complication. I cannot give legal advice, but it is my understanding that regardless of who redeems the properties there will still need to be foreclosure process. You may want to contact the title company.

I will try to get you a new amount if needed.

Sincerely,

Cheryl Piehl
Bonner County Treasurer
208-265-1433

From: bkramer@bjkpc.com
Subject: RE: Redemption - 4 parcels & south portion of golf course
Date: July 2, 2014 at 4:06 PM
To: Cheryl Piehl CherylP@co.bonner.id.us, William Haberman william.haberman@me.com
Cc: gedson@gedson.com, Tammy Furey tfurey@gedson.com

Thank you for this follow up e-mail. One more request, and our apologies if this is a burden to you, but can you please send us the parcel maps showing specifically what sections of the Idaho Club Mr. Berry has redeemed.

Brian J. Kramer

Ph.: (424) 228-4133 or (310) 850-1894
Fax: (310) 751-6613
Email: bkramer@bjkpc.com

Office Address:
12100 Wilshire Blvd, Ste 800
Los Angeles, CA. 90025

Brian J. Kramer P.C., C.F.L.S.*

Ph.: (424) 228-4133 or (310) 850-1894
Fax: (310) 751-6613
Email: bkramer@bjkpc.com



Office Address:
12100 Wilshire Blvd, Ste 800
Los Angeles, CA. 90025

Website: www.bjkpc.com

*Certified Family Law Specialist
Board of Legal Specialization, State Bar of California

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No communication resulting herein shall create an attorney-client relationship unless a separate retainer agreement is signed by attorney and client. No warranty either express or implied is made as to the accuracy of any information provided herein. This e-mail including attachments is covered by the Electronic Communications Privacy Act, 18 U.S.C. Section 2510-25121, is confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply to the sender at the above telephone number that you have received this message in error, then delete it.

From: Cheryl Piehl [mailto:CherylP@co.bonner.id.us]
Sent: Wednesday, July 02, 2014 3:05 PM
To: bkramer@bjkpc.com; William Haberman
Cc: gedson@gedson.com; Tammy Furey

cc: gedson@gedson.com, Tammy Furey

Subject: RE: Redemption - 4 parcels & south portion of golf course

Bill –

Mr. Berry brought in a cashier's check for \$140,000, he didn't have the interest figured correctly for the 5 parcels. So, I sent him back to get cash for the remainder.

I'm assuming he is not coming back to pay on any other properties, but I have to say that he continues to surprise me almost daily. At this point I do not have any idea what his next step is.

If anything changes I will let you know ASAP as we would all like to find a resolution.

Cheryl

From: bkramer@bjkpc.com [mailto:bkramer@bjkpc.com]
Sent: Wednesday, July 02, 2014 2:59 PM
To: Cheryl Piehl; William Haberman
Cc: gedson@gedson.com; Tammy Furey
Subject: RE: Redemption - 4 parcels & south portion of golf course

Thank you for your e-mail.

You mention you sent Mr. Berry "back to the bank." Is he still claiming he is going to go to the bank and come back with more money to redeem any further portion of the \$1.3 due on the south parcels?

If so, when does he plan on doing so?

I take it that he has paid you with a suitable cashier's check and the redemption is irrevocable for the portion he has redeemed?

We do not need to know what Mr. Berry's intentions are for redeeming, but we would appreciate knowing if he has expressed the intention to redeem further portions of the Idaho Club on or prior to next Monday.

Brian J. Kramer

Ph.: (424) 228-4133 or (310) 850-1894
Fax: (310) 751-6613
Email: bkramer@bjkpc.com

Office Address:
12100 Wilshire Blvd, Ste 800
Los Angeles, CA. 90025

From: Cheryl Piehl [<mailto:CherylP@co.bonner.id.us>]
Sent: Wednesday, July 02, 2014 2:43 PM
To: bkramer@bjkpc.com; William Haberman
Cc: gedson@gedson.com; Tammy Furey
Subject: RE: Redemption - 4 parcels & south portion of golf course

Hello --

Mr. Berry redeemed -- RP57N01W020600A, RP58N01W369341A, RP033810010010A, RP033810020010A and the south of Hwy 200 portion of the Golf Course -- RP0435905A000BA. He estimated the amounts at \$140,000, I sent him back to the bank. He paid a total of \$140,999.86 (needed the per diem).

I am attaching a new payoff on the remaining properties. This figure is good to Monday, July 7. The total remaining is \$1,665,855.14 to redeem.

I have no idea what his reason is for this redemption. I was expecting all or none, so I was caught a little off guard. Had to balance the numbers & verify information before recalculating.

Sincerely,

Cheryl Piehl
Bonner County Treasurer

From: bkramer@bjkpc.com [<mailto:bkramer@bjkpc.com>]
Sent: Wednesday, July 02, 2014 2:13 PM
To: Cheryl Piehl; William Haberman
Cc: gedson@gedson.com; Tammy Furey
Subject: RE: Possible change in Redemption payoff

Cheryl:

It's a real sizzler down here in Los Angeles too at 80' but feeling hotter than that in this dry heat.

Your message definitely has piqued our curiosity. Can you please send us an e-mail before the close of your business day letting us know whether or not JVLLC has redeemed the taxes referenced in your prior e-mail or not. Either way we would certainly like to get this information from you today.

Brian J. Kramer

Ph.: (424) 228-4133 or (310) 850-1894
Fax: (310) 751-6613
Email: bkramer@bjkpc.com

Office Address:

12100 Wilshire Blvd, Ste 800
Los Angeles, CA. 90025

From: Cheryl Piehl [<mailto:CherylP@co.bonner.id.us>]
Sent: Wednesday, July 02, 2014 12:10 PM
To: bkramer@bjkpc.com; William Haberman
Cc: gedson@gedson.com; Tammy Furey
Subject: RE: Possible change in Redemption payoff

Bill & Brian -

Should know something soon. We will let you know ASAP.

Yes it is beautiful here, close to 90 degrees.

Cheryl Piehl
Bonner County Treasurer

From: bkramer@bjkpc.com [<mailto:bkramer@bjkpc.com>]
Sent: Wednesday, July 02, 2014 12:04 PM
To: William Haberman; Cheryl Piehl
Cc: gedson@gedson.com; Tammy Furey
Subject: RE: Possible change in Redemption payoff

Cheryl & Gery: It was great meeting you last week. Hope you are having a sunny day up there in beautiful Idaho, and thank you for the update. Please do e-mail us if there is in fact a partial redemption by JVLLC today at 1:00 p.m. along with the new payoff amount so that our group may redeem the remainder of the unpaid taxes.

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Brian J. Kramer

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Sent: Wednesday, July 02, 2014 11:55 AM
To: Cheryl Piehl
Cc: bkramer@bjkpc.com; gedson@gedson.com; Tammy Furey
Subject: Re: Possible change in Redemption payoff

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I will try to get you a new amount if needed.

Sincerely,

Cheryl Piehl
Bonner County Treasurer
208-265-1433

From: Cheryl Piehl CherylP@co.bonner.id.us
Subject: FW: Redeemed parcels map
Date: July 2, 2014 at 5:29 PM
To: bkramer@bjkpc.com, William Haberman william.haberman@me.com
Cc: gedson@gedson.com

Bill & Brian –

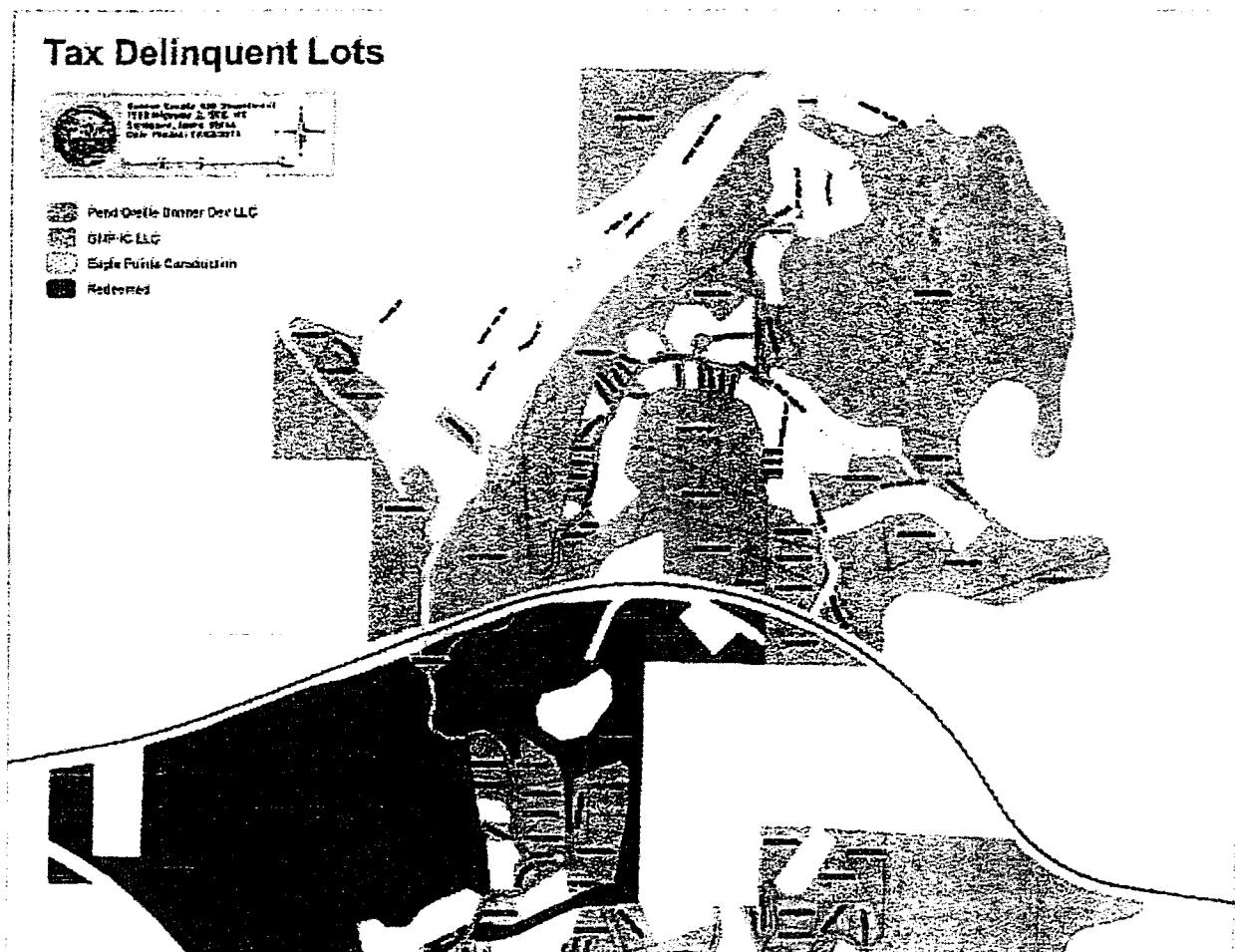
Here is the new map, the red parcels are the redeemed portions. We are fortunate to have a great mapping department.

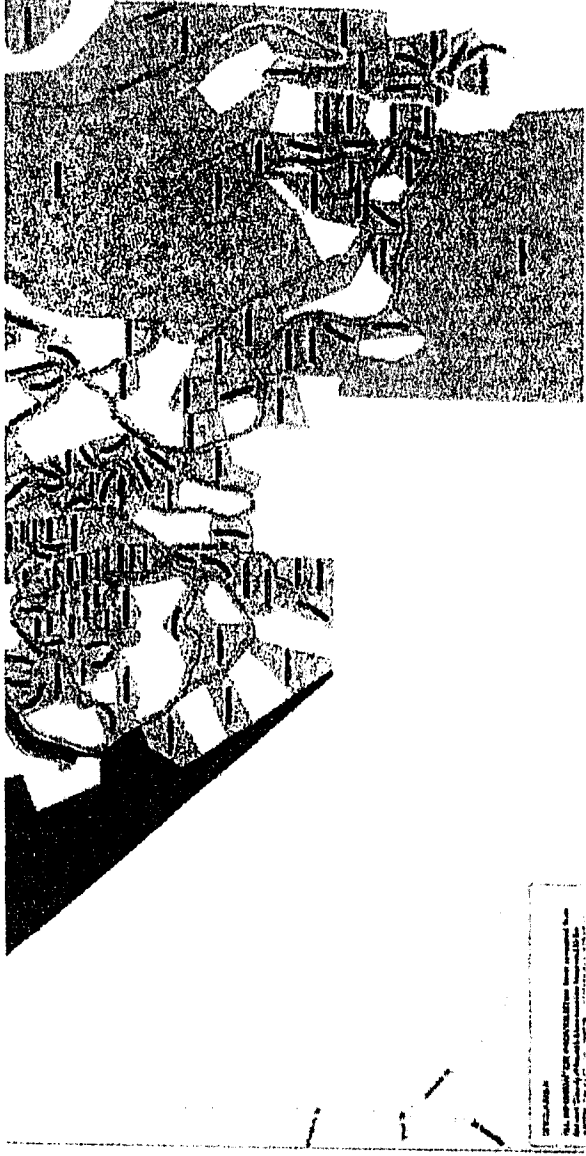
I've been in contact with First American Title in Los Angeles and I gave them the new figures and payoffs to July 7.

I'm in the office tomorrow if you have any questions. As you know there are very many "recorded parties of interest" that have redemption rights and as long as it is known to me that they meet the requirement I must accept their money too.

Sincerely,

Cheryl Piehl
Bonner County Treasurer





From: bkramer@bjkpc.com
Subject: RE: Redeemed parcels map
Date: July 2, 2014 at 5:50 PM
To: Cheryl Piehl CherylP@co.bonner.id.us, William Haberman william.haberman@me.com
Cc: gedson@gedson.com

Cheryl:

Again thank you so much. I take it from your comment that others are telling you the plan on redeeming other portions of the Idaho Club.

For our own considered reasons we would just as well like to be the very last in the line to pay whatever tax bill remains after Mr. Berry and whoever else comes out of the woodwork between now and Monday to pay down the overdue taxes. We agree that any interested party (as so defined by the relevant statutes) has a right to pay off any portion or all of the unpaid taxes. As I have mentioned to you, Bill and I met at Michigan Law School almost 25 years ago. Ironically, we met and became good friends to this day because it was both of our natural inclinations to sit in the back of the class in the hopes of not getting called upon etc. As the axiom goes, the more things change the more they stay the same, and once again Bill and I have no problem ---and in fact much prefer--- to be the fellows at the end of the line when it comes to paying off what remains of the unpaid real estate taxes.

If others or Berry redeems anything further I am sure you will let us know (and request you do so), and you will also keep our escrow officer at First American Title fully informed of the exact pay-off amount due to redeem whatever taxes remain after Berry and anyone else might redeem tomorrow or Monday morning.

Have a great night, and thank you for keeping us informed.

Brian J. Kramer

Ph.: (424) 228-4133 or (310) 850-1894
Fax: (310) 751-6613
Email: bkramer@bjkpc.com

Office Address:
12100 Wilshire Blvd, Ste 800
Los Angeles, CA. 90025

From: Cheryl Piehl [mailto:CherylP@co.bonner.id.us]
Sent: Wednesday, July 02, 2014 4:28 PM
To: bkramer@bjkpc.com; William Haberman
Cc: gedson@gedson.com

cc: gussone@gussone.com

Subject: FW: Redeemed parcels map

Bill & Brian –

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I've been in contact with First American Title in Los Angeles and I gave them the new figures and payoffs to July 7.

I'm in the office tomorrow if you have any questions. As you know there are very many "recorded parties of interest" that have redemption rights and as long as it is known to me that they meet the requirement I must accept their money too.

Sincerely,

Cheryl Piehl
Bonner County Treasurer

WIRE OPERATIONS ADVICE OF CREDIT

ON JULY 07, 2014, WE CREDITED YOUR ACCOUNT
D/XXX3105 FOR USD 1,665,855.14

DETAILS OF PAYMENT

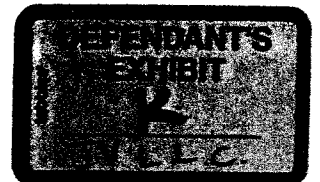
PAYMENT DATE AND TIME: 07-JUL-2014 15:28:26 CT
RECEIVED AMOUNT: USD 1,665,855.14
METHOD OF PAYMENT: FED Receive
TRANSACTION NUMBER: 201407070010732
OMAD(CYCLE DATE/LTERM/OMSN) 20140707/MMQFMPCS/000030/
REFERENCE: 20141880570600

RECEIVED FROM: F/122241255
FIRST AMERICAN TRUST, FSB
SANTA ANA
CA

ORIGINATOR: X/3021820000
FIRST AMERICAN TITLE COMPANY
- NCS
ATTN NCS CORP ACCOUNTING
215 SOUTH STATE STREET, SUITE
380
SALT LAKE CITY UT 84111

CREDITED TO: D/XXX3105
BONNER COUNTY
1500 HIGHWAY 2 STE 304
SANDPOINT ID 83864-1793

ORIGINATOR TO BENEFICIARY INFO: PROPERTY TAX REDEMPTION,
PEND OREIL
LE BONNER DEV. LLC, ATTN
CHERYL PIE



IL, PH 208-265-1433, ESCROW NC
675934-A-LA2. SENDER BRIAN
SERIKAKU .

**BANK TO BANK
INFORMATION:**

BEGIN,54026,2182,529,6262538,675934

-A,END

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JIM BERRY
PO BOX 907
PONDERAY, ID 83852
CELL: 208-946-4161

July 1, 2014

Bonner County Treasurer's Office
Cheryl Piehl, Treasurer
1500 Hwy 2, Suite 304
Sandpoint, ID 83864
Via Hand Delivery

Re: JV, L.L.C. Redemption Bonner County Taxes
Finney File No. 4697-21

Dear Cheryl:

NOTICE OF REDEMPTION

JL, L.L.C. is the Mortgage holder of the Mortgage recorded October 24, 1995, Instrument No. 474746, records of Bonner County, and is therefore a party in interest entitled to redeem. This is a Notice of Redemption to redeem real property parcels lying south of the Highway 200 and which is also south of the old Highway 200, and which is within the legal description of said Mortgage:

JV, L.L.C. hereby redeems:

1. RP57N01W020600A
2. RP58N01W369341A
3. All of the parcel RP0435905A000BA (lying south of highway less that portion lying north of old highway) - This "000BA" parcel consists of 5 holes of the total golf course, which you have apportioned for JV's redemption as 5/18 of the whole "000BA" parcel
4. RP033810010010A
5. RP033810020010A

From the information you have furnished me previously the total for this redemption appears to be approximately \$140,000.00 and a cashier's check # 703971 from Mountain West Bank payable to the Bonner County Treasurer is attached and delivered to you to apply to payment.

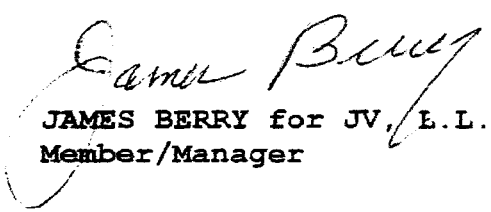


Bonner County Treasurer's Office
July 1, 2014
Page - 2

Pursuant to your duty to furnish me an itemization of the amounts necessary for this redemption, and please fax it to my attention at: Finney Law/Gary Finney - Fax# 208-263-8211

If there are any additional funds due for this redemption please furnish that figure to my attorney as soon as possible and I will promptly deliver an additional cashier's check to you. Please do this as soon as possible so my redemption payment is complete before July 9, 2014.

Very truly yours,



JAMES BERRY for JV, L.L.C.
Member/Manager

JB:gmv
cc: Attorney Gary Finney

RE-RECORDED TO CORRECT LEGAL DESCRIPTIONS

~~Instrument # 861430
BONNER COUNTY, SANDPOINT, IDAHO
7-7-2014 04:10:00 No. of Pages: 3
Recorded for: BC TREASURER
R. ANN DUTSON-SATER Fee: 0.00
Ex-Officio Recorder Deputy
Index to: REDEMPTION DEED~~

Parcel #'s RP033810010010A, RP033810020010A,
PORTION OF RP0435905A000BA,
RP57N01W020600A, RP58N01W369341A

Instrument # 863295
BONNER COUNTY, SANDPOINT, IDAHO
8-22-2014 10:40:11 No. of Pages: 5
Recorded for: BC TREASURER
R. ANN DUTSON-SATER Fee: 0.00
Ex-Officio Recorder Deputy
Index to: REDEMPTION DEED

REDEMPTION DEED

THIS INDENTURE, Made this 2nd day of July, 2014, between Bonner County, State of Idaho, by Cheryl D Piehl, County Treasurer and ex-officio Tax Collector thereof, and JV, L.L.C., P O Box 907, Ponderay, Idaho, State of Idaho, herein called the "redemptioner",

WITNESSETH:

In consideration of the sum of one hundred forty thousand, nine hundred ninety nine dollars and 86/100 (\$140,999.86) lawful money of the United States by the redemptioner paid, Bonner County acknowledges receipt in full on account of taxes for the year(s) 2008, 2009, 2010, 2011, 2012, 2013 and 2014 heretofore levied and accrued upon the property herein after described, and does hereby remise, release, and quit claim to JV, L.L.C., the redemptioner, his heirs, executors, administrators, successors, and assigns, all right, title, and interest acquired by Bonner County under and by virtue of any tax deed, tax sale, or delinquency entry on account of delinquent taxes for any of the years listed above, in and to the following described property, together with its appurtenances, in Bonner County, State of Idaho, to wit:

See Attached Legals

IN WITNESS WHEREOF, The undersigned, the duly authorized County Treasurer and ex-officio Tax Collector of Bonner County, on its behalf, has hereunto set her hand at Sandpoint, Bonner County, Idaho, the day and year first above written.

Cheryl D Piehl

County Treasurer and ex-officio Tax
Collector, for Bonner County,
State of Idaho,

STATE OF IDAHO
County of Bonner



On this 3rd day of July., A.D. 2014, before me, Clorrisa A. Koster, Notary Public, in and for said County of Bonner, in the State of Idaho, personally appeared Cheryl D Piehl, known to me to be the County Treasurer and ex-officio Tax Collector of said Bonner County, and who executed the within instrument as such, and acknowledged to me that she executed the same as such officer.

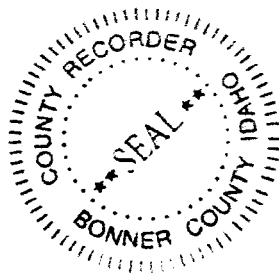
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate above written.



Clorrisa A. Koster

Notary Public, My Commission Expires

November 30, 2014



STATE OF IDAHO

County of Bonner

I, R. Ann Dutton-Sater, County Recorder in and for the county and state aforesaid, do hereby certify that the foregoing instrument is a true and correct copy of the original thereof recorded in my office by instrument number 951430.
Witness my hand and seal,

the 22 day of August 2014

BONNER COUNTY RECORDER

By Cynthia Brannon Deputy

Legal Descriptions

Real property in the County of Bonner, State of Idaho, described as follows:

Parcel 1 and Parcel 2:

Lot 1, Block 1, and Lot 1, Block 2 of Golden Tee Estates 2nd Addition, according to the plat thereof, recorded in Book 8 of Plats, page 79, records of Bonner County, Idaho.

Parcel 3:

The portion of the following described parcel lying south of highway 200 as described in Mortgage Instrument #474746, records of Bonner County, Idaho --

Block 5a, Lot 3A, Block 12, Lot 1, Block 17 and Block 18, of the Replat of Golden Tee Estates and Golden Tee Estates 1st Addition and unplatted land, according to the Plat thereof, recorded in Book 8 of Plats, Page 77, records of Bonner County, Idaho.

Lot 1A, Block 15 and Block 16A of the Replat of Blocks 15 and 16 Golden Tee Estates and Golden Tee Estates 1st Addition and unplatted land, according to the Plat thereof, recorded in Book 9 of Plats, Page 5, records of Bonner County, Idaho.

EXCEPTING THEREFROM any portion of said property lying within the boundaries of the Plat of Golden Tee Estates -- 8th Addition filed for record in Book 9 of Plats, Page 7 and the Replat of Lots 1 through 4, Block 1 Golden Tee Estates 8th Addition and Block 16A, Replat of Blocks 15 and 16 of the Replat of Golden Tee Estates and Golden Tee Estates First Addition, filed for record in Book 9 of Plats, Page 82, Records of Bonner County, Idaho.

Parcel 4 and 5:

All that portion of the Southeast Quarter in Section 36, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Idaho, lying South of State Highway 200; LESS the following described property:

A tract of land in the Southeast quarter of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, being that property described in Instrument No. 92981, records of Bonner County, Idaho and more particularly described as follows:

Commencing at the Southeast corner of said Section 36; Thence along East line of Section 36, North 00 degrees 08' 06" East, 460.00 feet; Thence perpendicular to the East line of the Section, North 89 degrees 51' 54" West, 568.00 feet to the true point of beginning; Thence South 47 degrees 08' 06" West, 250.00 feet; Thence South 42 degrees 51' 54" East, 348.50 feet; Thence North 47 degrees 48' 06" East, 250.00 feet; Thence North 42 degrees 51' 54" West, 348.50 feet to the true point of beginning.

AND LESS PLATS

PARCEL 1:

Lot 1, Block 1 and Lot 1, Block 2 of Golden Tee Estates 2nd Addition, according to the plat thereof, recorded in Book 8 of Plats, page 79, records of Bonner County, Idaho.

PARCEL 2:

Lot 1, Block 17 and Block 18, of the RePlat of Golden Tee Estates and Golden Tee Estates 1st Addition and Unplatted Land, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

PARCEL 3:

All that portion of the Southeast Quarter in Section 36, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Idaho, lying South of State Highway 200.

LESS the following described property:

A tract of land in the Southeast quarter of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, being that property described in Instrument No. 92981, records of Bonner County, Idaho and more particularly described as follows:

Commencing at the Southeast corner of said Section 36; Thence along the East line of Section 36, North 00° 08' 06" East, 460.00 feet; Thence perpendicular to the East line of the Section, North 89° 51' 54" West, 568.00 feet to the true point of beginning; Thence South 47° 08' 06" West, 250.00 feet; Thence South 42° 51' 54" East, 348.50 feet; Thence North 47° 48' 06" East, 250.00 feet; Thence North 42° 51' 54" West, 348.50 feet to the true point of beginning. EXCEPT that portion lying within the RePlat of Golden Tee Estates and Golden Tee Estates 1st Addition and Unplatted Land, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

Parcel 4:

All that portion of Government Lots 2, 3, 4, 5, 6, 7, 8 and 9; the Southwest quarter of the Northeast quarter; and the South half of the Northwest quarter of Section 2, Township 57 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, lying South of State Highway No. 200 and lying North and East of the Northern Pacific Railroad (now Montana Rail Link) right of way.

LESS that portion of Section 2, Township 57 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, being that property described in Instrument No. 592059 and more particularly described as follows:

Beginning at a right of way monument on the South right of way of State Highway No. 200, from which the Northwest corner of said Section 2 bears North 25° 54' 43" West, 798.00 feet (record = North 26° 28' 08" West, 798.11 feet; Thence along the South right of way of the

Highway, North 68° 35' 39" East, 266.10 feet; Thence continuing along the Highway right of way, on a curve to the left (radial bearing = North 14° 03' 28" West) having a central angle of 00° 08' 55" and a radius of 5799.58 feet for an arc distance of 15.03 feet (chord = North 75° 52' 05" East, 15.03 feet - total distance along right of way from point of beginning 281.13 feet - record = 281.13 feet); Thence leaving said right of way South 00° 04' 10" West, 725.53 feet; Thence North 89° 14' 40" West, 330.00 feet; Thence North 00° 03' 26" West 607.20 feet, to the Southerly right of way of State Highway No. 200; Thence along said right of way North 79° 11' 55" East, 70.38 feet to the true point of beginning.

EXCEPTING therefrom Lots 1 and 2, Block 17 and Block 18 of the RePlat of Golden Tee Estates and Golden Tee Estates 1st Addition and Unplatted Land, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

ALSO EXCEPTING therefrom all of the above described properties, any portion lying within the bounds of the following plats:

Golden Tee Estates 2nd Addition, recorded in Book 8 of Plats, Page 79,

Golden Tee Estates 3rd Addition, recorded in Book 8 of Plats, Page 78,

Golden Tee Estates 4th Addition, recorded in Book 8 of Plats, Page 80,

Golden Tee Estates 5th Addition, recorded in Book 8 of Plats, Page 81,-

RE-RECORDED TO CORRECT LEGAL DESCRIPTIONS

Instrument # 863298
BONNER COUNTY, SANDPOINT, IDAHO
8-22-2014 10:54:28 No. of Pages: 15
Recorded for : BC TREASURER
R. ANN DUTSON-SATER Fee: 0.00
Ex-Officio Recorder Deputy
Index to: REDEMPTION DEED

REDEMPTION DEED

Instrument # 861460
BONNER COUNTY, SANDPOINT, IDAHO
7-8-2014 01:02:58 No. of Pages: 13
Recorded for : BCT
R. ANN DUTSON-SATER Fee: 0.00
Ex-Officio Recorder Deputy
Index to: REDEMPTION DEED

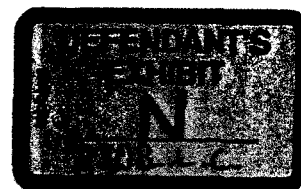
THIS INDENTURE, Made this 7th day of July, 2014, between Bonner County, State of Idaho, by Cheryl D Piehl, County Treasurer and ex-officio Tax Collector thereof, and Valiant Idaho LLC, 916 Greenlawn, Celebration, State of Florida, 34747, herein called the "redemptioner", WITNESSETH:

In consideration of the sum of one million, six hundred sixty-five thousand, eight hundred fifty-five dollars and 14/100 (\$1,665,855.14) lawful money of the United States by the redemptioner paid, Bonner County acknowledges receipt in full on account of taxes for the year(s) 2008, 2009, 2010, 2011, 2012, 2013 and 2014 heretofore levied and accrued upon the property herein after described, and does hereby remise, release, and quit claim to Valiant Idaho LLC, the redemptioner, his heirs, executors, administrators, successors, and assigns, all right, title, and interest acquired by Bonner County under and by virtue of any tax deed, tax sale, or delinquency entry on account of delinquent taxes for any of the years listed above, in and to the following described property, together with its appurtenances, in Bonner County, State of Idaho, to wit:

See Attached Legals

IN WITNESS WHEREOF, The undersigned, the duly authorized County Treasurer and ex-officio Tax Collector of Bonner County, on its behalf, has hereunto set her hand at Sandpoint, Bonner County, Idaho, the day and year first above written.

Cheryl D Piehl
County Treasurer and ex-officio Tax
Collector, for Bonner County,
State of Idaho,

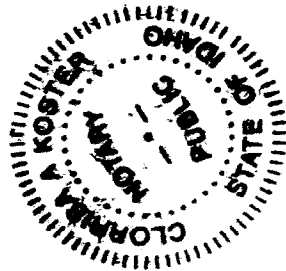


STATE OF IDAHO

County of Bonner

On this 7th day of July., A.D. 2014, before me, Clorrisa A. Koster, Notary Public, in and for said County of Bonner, in the State of Idaho, personally appeared Cheryl D Piehl, known to me to be the County Treasurer and ex-officio Tax Collector of said Bonner County, and who executed the within instrument as such, and acknowledged to me that she executed the same as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate above written.



Clorrisa A. Koster

Notary Public, My Commission Expires

November 30, 2014

Real property in the County of Bonner, State of Idaho, described as follows:

PARCEL 1:

Roads, Lots 14 and 15, Block 2, Lot 5A, Block 4, Lot 4, Block 7, Lot 13A, Block 13, Lots 1 and 2, Block 19, Lots 1, 2, 3, 11, 12, 13, 14 and 16, Block 20; Lot 4, Block 22 of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

PARCEL 2:

Lot 2A, Block 15 of A REPLAT OF BLOCKS 15 AND 16 OF THE REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 9 of Plats, page 5, records of Bonner County, Idaho.

PARCEL 3:

Lot 20A, Block 20 and Lots 5A and 6A, Block 22, A REPLAT OF LOTS 5 & 6, BLOCK 22 AND LOT 20, BLOCK 20, REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 9 of Plats, page 6, records of Bonner County, Idaho.

PARCEL 4:

Lot 21A, Block 2, of REPLAT OF LOTS 20 AND 21, BLOCK 2 REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION, according to the plat thereof, recorded in Book 9 of Plats, page 81, records of Bonner County, Idaho.

PARCEL 5:

Roads, Lots 1, 2, 4, 5, 6, 7 8 and 9, Block 1, Lots 1, 2, 3, 5, 8, 9, Block 2 of GOLDEN TEE ESTATES 2nd ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 79, records of Bonner County, Idaho.

PARCEL 6:

Roads, Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17, Block 1; Lot 1, Block 2; Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 3; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, Block 4; Lots 1, 2 and 8, Block 5; Lots 3, and 4, Block 6; Lots 6 and 10, Block 7; Lots 1, 2, 4, 5 and 6, Block 8; Lots 3, 5 and 10, Block 9, Lots 6 and 10, Block 10 and Lot 2, Block 11 of GOLDEN TEE ESTATES 3rd ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 78, records of Bonner County, Idaho.

PARCEL 7:

Roads, Lots 1, 6 and Block 1; Lot 5, Block 2; Lots 1 Block 3; Lots 1, 2, 3, 4, 5, 6, 8 and 9, Block 4; Lots 1, 5 Block 5 of GOLDEN TEE ESTATES 4TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 80, records of Bonner County, Idaho.

PARCEL 8:

Roads, Lots 1, 5, 6, 7 and 9, Block 1; Lots 1, 3, 5, 8, 9 and 11, Block 2, GOLDEN TEE ESTATES 5TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 81, records of Bonner County, Idaho.

PARCEL 9:

Roads, Lots 2 and 8, Block 1; Lots 2, 3, 4 and 5, Block 2; Lot 1, Block 3; Lots 1, 2, 3, 4 and 5, Block 4 of GOLDEN TEE ESTATES 6TH ADDITION, according to the plat thereof, recorded in Book 8 of Plats, page 82, records of Bonner County, Idaho.

PARCEL 10:

Lots 1, 2, 3, 5, 6 and 7, Block 1; Lots 1, 2, 4, 5, 6, 8 and 9, Block 2 of GOLDEN TEE ESTATES 7TH ADDITION, according to the plat thereof, recorded in Book 9 of Plats, page 13, records of Bonner County, Idaho.

PARCEL 11:

Lots 1, 2, 4, 5, 6, 7 and 8, Block 1; Lots 1 and 2, Block 2, GOLDEN TEE ESTATES 8TH ADDITION, according to the plat thereof, recorded in Book 9 of Plats, page 7, records of Bonner County, Idaho.

PARCEL 12:

Lots 1A, 2A and 4A, Block 1, REPLAT OF LOTS 1 THROUGH 4, BLOCK 1 AND BLOCK 16A, REPLAT OF BLOCKS 15 & 16 OF THE REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION, according to the plat thereof, recorded in Book 9 of Plats, page 82, records of Bonner County, Idaho.

PARCEL 13:

Lot 2, Block 3 in GOLDEN TEE ESTATES PLANNED UNIT DEVELOPMENT (PHASE ONE), according to the plat thereof, recorded in Book 6 of Plats, page 108, records of Bonner County, Idaho.

PARCEL 14:

Lot 1, Block 1 of the FIRST ADDITION TO HIDDEN LAKES, according to the plat thereof, recorded in Book 4 of Plats, page 161, records of Bonner County, Idaho.

PARCEL 15:

Lots 2, 3, 4 and 5, Block 2 of the SECOND ADDITION TO HIDDEN LAKES SUBDIVISION, according to the plat thereof, recorded in Book 5 of Plats, page 58, records of Bonner County, Idaho.

Also the following:

PARCEL 1:

A tract of land located in Section 36, Township 58 North, Range 1 West AND Section 31, Township 58 North, Range 1 East of the Boise Meridian, Bonner County, Idaho, more particularly described as follows:

That portion of said Sections 36 and 31 lying East of Pack River Road, a county road, West of the Pack River, North of State Highway No. 200, and South of the South line of Government Lot 1 of said Section 31 and South of the South line of the Northeast quarter of the Northeast quarter of said Section 36;

LESS that land included in the Plat of Hidden Lakes Subdivision as recorded in Book 4 of Plats, page 64, records of Bonner County, Idaho.

ALSO LESS a parcel of land in Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho more particularly described as follows:

Commencing at the Southeast corner of said Section 36; Thence North 52° 11' 33" West 953.40 feet (record per Instrument No. 457973 North 54° 29' 10" West, 1010.58 feet) to a point on the Northerly right of way of State Highway No. 200 and the true point of beginning; Thence North 01° 19' 29" West, 244.70 feet (record per Instrument No. 457973 = North 01° 07' 07" East, 244.28 feet); Thence South 88° 04' 08" West, 348.50 feet (record per instrument No. 457973 South 87° 52' 03" West, 348.49 feet); Thence South 01° 19' 12" West, 250.00 feet (record per Instrument No. 457973 = South 01° 07' 07" West, 250.00 feet) to the Northerly right of way of State Highway No. 200; Thence along said right of way North 80° 34' 19" East 66.04 feet (record per Instrument No. 457973 = North 79° 46' 41" East, 66.62 feet); Thence on a curve to the right having a central angle of 05° 47' 35" and a radius of 2803.37 feet, for an arc distance of 283.45 feet (record per Instrument No. 457973 = a central angle of 05° 47' 02" and an arc length of 282.99 feet) to the true point of

beginning.

ALSO LESS a tract of land in the Southeast Quarter of the Southeast quarter (SE1/4 SE1/4) of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Commencing at a point on the East line of said Section 36, which is N 00° 08' 06" E, 563.94 feet from the Southeast corner of the Section; thence, perpendicular to the East line of the Section, N 89° 51' 54" W, 1103.43 feet to the Southwest corner of Instrument Number 457973 on the Northerly right of way of Highway 200 and the True Point of Beginning; thence, along the Western boundary of Instrument No. 457973, N 01° 25' 02" E, 99.41 feet, to a 5/8 inch rebar and plastic cap stamped PLS 3628; thence S 32° 20' 51" W, 132.00 feet, to a 5/8 inch rebar and plastic cap stamped PLS 3628 on the Northerly right of way of Highway 200; thence, along said right of way, N 79° 54' 11" E, 69.24 feet, to the True Point of Beginning.

AND ALSO LESS a tract of land in the Southeast Quarter of the Southeast quarter (SE1/4 SE1/4) of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Commencing at a point on the East line of said Section 36, which is N 00° 08' 06" E, 582.67 feet from the Southeast corner of the Section; thence, perpendicular to the East line of the Section, N 89° 51' 54" W, 754.63 feet to the Southeast corner of Instrument Number 457973 on the Northerly right of way of Highway 200 and the True Point of Beginning; thence, along the Eastern boundary of that property described in Instrument Number 457973, N 01° 19' 29" E, 244.70 feet, to the Northeast corner of that property described in Instrument Number 457973; thence, along the Northern boundary of Instrument Number 457973, S 88° 04' 08" W, 77.25 feet, to a 5/8 inch rebar and plastic cap stamped PLS 3628; thence N 67° 17' 36" E, 84.44 feet, to a 5/8 inch rebar and plastic cap stamped PLS 3628; thence N 88° 04' 08" E, 41.01 feet, to a 5/8 inch rebar and plastic cap stamped PLS 3628; thence S 01° 19' 29" W, 277.55 feet, to a 5/8 inch rebar and plastic cap stamped PLS 3628 on the Northerly right of way of Highway No. 200; thence, along said Highway right of way on a non-tangential curve to the left (radial bearing = S 02° 28' 05" W), having a central angle of 00° 50' 13" and a radius of 2803.37 feet, for an arc distance of 40.95 feet (radial = S 01° 38' 12" W, chord = N 87° 56' 41" W, 40.95 feet), to the True Point of Beginning.

LESS a tract of land in Government Lot 2 of Section 31, Township 58 North, Range 1 East of the Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Beginning at the intersection of the North line of said Government Lot 2 and an existing fence line marking the right of way of an old County Road, said point being South 89° 06' 38" East, 398.07 feet from the Northwest corner of Government Lot 2 (record 361.00 feet); Thence along said fence line as noted of record per Instrument No. 217765 on a curve to the left (radial bearing = North 62° 13' 42" East) having a central angle of 19° 17' 35" and a radius of 650.32 feet, for an arc distance of 218.98 feet (chord South 37° 25' 05" East, 217.95 feet); Thence continuing along said fence line, South 47° 03' 53" East, 43.24 feet; Thence North 89° 06' 38" West, 12.33 feet; Thence continuing along the fence line, South 59° 55' 24" East, 65.99 feet to an iron pipe as described in Instrument No. 217765; Thence along the fence line, South 70° 07' 45" East, 262.49 feet to an iron pipe as described in Instrument No. 217765 (record South 70° 18' 00" East 262.00 feet; Thence South 54° 48' 04" East 67.00 feet; Thence North 40° 08' 56" East, 168.45 feet to the right bank of Pack River (record = 200.00 feet to the thread of Pack River); Thence North 40° 08' 56" East to the intersection with the thread of Pack River; Thence Northerly and upstream along the thread line of Pack River to the intersection with the North line of Government Lot 2 of said Section 31; Thence South 89° 06' 38" East, along said North line to the true point of beginning.

LESS a tract of land in Government Lots 1 and 2 of Section 31, Township 58 North, Range 1 East and the Southeast quarter of the Northeast quarter of Section 36, Township 58 North, Range 1 West of the Boise

Meridian, Bonner County, Idaho and more particularly described as follows:

Mary's Pack River Lots and all that property dedicated to the public for right of way as shown and recorded in Instrument No. 699091, records of Bonner County, Idaho.

PARCEL 2:

A tract of land located in Section 36, Township 58 North, Range 1 West AND Section 2, Township 57 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, more fully described as follows:

Beginning at a point that is North 80° 05' 57" East, a distance of 386.02 feet from the South quarter corner of said Section 36, said point also being at the intersection of the South right of way of State Highway

No. 200 and the East right of way of the Old Country Road; thence South 5° 14' 00" East along said East right of way of the old country road, a distance of 171.80 feet; thence continuing South 14° 35' 50" East along said East right of way, a distance of 254.70 feet to an intersection with the North right of way of Old Highway No. 200 (FAP No. 95F); thence North 72° 38' 24" East along said North right of way, a distance of 372.40 feet; thence continuing along said North right of way, North 72° 58' 33" East, a distance of 336.00 feet to an intersection with the West high bank of Dry Creek; thence Northeasterly along said West high bank, a distance of 578 feet, more or less, to an intersection with the South right of way of said State Highway No. 200; thence Westerly along said South right of way the following six (6) courses:

- 1) Around a curve to the left with a radius of 2643.37 feet, a distance of 48.44 feet (the chord of which bears South 88° 02' 31" West, a distance of 48.43 feet);
- 2) North 79° 07' 52" West, 100.50 feet;
- 3) Around a curve to the left with a radius of 2668.37 feet, a distance of 247.30 feet (the chord of which bears South 82° 54' 00" West, a distance of 247.24 feet) to a P.S.C.;
- 4) Along a spiral curve (S=2° 12.3'), a distance of 207.68 feet (the chord of which bears South 70° 27' 12" West, a distance of 207.67 feet) to a P.S.;
- 5) South 69° 43' 21" West, 328.60 feet;
- 6) South 61° 11' 30" West, 119.79 feet to the point of beginning.

AND TOGETHER WITH any portion of the old Highway right of way abandonment, described in that certain Quitclaim Deed, executed by the State of Idaho, as Instrument No. 696025 and recorded on January 11, 2006, lying within the bounds of the above described property.

PARCEL 3:

A tract of land in Government Lot 2 of Section 31, Township 58 North, Range 1 East of the Boise Meridian, Bonner County, Idaho, being that property described in Instrument No. 495753 and more particularly described as follows:

Beginning at a point on the West line of said Government Lot 2 (West line of Section 31) which is South 00° 07' 21" West, 200.00 feet from the Northwest corner of said Government Lot 2; Thence parallel to the North line of Government Lot 2, South 89° 06' 38" East (record = South 89° 06' 55" East) 562.61 feet (record 562.58 feet); Thence North 47° 03' 53" West, 43.24 feet (record 43.21 feet); Thence on a curve to the right having a central angle of 19° 17' 35" (record = 19° 17' 39") and a radius of 650.32 feet, for an arc distance of 218.98 feet (chord = North 37° 25' 03" West 271.95 feet) to the North line of Government Lot 2; Thence along said North line North 89° 06' 38" West (record = North 89° 06' 55" West) 68.07 feet; Thence South 27° 14' 49" East 26.15 feet; Thence on a curve to the left having a central angle of 09° 49' 00" and a radius of 710.32 feet, for an arc distance of 121.70 feet (chord South 32° 09' 19" East, 121.55 feet); Thence South 80° 25' 01" West 412.81 feet (record = South 80° 24' 50" West 412.82 feet) to the point of beginning.

EXCEPTING from Parcels 1, 2 and 3, the following two tracts:

Any portion encompassed by the Plat of GOLDEN TEE ESTATES PLANNED UNIT DEVELOPMENT (PHASE ONE), according to the plat thereof, recorded in Book 6 of Plats, Page 108, records of Bonner County, Idaho.

AND any portion encompassed by the Plat of GOLDEN TEE ESTATES FIRST ADDITION, (PHASE TWO) according to the plat thereof, recorded in Book 6 of Plats, Page 114, records of Bonner County, Idaho.

EXCEPTING from Parcels 1, 2 and 3 above any portion lying within the bounds of the following plats:

REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77,

records of Bonner County, Idaho.

REPLAT OF BLOCKS 15 AND 16 OF THE REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 9 of Plats, page 5, records of Bonner County, Idaho.

REPLAT OF LOTS 5 & 6, BLOCK 22 AND LOT 20, BLOCK 20, REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 9 of Plats, page 6, records of Bonner County, Idaho.

PARCEL 4:

Block 5A; Lot 1A, Block 11; Lots 1A, 2A and 3A, Block 12; Lot 1, Block 14A; Lot 1, Block 17; Block 18, of REPLAT OF GOLDEN TEE ESTATES AND GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

PARCEL 5:

Lot 1A, Block 15 and Block 16A of A REPLAT OF BLOCKS 15 AND 16 OF THE REPLAT OF GOLDEN TEE ESTATES & GOLDEN TEE ESTATES 1ST ADDITION AND UNPLATTED LAND, according to the plat thereof, recorded in Book 9 of Plats, page 5, records of Bonner County, Idaho.

PARCEL 6:

That part of the Southeast quarter of the Northeast quarter lying North and West of Fairway View Drive of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho.

and

A tract of land in the East half of the Northeast quarter of the Southwest quarter and the Northwest quarter of the Southeast quarter of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Beginning at the Southeast corner of the East half of the Northeast quarter of the Southwest quarter of said Section 36; Thence along the South line of the East half of the Northeast quarter of the Southwest quarter, North 89° 36' 27" West, 661.51 feet (record = North 89° 37' 10" West, 661.57 feet to the Southwest corner of the East half of the Northeast quarter of the Southwest quarter; Thence along the West line of the East half of the Northeast quarter of the Southwest quarter, North 00° 10' 22" East 856.45 feet (record = North 00° 09' 25" East, 856.45 feet); Thence North 89° 10' 53" East, 30.21 feet (record = East, 29.58 feet) to the Westerly right of way of Berry Drive (shown as Olympic Drive on the Second Addition Plat to Hidden Lakes); Thence Southeasterly along said right of way the following six (6) courses:

1. On a non-tangential curve to the left (radial bearing = North 87° 39' 13" East) having a central angle of 36° 44' 06" and a radius of 131.00 feet for an arc distance of 83.99 feet (record = 84.54 feet) (chord = South 20° 42' 50" East, 82.56 feet - record = South 20° 37' 27" East, 83.08 feet);
 2. Thence South 39° 04' 53" East, 419.67 feet (record = South 39° 06' 45" East, 419.68 feet);
 3. Thence on a curve to the left having a central angle of 11° 42' 45" and a radius of 530.00 feet for an arc distance of 108.34 feet (chord = South 44° 56' 16" East, 108.15 feet - record = South 44° 58' 08" East, 108.16 feet);
 4. Thence South 50° 47' 39" East, 69.68 feet (record = South 50° 49' 31" East, 69.68 feet);
 5. Thence on a curve to the right having a central angle of 23° 42' 51" and a radius of 970.00 feet, for an arc distance of 401.47 feet (chord = South 38° 56' 14" East, 398.61 feet - record = South 38° 58' 05" East 398.61 feet);
 6. Thence South 27° 04' 48" East, 31.65 feet to the South line of the Northwest quarter of the Southeast quarter (record = South 27° 06' 40" East, 30.77 feet);
- Thence leaving said right of way North 89° 36' 03" West, 60.37 feet (record = North 89° 37' 09" West, 59.55 feet) to the point of beginning.

PARCEL 7:

A tract of land located in a portion of the Southwest quarter of the Southeast quarter of Section 36, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Beginning at the Northwest corner of said Southwest quarter of the Southeast quarter of

Section 36; Thence South 89° 36' 03" East 60.37 feet (record = South 89° 37' 09" East, 59.55 feet) to the Westerly right of way of Berry Drive (shown as Olympic Drive on the Plat of the Second Addition to Hidden Lakes); thence along said right of way for the following four (4) courses;

1. South 27° 04' 48" East, 299.95 feet (record = South 27° 06' 40" East, 300.83 feet);
2. North 62° 55' 12" East, 60.00 feet (record = North 62° 53' 20" East, 60.00 feet);
3. North 27° 04' 48" West, 125.34 feet (record = North 27° 06' 40" West, 125.34 feet);
4. Thence on a curve to the right having a central angle of 79° 01' 27" and a radius of 25.00 feet, for an arc distance of 34.48 feet (chord = North 12° 25' 55" East, 31.81 feet - record = North 12° 24' 03" East, 31.81 feet) to a point on the Southerly right of way of Fairway View Drive, as shown on the Plat of First Addition to Hidden Lakes;

Thence along said right of way for the following eight (8) courses:

1. North 51° 56' 39" East, 74.67 feet (record = North 51° 54' 47" East, 74.67 feet);
2. Thence on a curve to the right having a central angle of 99° 26' 33" and a radius of 70.00 feet, for an arc distance of 121.49 feet (chord = South 78° 20' 05" East, 106.81 feet - record = South 78° 21' 57" East, 106.81 feet);
3. Thence South 28° 36' 48" East, 154.03 feet (record = South 28° 38' 40" East, 154.03 feet);
4. Thence on a curve to the right having a central angle of 55° 41' 27" and a radius of 90.00 feet for an arc distance of 87.48 feet (chord = South 00° 46' 05" East, 84.08 feet - record = South 00° 47' 56" East, 84.08 feet);
5. Thence South 27° 04' 39" West, 170.14 feet;
6. Thence on a curve to the right having a central angle of 71° 37' 11" and a radius of 60.0 feet, for an arc distance of 75.00 feet (chord = South 08° 43' 57" East, 70.21 feet);
7. Thence South 44° 32' 32" East, 50.94 feet;
8. Thence on a curve to the right having a central angle of 69° 10' 16" and a radius of 25.00 feet, for an arc distance of 30.18 feet (chord = South 09° 57' 24" East, 28.38 feet - record = South 11° 23' 51" East, 30.18 feet) to a point on the West right of way of Lower Pack River Road;

Thence Southerly along said right of way for the following four (4) courses:

1. on a non-tangential curve to the right having a central angle of 04° 15' 19" and a radius of 1180.00 feet for an arc distance of 87.69 feet (chord = South 22° 30' 38" West, 87.67 feet);
2. Thence South 20° 22' 44" West, 114.57 feet;
3. Thence on a curve to the left having a central angle of 22° 29' 50" and a radius of 502.65 feet, for an arc distance of 197.36 feet (chord = South 09° 07' 49" West, 196.10 feet);
4. Thence South 02° 07' 06" East, 157.81 feet to the Northerly right of way of State Highway No. 200;

Thence along the highway right of way, South 77° 42' 28" West, 72.14 feet (record = South 78° 15' 06" West, 71.11 feet); Thence continuing along the Highway right of way, South 69° 44' 57" West, 262.22 feet (record = South 69° 43' 16" West, 261.65 feet) to the West line of the Southwest quarter of the Southeast quarter of said Section 36; Thence along the West line of the Southwest quarter of the Southeast quarter, North 00° 08' 19" East, 1223.36 feet (record = North 00° 07' 13" East, 1223.17 feet) to the point of beginning.

PARCEL 8:

All that portion of the Southeast Quarter in Section 36, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Idaho, lying South of State Highway 200; and all that portion of Government Lot 4 in Section 31, Township 58 North, Range 1 East, Boise Meridian, Bonner County, Idaho, lying South of State Highway 200.

LESS the following described property:

A tract of land in the Southeast quarter of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, being that property described in Instrument No. 92981, records of Bonner

County, Idaho and more particularly described as follows:

Commencing at the Southeast corner of said Section 36; Thence along the East line of Section 36, North 00° 08' 06" East, 460.00 feet; Thence perpendicular to the East line of the Section, North 89° 51' 54" West, 568.00 feet to the true point of beginning; Thence South

47° 08' 06" West, 250.00 feet; Thence South 42° 51' 54" East, 348.50 feet; Thence North 47° 48' 06" East, 250.00 feet; Thence North 42° 51' 54" West, 348.50 feet to the true point of beginning.

AND

All that portion of Government Lots 2, 3, 4, 5, 6, 7, 8 and 9; the Southwest quarter of the Northeast quarter; and the South half of the Northwest quarter of Section 2, Township 57 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, lying South of State Highway No. 200 and lying North and East of the Northern Pacific Railroad (now Montana Rail Link) right of way.

LESS that portion of Section 2, Township 57 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, being that property described in Instrument No. 592059 and more particularly described as follows:

Beginning at a right of way monument on the South right of way of State Highway No. 200, from which the Northwest corner of said Section 2 bears North 25° 54' 43" West, 798.00 feet (record = North 26° 28' 08" West, 798.11 feet; Thence along the South right of way of the Highway, North 68° 35' 39" East, 266.10 feet; Thence continuing along the Highway right of way, on a curve to the left (radial bearing = North 14° 03' 28" West) having a central angle of 00° 08' 55" and a radius of 5799.58 feet for an arc distance of 15.03 feet (chord = North 75° 52' 05" East, 15.03 feet - total distance along right of way from point of beginning 281.13 feet - record = 281.13 feet); Thence leaving said right of way South 00° 04' 10" West, 725.53 feet; Thence North 89° 14' 40" West, 330.00 feet; Thence North 00° 03' 26" West 607.20 feet, to the Southerly right of way of State Highway No. 200; Thence along said right of way North 79° 11' 55" East, 70.38 feet to the true point of beginning.

LESS a tract of land located in Section 36, Township 58 North, Range 1 West and Section 2, Township 57 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, being a portion of that property described in Instrument No. 464572 and more particularly described as follows:

Beginning at a point that is North 80° 05' 57" East 386.02 feet from the South quarter of said Section 36, said point also being at the intersection of the South right of way of State Highway No. 200 and the East right of way of the Old County Road; Thence South 05° 14' 00" East along the East right of way of the Old County Road, 171.80 feet; Thence continuing South 14° 35' 50" East along said East right of way, 254.70 feet to the intersection with the North right of way of Old Highway 200 (FAP No. 95F); Thence North 72° 38' 24" East along said North right of way, 372.40 feet; Thence continuing along said North right of way, North 72° 58' 33" East, 336.00 feet to the intersection with the West high bank of Dry Creek; Thence Northeasterly along said West high bank, a distance of 578 feet, more or less, to the intersection with the South right of way of State Highway No. 200; Thence Westerly along said South right of way the following six (6) courses:

1. around a curve to the left with a radius of 2643.37 feet, a distance of 48.44 feet (chord South 88° 02' 31" West, 48.43 feet);

2. North 79° 07' 52" West, 100.50 feet;

3. around a curve to the left with a radius of 2668.37 feet for a distance of 247.30 feet (chord = South 82° 54' 00" West, 247.24 feet);

4. along a spiral curve (South = 02° 12' 18"), a distance of 207.68 feet (chord = South 70° 27' 12" West, 207.67 feet);

5. South 69° 43' 21" West, 328.60 feet;

6. South 61° 11' 30" West, 119.79 feet to the point of beginning.

TOGETHER WITH any portion of the old highway right of way abandonment described in that certain Quitclaim Deed, executed by the State of Idaho, as instrument No. 696025 and recorded on January 11, 2006, and lying within the bounds of the above described property.

AND

Government Lots 5, 9, 10 and 11; the Southeast quarter of the Northwest quarter; the East half of the Southwest quarter; and Government Lot 6, all in Section 6, Township 57 North, Range 1 East of the Boise Meridian, Bonner County, Idaho.

LESS that property described in Instrument No. 22533, records of Bonner County, Idaho, and described as follows:

Beginning at the North quarter corner of said Section 6, Township 57 North, Range 1 East of the Boise Meridian, Bonner County, Idaho; Thence South 1669.70 feet to Pack River and the True Point of Beginning; Thence South 66° 47' West, 203 feet; Thence South 69° 54' West 165.3 feet; Thence South 79° 56' West, 242.5 feet; Thence South 01° 11' East, 146 feet; Thence South 25° 18' East, 118.20 feet; Thence South 54° 29' East, 137.2 feet; Thence South 68° 10' East, 267.1 feet; Thence North 535.6 feet to a point 1669.7 feet South of the North quarter corner of Section 6.

LESS a tract of land in Government Lot 6 and the Southeast quarter of the Northwest quarter of Section 6, Township 57 North, Range 1 East of the Boise Meridian, Bonner County, Idaho, being that property identified as Tract No. Q-1755-2 in Instrument No. 42975 and more particularly described as follows:

Beginning at a point on the Southerly right of way of State Highway No. 200 which is South 55° 03' 21" East, 2460.29 feet from the Northwest corner of said Section 6 (record South 55° 14' East, 2451.3); Thence South 14° 53' 00" East, 223.22 feet (record); Thence South 04° 43' 00" East, 640.00 feet (record); Thence South 39° 48' 00" East, 430.00 feet (record); Thence South 30° 28' 00" East, 387.49 feet (record = 500 feet plus or minus) to the East line of the Southeast quarter of the Northwest quarter of said Section 6.

TOGETHER WITH any portion of the Old Highway right of way abandonment described in that certain Quitclaim Deed, executed by the State of Idaho, as Instrument No. 696025 and recorded on January 11, 2006, lying within the bounds of the above described property. EXCEPTING therefrom all of the above described properties, any portion lying within the bounds of the following plats:

Replat of Golden Tee Estates and Golden Tee Estates 1st Addition and Unplatted land, recorded in Book 8 of Plats, Page 77,

RePlat of Blocks 15 and 16 of the RePlat of Golden Tee Estates & Golden Tee Estates 1st Addition and Unplatted Land, recorded in Book 9 of Plats, page 5,

RePlat of Lots 5 and 6, Block 22 and Lot 20, Block 20, RePlat of Golden Tee Estates & Golden Tee Estates 1st Addition and Unplatted Land, recorded in Book 9 of Plats, page 6,

Golden Tee Estates 2nd Addition, recorded in Book 8 of Plats, Page 79,

Golden Tee Estates 3rd Addition, recorded in Book 8 of Plats, Page 78,

Golden Tee Estates 4th Addition, recorded in Book 8 of Plats, Page 80,

Golden Tee Estates 5th Addition, recorded in Book 8 of Plats, Page 81,

Golden Tee Estates 6th Addition, recorded in Book 8 of Plats, Page 82,

Golden Tee Estates 7th Addition, recorded in Book 9 of Plats, page 13,

Golden Tee Estates 8th Addition, recorded in Book 9 of Plats, page 7.:

AND

**ALSO THE FOLLOWING ATTACHED PARCELS, CONTINUED
ON THE FOLLOWING PAGES, ALL LOCATED IN THE COUNTY
OF BONNER, STATE OF IDAHO**

**31-58N-1E/36-58N-1W GOLDEN
TEE ESTS 1ST ADDN PUD PHASE
TWO, PRIVATE ROADS,
RECORDED IN BOOK 6 OF PLATS,
PAGE 114, RECORDS OF BONNER
COUNTY, IDAHO**

AND

**31-58N-1E/36-58N-1W
GOLDEN TEE ESTS & GOLDEN
TEE ESTS 1ST ADD REPLAT BLK
5A, BLK 12 LOT 3A, BLK 15 LOT
1A, REPLAT BLK 16A, BLK 17 LOT
1, BLK 18 GOLDEN TEES ESTS
GOLF COURSE,
RECORDED IN BOOK 8 OF PLATS,
PAGE 77, RECORDS OF BONNER
COUNTY, IDAHO**

AND

**31/58N-1E/36-58N-1W GOLDEN TEE
ESTS & GOLDEN TEE ESTS 1ST ADD
REPLAT BLK 14A LOT 1 GOLF
MAINTENANCE, PARKING,
TRANSFER STATION,
RECORDED IN BOOK 8 OF
PLATS, PAGE 77, RECORDS OF
BONNER COUNTY, IDAHO**

AND

**6-57N-1E LOTS 5, 9, 10, SENW &
E2SW LESS PLATS; LOT 11, LOT 6
LESS PT Q-1754-2,**

AND

**2-57N-1W GOV LOTS 2, 7, 8 & 9
GOV LOTS 3 & 4 LESS TAX 1, 5, 6
GOV LOTS 5, 6 SENW & SWNE N
OF RR R/W ALL LESS PLATS,**

AND

31-58N-1E GOV LOT 4
S OF STATE HWY 200,

AND

36-58N-1W SENE W OF FAIRWAY
VIEW DRIVE; SE W OF CO RD &
E2NESW LESS PLATS;
UNPLATTED ADJ TO LOT 10 1ST
ADD HIDDEN LAKES,

AND

36-58N-1W SE E OF PACK RIVER
RD & N OF HWY 200 LESS TAX 6,
PLATS & PT TAX 1,

AND

36-58N-1W SE S OF HWY 200 LESS
2 AC TO STATE & LESS PT PLAT

AND

EXCEPTING THAT PARCEL
DEEDED TO AVISTA UTILITY AT
DOCUMENT # 728423 RECORDED
IN THE RECORDS OF BONNER
COUNTY, IDAHO.

~~AND LESS all the following parcels below redeemed in Instrument # 861430 records of Bonner County,
State of Idaho, described as follows:~~

~~Parcel 1 and Parcel 2:~~

~~Lot 1, Block 1, and Lot 1, Block 2 of Golden Tee Estates 2nd Addition, according to the plat thereof,
recorded in Book 8 of Plats, page 79, records of Bonner County, Idaho.~~

~~Parcel 3:~~

~~The portion of the following described parcel lying south of highway 200 as described in Mortgage
Instrument #474746, records of Bonner County, Idaho –~~

~~Block 5a, Lot 3A, Block 12, Lot 1, Block 17 and Block 18, of the Replat of Golden Tee Estates and Golden Tee Estates 1st Addition and unplatted land, according to the Plat thereof, recorded in Book 8 of Plats, Page 77, records of Bonner County, Idaho.~~

~~Lot 1A, Block 15 and Block 16A of the Replat of Blocks 15 and 16 Golden Tee Estates and Golden Tee Estates 1st Addition and unplatted land, according to the Plat thereof, recorded in Book 9 of Plats, Page 5, records of Bonner County, Idaho.~~

~~EXCEPTING THEREFROM any portion of said property lying within the boundaries of the Plat of Golden Tee Estates – 8th Addition filed for record in Book 9 of Plats, Page 7 and the Replat of Lots 1 through 4, Block 1 Golden Tee Estates 8th Addition and Block 16A, Replat of Blocks 15 and 16 of the Replat of Golden Tee Estates and Golden Tee Estates First Addition, filed for record in Book 9 of Plats, Page 82, Records of Bonner County, Idaho.~~

Parcel 4 and 5:

~~All that portion of the Southeast Quarter in Section 36, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Idaho, lying South of State Highway 200; LESS the following described property:~~

~~A tract of land in the Southeast quarter of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, being that property described in Instrument No. 92981, records of Bonner County, Idaho and more particularly described as follows:~~

~~Commencing at the Southeast corner of said Section 36; Thence along East line of Section 36, North 00 degrees 08' 06" East, 460.00 feet; Thence perpendicular to the East line of the Section, North 89 degrees 51' 54" West, 568.00 feet to the true point of beginning; Thence South 47 degrees 08' 06" West, 250.00 feet; Thence South 42 degrees 51' 54" East, 348.50 feet; Thence North 47 degrees 48' 06" East, 250.00 feet; Thence North 42 degrees 51' 54" West, 348.50 feet to the true point of beginning.~~

~~AND LESS PLATS~~

AND LESS all of the following parcels described below:

PARCEL 1:

Lot 1, Block 1 and Lot 1, Block 2 of Golden Tee Estates 2nd Addition, according to the plat thereof, recorded in Book 8 of Plats, page 79, records of Bonner County, Idaho.

PARCEL 2:

Lot 1, Block 17 and Block 18, of the RePlat of Golden Tee Estates and Golden Tee Estates 1st Addition and Unplatted Land, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

PARCEL 3:

All that portion of the Southeast Quarter in Section 36, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Idaho, lying South of State Highway 200.

LESS the following described property:

A tract of land in the Southeast quarter of Section 36, Township 58 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, being that property described in Instrument No. 92981, records of Bonner County, Idaho and more particularly described as follows:

Commencing at the Southeast corner of said Section 36; Thence along the East line of Section 36, North 00° 08' 06" East, 460.00 feet; Thence perpendicular to the East line of the Section, North 89° 51' 54" West, 568.00 feet to the true point of beginning; Thence South 47° 08' 06" West, 250.00 feet; Thence South 42° 51' 54" East, 348.50 feet; Thence North 47° 48' 06" East, 250.00 feet; Thence North 42° 51' 54" West, 348.50 feet to the true point of beginning. EXCEPT that portion lying within the RePlat of Golden Tee Estates and Golden Tee Estates 1st Addition and Unplatted Land, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

Parcel 4:

All that portion of Government Lots 2, 3, 4, 5, 6, 7, 8 and 9; the Southwest quarter of the Northeast quarter; and the South half of the Northwest quarter of Section 2, Township 57 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, lying South of State Highway No. 200 and lying North and East of the Northern Pacific Railroad (now Montana Rail Link) right of way.

LESS that portion of Section 2, Township 57 North, Range 1 West of the Boise Meridian, Bonner County, Idaho, being that property described in Instrument No. 592059 and more particularly described as follows:

Beginning at a right of way monument on the South right of way of State Highway No. 200, from which the Northwest corner of said Section 2 bears North 25° 54' 43" West, 798.00 feet

(record = North 26° 28' 08" West, 798.11 feet; Thence along the South right of way of the Highway, North 68° 35' 39" East, 266.10 feet; Thence continuing along the Highway right of way, on a curve to the left (radial bearing = North 14° 03' 28" West) having a central angle of 00° 08' 55" and a radius of 5799.58 feet for an arc distance of 15.03 feet (chord = North 75° 52' 05" East, 15.03 feet - total distance along right of way from point of beginning 281.13 feet - record = 281.13 feet); Thence leaving said right of way South 00° 04' 10" West, 725.53 feet; Thence North 89° 14' 40" West, 330.00 feet; Thence North 00° 03' 26" West 607.20 feet, to the Southerly right of way of State Highway No. 200; Thence along said right of way North 79° 11' 55" East, 70.38 feet to the true point of beginning.

EXCEPTING therefrom Lots 1 and 2, Block 17 and Block 18 of the RePlat of Golden Tee Estates and Golden Tee Estates 1st Addition and Unplatted Land, according to the plat thereof, recorded in Book 8 of Plats, page 77, records of Bonner County, Idaho.

ALSO EXCEPTING therefrom all of the above described properties, any portion lying within the bounds of the following plats:

Golden Tee Estates 2nd Addition, recorded in Book 8 of Plats, Page 79,

Golden Tee Estates 3rd Addition, recorded in Book 8 of Plats, Page 78,

Golden Tee Estates 4th Addition, recorded in Book 8 of Plats, Page 80,

Golden Tee Estates 5th Addition, recorded in Book 8 of Plats, Page 81,-

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 ISB No. 1356

STATE OF IDAHO
 COUNTY OF BONNER
 FIRST JUDICIAL DIST.
 2015 FEB 2 PM 2 58
 CLERK DISTRICT COURT
 DEPUTY

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

GENESIS GOLF BUILDERS, INC.,	)	Case No. CV-2009-1810
formerly known as National Golf)	
Builders, Inc., a Nevada	)	JV'S AFFIDAVIT OF JAMES
corporation,	)	W. BERRY OPPOSING
	)	VALIANTS MOTION FOR
Plaintiff,	)	SUMMARY JUDGMENT
)	
v.)	
)	
PEND OREILLE BONNER)	
DEVELOPMENT, LLC, a Nevada)	
limited liability company; R.E.)	
LOANS, LLC, a California)	
limited liability company; DAN)	
S. JACOBSON, an individual,)	
SAGE HOLDINGS LLC, an Idaho)	
limited liability company;)	
STEVEN G. LAZAR, an individual;)	
PENSCO TRUST CO. CUSTODIAN FBO)	
BARNEY NG; MORTGAGE FUND '08)	
LLC, a Delaware limited)	
liability company; VP,)	
INCORPORATED, an Idaho)	
corporation; JV L.L.C., an)	
Idaho limited liability)	
company; WELLS FARGO FOOTHILL,)	
LLC, a Delaware limited)	
liability company; INTERSTATE)	

CONCRETE AND ASPHALT COMPANY,)
an Idaho corporation; T-O)
ENGINEERS, INC., fka Toothman-)
Orton Engineering Company, an)
Idaho corporation; PUCCI)
CONSTRUCTION INC., an Idaho)
corporation; ACI NORTHWEST,)
INC., an Idaho corporation;)
LUMBERMENS, INC., dba ProBuild,)
a Washington corporation;)
ROBERT PLASTER dba Cedar Etc;)
NORTH IDAHO RESORTS, LLC, an)
Idaho limited liability)
company; R.C. WORST & COMPANY,)
INC., an Idaho corporation;)
DOES 1 through X,)

Defendants.)

AND RELATED COUNTERCLAIMS,)
CROSS-CLAIMS, AND THIRD-PARTY)
COMPLAINTS)

GENESIS GOLF BUIDLERS, INC.,)
formerly known as NATIONAL GOLF)
BUILDERS, INC., a Nevada)
corporation,)

Plaintiff,)

v.)

PEND OREILLE BONNER)
DEVELOPMENT, LLC, a Nevada)
limited liability company; et)
al,)

Defendants.)

AND RELATED COUNTERCLAIMS,)
CROSS-CLAIMS, AND THIRD-PARTY)
COMPLAINTS)

VALIANT IDAHO, LLC, an Idaho)

limited liability company,)
)
 Third Party)
 Plaintiff,)

v.)
)

PEND ORIELLE BONNER DEVELOPMENT)
 HOLIDINGS, INC., a Nevada)
 corporation; BAR K, INC., a)
 California corporation;)
 TIMBERLINE INVESTMENTS LLC, an)
 Idaho limited liability)
 company; AMY KORENGUT, a)
 married woman; HLT REAL ESTATE,)
 LLC, an Idaho limited liability)
 company; INDEPENDENT MORTGAGE)
 LTD. CO., an Idaho limited)
 liability company; PANHANDLE)
 MANAGEMENT INCORPORATED, an)
 Idaho corporation; FREDERICK J.)
 GRANT, an individual; CRISTINE)
 GRANT, an individual; RUSS)
 CAPITAL GROUP, LLC, an Arizona)
 limited liability company;)
 MOUNTAIN WEST BANK, a division)
 of GLACIER BANK, a Montana)
 corporation; FIRST AMERICAN)
 TITLE COMPANY, a California)
 corporation; NETTA SOURCE LLC,)
 a Missouri limited liability)
 company; MONTAHENO INVESTMENTS,)
 LLC, a Nevada limited liability)
 company; CHARLES W. REEVES and)
 ANN B. REEVES, husband and)
 wife; and C.E. KRAMER CRANE &)
 CONTRACTING, INC., an Idaho)
 corporation,)

Third Party)
 Defendants.)

JV L.L.C., an Idaho limited)
 liability company,)
)
 Defendant and)

Cross-Claimant against all of)
 the Defendants and)
 Third Party Plaintiff,)
)
 v.)
)
 VALIANT IDAHO, LLC, an Idaho)
 limited liability company;)
 V.P., INC., an Idaho)
 corporation; RICHARD A.)
 VILLELLI, a married man; MARIE)
 VICTORIA VILLELLI, a married)
 woman; VILLELLI ENTERPRISES,)
 INC., a California corporation;)
 RICHARD A. VILLELLI, as TRUSTEE)
 OF THE RICHARD ANTHONY VILLELLI)
 AND MARIE VICTORIA VILLELLI)
 REVOCABLE TRUST; THE IDAHO CLUB)
 HOMEOWNERS ASSOCIATION, INC.,)
 an Idaho corporation; the)
 entity named in Attorney Toby)
 McLaughlin's Notice of Unpaid)
 Assessment as PANHANDLE)
 MANAGEMENT, INCORPORATED, an)
 Idaho corporation; and HOLMBERG)
 HOLDINGS, LLC, a California)
 limited liability company,)
)
 Third Party)
 Defendants.)
)
)

JV'S AFFIDAVIT OF JAMES BERRY

STATE OF IDAHO)
 : ss.
 County of Bonner)

COMES NOW JAMES W. BERRY, being first duly sworn on oath
 and being competent to testify to the following, states as
 follows:

1. I was and am the manager of JV, L.L.C. (herein JV) and I handled all of the matters between JV and Charles Reeves who represented POBD.

2. Mr. Reeves, and any documents that I received from him, never mentioned the Ng Entities of Mortgage Fund 08 (MF08), Pensco Trust, or Bar K. I never heard of those entities until these lawsuits.

3. Mr. Reeves always told me he was negotiating with Mr. Barney Ng, and that POBD was dealing with RE Loans through Mr. Barney Ng.

4. Mr. Charles Reeves and I negotiated concerning POBD obtaining a new loan from Barney Ng, on behalf of RE Loans, in the approximate sum of \$25,000,000.00

5. For JV, I agreed that JV would subordinate its mortgage to the new loan POBD was to get from RE Loans (Mr. Ng) in the sum of \$25,000,000.00 to expend on the Idaho Club project development.

6. I went to First American Title to sign for approximately \$323,000.00 that POBD was delinquent in principal and interest to JV. The aforesaid payment by agreement, was to be paid by July 31, 2008.

7. First American Title was the closing agent for most all of POBD's sales of Lots to third parties. JV had an agreement with POBD to "release" these Lots, as they were sold

by giving a Partial Satisfaction of Mortgage in exchange for an agreed release payment from POBD to JV, paid by the closing agreement (First American) directly to the escrow collection for JV at Panhandle Escrow.

8. On behalf of JV, both myself and my son, William A. Berry, signed approximately 60 Partial Releases of Mortgage, as manager and officers, and we were always given a copy of all documents we signed at First American Title.

9. I acknowledge that it is the signature(s) of both James W. Berry and William A. Berry on the Subordination Agreement that is POBD's Exhibit 9, recorded August 6, 2008, Instrument No. 756402; however, no one at First American, and certainly not the closing person and notary, Casey Linscott, told us or explained to us that we were signing a Subordination Agreement. Also, First American Title did not give us a copy of the Subordination Agreement. The first time I ever saw the Subordination Agreement (756402) was on August 9, 2013 in Bonner County Case No. CV-2011-0135, when it was handed to me at my deposition. It was handed to be my Attorney John Miller, the plaintiff - Bank's attorney, as Exhibit No. 2 to my deposition. At my deposition on August 9, 2013 and at all times to this date, I did not recognize the Subordination Agreement, and I do not remember signing that Subordination Agreement.

10. It was a material breach of contract by Charles Reeves for POBD to tell me that POBD was borrowing new money of \$25,000,000, when in fact there was no "new" money except the \$69,274.86. The "retained" loans funds of \$12,480,000 to POBD by any of the Ng Entities.


11. Charles Reeves factual statement to me that RE Loans was loaning a new (third) loan of \$25,000,000.00 from RE Loans to POBD for the Idaho Club project was false and fraudulent to get JV to sign a Subordination Agreement for a loan that was never "funded" by any Ng Entity.

12. Had I known that POBD was not actually receiving a new \$25,000,000.00 for the Idaho Club project, I would never have agreed to any Subordination and certainly not the Subordination Agreement to Pensco/MF08.

DATED this 2 day of February, 2015.


JAMES W. BERRY

SUBSCRIBED AND SWORN TO before me this 2 day of February, 2015.


Notary Public-State of Idaho
Residing at: Halet
My commission expires: Oct 19, 2017



CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via US Mail, postage prepaid, or as otherwise indicated, this 2 day of February, 2015, and addressed as follows:

Bruce A. Anderson
Ford Elsaesser
ELSAESSER JARZABEK ANDERSON ELLIOTT & MACDONALD, CHTD.
320 E. Neider Ave, Suite 102
Coeur d'Alene, ID 83815
[Attorneys for SAGE HOLDINGS, LLC, DAN JACOBSON, and STEVEN G. LAZAR]

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FEATHERSTON LAW FIRM, CHTD.
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[Attorney for PENSICO TRUST CO. CUSTODIAN FBO BARNEY NG; and MORTGAGE FUND '08 LLC]

Richard Stacey
MCCONNELL WAGNER SYKES & STACEY PLLP
755 W. Front St., Ste.200
Boise, ID 83702
[Attorney for R.E. LOANS, LLC & VALIANT IDAHO LLC]

Susan Weeks
Steven C. Wetzel
JAMES, VERNON & WEEKS, P.A.
1626 Lincoln Way
Coeur d'Alene, ID 83814
[Attorney for NORTH IDAHO RESORTS, LLC, V.P. INC, & FOR JV'S THIRD PARTY DEFENDANTS]

John A. Finney
FINNEY FINNEY & FINNEY, P.A.
120 E. Lake St, Ste 317
Sandpoint, Idaho 83864
[Attorney for ACI NORTHWEST, INC. and for PUCCI CONSTRUCTION, INC.]
Via Hand Delivery

By: 

GARY A. FINNEY
 FINNEY FINNEY & FINNEY, P.A.
 Attorneys at Law
 Old Power House Building
 120 East Lake Street, Suite 317
 Sandpoint, Idaho 83864
 Phone: (208) 263-7712
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 ISB No. 1356

STATE OF IDAHO
 COUNTY OF BONNER
 FIRST JUDICIAL DIST.
 2015 FEB 2 PM 2 58
 CLERK DISTRICT COURT
 DEPUTY

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

GENESIS GOLF BUILDERS, INC.,	)	Case No. CV-2009-1810
formerly known as National Golf)	
Builders, Inc., a Nevada	)	JV L.L.C.'S MOTION TO
corporation,	)	VACATE VALINT'S HEARING
	)	DATE OF FEBRUARY 18, 2015
Plaintiff,	)	ON ITS MOTION FOR SUMMARY
	)	JUDGMENT, REQUEST FOR
v.	)	CONTINUANCE AND REQUEST
	)	FOR HEARING ON SHORT
PEND OREILLE BONNER	)	NOTICE
DEVELOPMENT, LLC, a Nevada)	
limited liability company; R.E.)	
LOANS, LLC, a California)	
limited liability company; DAN)	
S. JACOBSON, an individual,)	
SAGE HOLDINGS LLC, an Idaho)	
limited liability company;)	
STEVEN G. LAZAR, an individual;)	
PENSCO TRUST CO. CUSTODIAN FBO)	
BARNEY NG; MORTGAGE FUND '08)	
LLC, a Delaware limited)	
liability company; VP,)	
INCORPORATED, an Idaho)	
corporation; JV L.L.C., an)	
Idaho limited liability)	
company; WELLS FARGO FOOTHILL,)	
LLC, a Delaware limited)	
liability company; INTERSTATE)	

JV L.L.C.'S MOTION TO VACATE VALINT'S HEARING DATE OF FEBRUARY
 18, 2015 ON ITS MOTION FOR SUMMARY JUDGMENT, REQUEST FOR
 CONTINUANCE AND REQUEST FOR HEARING ON SHORT NOTICE - 1

CONCRETE AND ASPHALT COMPANY,)
an Idaho corporation; T-O)
ENGINEERS, INC., fka Toothman-)
Orton Engineering Company, an)
Idaho corporation; PUCCI)
CONSTRUCTION INC., an Idaho)
corporation; ACI NORTHWEST,)
INC., an Idaho corporation;)
LUMBERMENS, INC., dba ProBuild,)
a Washington corporation;)
ROBERT PLASTER dba Cedar Etc;)
NORTH IDAHO RESORTS, LLC, an)
Idaho limited liability)
company; R.C. WORST & COMPANY,)
INC., an Idaho corporation;)
DOES 1 through X,)
)
)
Defendants.)
)

AND RELATED COUNTERCLAIMS,)
CROSS-CLAIMS, AND THIRD-PARTY)
COMPLAINTS)
)

GENESIS GOLF BUIDLERS, INC.,)
formerly known as NATIONAL GOLF)
BUILDERS, INC., a Nevada)
corporation,)
)
)
Plaintiff,)
)

v.)
)

PEND OREILLE BONNER)
DEVELOPMENT, LLC, a Nevada)
limited liability company; et)
al,)
)
)
Defendants.)
)

AND RELATED COUNTERCLAIMS,)
CROSS-CLAIMS, AND THIRD-PARTY)
COMPLAINTS)
)

VALIANT IDAHO, LLC, an Idaho)
)

JV L.L.C.'S MOTION TO VACATE VALINT'S HEARING DATE OF FEBRUARY
18, 2015 ON ITS MOTION FOR SUMMARY JUDGMENT, REQUEST FOR
CONTINUANCE AND REQUEST FOR HEARING ON SHORT NOTICE - 2

limited liability company,)
)
 Third Party)
 Plaintiff,)
)
 v.)
)
 PEND ORIELLE BONNER DEVELOPMENT)
 HOLIDNGS, INC., a Nevada)
 corporation; BAR K, INC., a)
 California corporation;)
 TIMBERLINE INVESTMENTS LLC, an)
 Idaho limited liability)
 company; AMY KORENGUT, a)
 married woman; HLT REAL ESTATE,)
 LLC, an Idaho limited liability)
 company; INDEPENDENT MORTGAGE)
 LTD. CO., an Idaho limited)
 liability company; PANHANDLE)
 MANAGEMENT INCORPORATED, an)
 Idaho corporation; FREDERICK J.)
 GRANT, an individual; CRISTINE)
 GRANT, an individual; RUSS)
 CAPITAL GROUP, LLC, an Arizona)
 limited liability company;)
 MOUNTAIN WEST BANK, a division)
 of GLACIER BANK, a Montana)
 corporation; FIRST AMERICAN)
 TITLE COMPANY, a California)
 corporation; NETTA SOURCE LLC,)
 a Missouri limited liability)
 company; MONTAHEÑO INVESTMENTS,)
 LLC, a Nevada limited liability)
 company; CHARLES W. REEVES and)
 ANN B. REEVES, husband and)
 wife; and C.E. KRAMER CRANE &)
 CONTRACTING, INC., an Idaho)
 corporation,)
)
 Third Party)
 Defendants.)
)
 _____)
 JV L.L.C., an Idaho limited)
 liability company,)
)
 Defendant and)

JV L.L.C.'S MOTION TO VACATE VALINT'S HEARING DATE OF FEBRUARY
 18, 2015 ON ITS MOTION FOR SUMMARY JUDGMENT, REQUEST FOR
 CONTINUANCE AND REQUEST FOR HEARING ON SHORT NOTICE - 3

Cross-Claimant against all of)
 the Defendants and)
 Third Party Plaintiff,)
)
 v.)
)
 VALIANT IDAHO, LLC, an Idaho)
 limited liability company;)
 V.P., INC., an Idaho)
 corporation; RICHARD A.)
 VILLELLI, a married man; MARIE)
 VICTORIA VILLELLI, a married)
 woman; VILLELLI ENTERPRISES,)
 INC., a California corporation;)
 RICHARD A. VILLELLI, as TRUSTEE)
 OF THE RICHARD ANTHONY VILLELLI)
 AND MARIE VICTORIA VILLELLI)
 REVOCABLE TRUST; THE IDAHO CLUB)
 HOMEOWNERS ASSOCIATION, INC.,)
 an Idaho corporation; the)
 entity named in Attorney Toby)
 McLaughlin's Notice of Unpaid)
 Assessment as PANHANDLE)
 MANAGEMENT, INCORPORATED, an)
 Idaho corporation; and HOLMBERG)
 HOLDINGS, LLC, a California)
 limited liability company,)
)
 Third Party)
 Defendants.)
)
)

COMES NOW JV L.L.C., an Idaho limited liability company,
 herein "JV", by and through its attorney GARY A. FINNEY of
 Finney Finney & Finney, P.A., and motions the Court as follows:

MOTION TO VACATE VALIANT'S NOTICE OF HEARING

Comes now JV and moves the Court to vacate Valiant's Notice
 of Hearing set for February 18, 2015 at 2:30 PM, on Valiant's
 JV L.L.C.'S MOTION TO VACATE VALINT'S HEARING DATE OF FEBRUARY
 18, 2015 ON ITS MOTION FOR SUMMARY JUDGMENT, REQUEST FOR
 CONTINUANCE AND REQUEST FOR HEARING ON SHORT NOTICE - 4

Motion for Summary Judgment as additional discovery is necessary to depose Charles Reeves, Sandpoint Title Insurance and First American Title, as to all POBD closings.

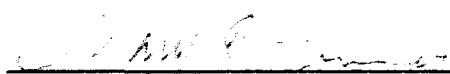
REQUEST FOR CONTINUANCE

JV seeks a 30 day continuance of the February 18, 2015 hearing, to complete its request for more discovery and can do so, depending upon time schedules of opposing counsel.

REQUEST FOR HEARING ON SHORT NOTICE

JV requests a hearing on short notice on this Motion for Continuance and Request for Continuance.

DATED this 20th day of February, 2015.



GARY A. FINNEY
Attorney for JV L.L.C., an
Idaho limited liability
company

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via US Mail, postage prepaid, or as otherwise indicated, this 2 day of February 2015, and addressed as follows:

Bruce A. Anderson
Ford Elsaesser
ELSAESSER JARZABEK ANDERSON ELLIOTT & MACDONALD, CHTD.
320 E. Neider Ave, Suite 102
Coeur d'Alene, ID 83815
[Attorneys for SAGE HOLDINGS, LLC, DAN JACOBSON, and STEVEN G. LAZAR]

Brent C. Featherston
FEATHERSTON LAW FIRM, CHTD.
113 S. Second Avenue
Sandpoint, ID 83864
[Attorney for PENSICO TRUST CO. CUSTODIAN FBO BARNEY NG; and MORTGAGE FUND '08 LLC]

Richard Stacey
MCCONNELL WAGNER SYKES & STACEY PLLP
755 W. Front St., Ste.200
Boise, ID 83702
[Attorney for R.E. LOANS, LLC & VALIANT IDAHO LLC]

Susan Weeks
Steven C. Wetzel
JAMES, VERNON & WEEKS, P.A.
1626 Lincoln Way
Coeur d'Alene, ID 83814
[Attorney for NORTH IDAHO RESORTS, LLC, V.P. INC, & FOR JV'S THIRD PARTY DEFENDANTS]

John A. Finney
FINNEY FINNEY & FINNEY, P.A.
120 E. Lake St, Ste 317
Sandpoint, Idaho 83864
[Attorney for ACI NORTHWEST, INC. and for PUCCI CONSTRUCTION, INC.]
Via Hand Delivery

By: 

FILED
FEB 2 11 08
[Signature]

Richard L. Stacey, ISB #6800
Jeff R. Sykes, ISB #5058
McCONNELL WAGNER SYKES & STACEY PLLC
755 West Front Street, Suite 200
Boise, Idaho 83702
Telephone: 208.489.0100
Facsimile: 208.489.0110
stacey@mwsslawyers.com
sykes@mwsslawyers.com

Attorneys For Valiant Idaho, LLC

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER**

GENESIS GOLF BUILDERS, INC.,
formerly known as
NATIONAL GOLF BUILDERS, INC.,
a Nevada corporation,

Plaintiff,

vs.

PEND OREILLE BONNER
DEVELOPMENT, LLC,
a Nevada limited liability company; *et al.*,

Defendants.

**AND RELATED COUNTER, CROSS
AND THIRD PARTY ACTIONS
PREVIOUSLY FILED HEREIN.**

Case No. CV-09-1810

**VALIANT IDAHO, LLC'S
MOTION FOR ENTRY OF DEFAULT
AGAINST THIRD PARTY DEFENDANT
BAR K, INC.**

Honorable Barbara A. Buchanan

ORIGINAL

VALIANT IDAHO, LLC,
an Idaho limited liability company,

Third Party Plaintiff,

vs.

PEND OREILLE BONNER DEVELOPMENT
HOLDINGS, INC., a Nevada corporation;
BAR K, INC., a California corporation;
TIMBERLINE INVESTMENTS LLC,
an Idaho limited liability company;
AMY KORENGUT, a married woman;
HLT REAL ESTATE, LLC,
an Idaho limited liability company;
INDEPENDENT MORTGAGE LTD. CO.,
an Idaho limited liability company;
PANHANDLE MANAGEMENT
INCORPORATED, an Idaho corporation;
FREDERICK J. GRANT, an individual;
CHRISTINE GRANT, an individual;
RUSS CAPITAL GROUP, LLC,
an Arizona limited liability company;
MOUNTAIN WEST BANK, a division of
GLACIER BANK, a Montana corporation;
FIRST AMERICAN TITLE COMPANY,
a California corporation;
NETTA SOURCE LLC,
a Missouri limited liability company;
MONTAHENO INVESTMENTS, LLC,
a Nevada limited liability company;
CHARLES W. REEVES and
ANN B. REEVES, husband and wife;
and C. E. KRAMER CRANE &
CONTRACTING, INC., an Idaho corporation,

Third Party Defendants.

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**VALIANT IDAHO, LLC'S MOTION FOR ENTRY
OF DEFAULT AGAINST THIRD PARTY DEFENDANT
BAR K, INC. - Page 2**

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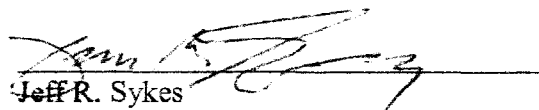
COMES NOW, Third Party Plaintiff Valiant Idaho, LLC (“Valiant”), by and through its attorneys of record, McConnell Wagner Sykes & Stacey PLLC, and moves this Court, pursuant to Rule 55(a)(1) of the Idaho Rules of Civil Procedure, to enter default against Third Party Defendant Bar K, Inc. (“Bar K”), in that Bar K, after having been personally served through its registered agent and President with Valiant’s Counterclaim, Cross-Claim and Third Party Complaint (“3rd Party Complaint”), has failed to appear or plead in response to the 3rd Party Complaint within the statutory period as set forth in Rule 12(a) of the Idaho Rules of Civil Procedure.

This motion is based upon the pleadings on file herein, and the Declaration of Jeff R. Sykes in Support of Motion For Entry of Default Against Third Party Defendant Bar K, Inc. filed concurrently herewith.

DATED this 29th day of January 2015.

McCONNELL WAGNER SYKES & STACEY ^{PLLC}

BY:


Jeff R. Sykes
Attorneys For Valiant Idaho, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 29th day of January 2015, a true and correct copy of the foregoing document was served by the method indicated below upon the following party(ies):

<p>Bruce A. Anderson, Esq. Elsaesser Jarzabek Anderson Elliott & MacDonald, Chtd 320 East Neider Avenue, Suite 102 Coeur d' Alene, Idaho 83815 Telephone: 208.667.2900 Facsimile: 208.667.2150 <i>Counsel For Jacobson, Lazar and Sage Holdings</i></p>	<p>[<input checked="" type="checkbox"/>] U.S. Mail [] Hand Delivered [] Facsimile [] Overnight Mail [] Electronic Mail <u>brucea@ejame.com</u></p>
<p>Brent C. Featherston, Esq. Featherston Law Firm, Chtd 113 South Second Avenue Sandpoint, Idaho 83864 Telephone: 208.263.6866 Facsimile: 208.263.0400 <i>Counsel For Pensco/Mortgage Fund</i></p>	<p>[<input checked="" type="checkbox"/>] U.S. Mail [] Hand Delivered [] Facsimile [] Overnight Mail [] Electronic Mail <u>bcf@featherstonlaw.com</u></p>
<p>Gary A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For J.V., LLC</i></p>	<p>[<input checked="" type="checkbox"/>] U.S. Mail [] Hand Delivered [] Facsimile [] Overnight Mail [] Electronic Mail <u>garyfinnev@finneylaw.net</u></p>
<p>John A. Finney, Esq. Finney Finney & Finney, P.A. 120 East Lake Street, Suite 317 Sandpoint, Idaho 83864 Telephone: 208.263.7712 Facsimile: 208.263.8211 <i>Counsel For Pucci Construction/ACI Northwest</i></p>	<p>[<input checked="" type="checkbox"/>] U.S. Mail [] Hand Delivered [] Facsimile [] Overnight Mail [] Electronic Mail <u>johnfinney@finneylaw.net</u></p>
<p>D. Toby McLaughlin, Esq. Berg & McLaughlin 414 Church Street, Suite 203 Sandpoint, Idaho 83864 Telephone: 208.263.4748 Facsimile: 208.263.7557 <i>Counsel For Idaho Club HOA/Panhandle Mngmnt</i></p>	<p>[<input checked="" type="checkbox"/>] U.S. Mail [] Hand Delivered [] Facsimile [] Overnight Mail [] Electronic Mail <u>toby@sandpointlaw.com</u></p>

Susan P. Weeks, Esq. James, Vernon & Weeks, PA 1626 Lincoln Way Coeur d'Alene, Idaho 83814 Telephone: 208.667.0683 Facsimile: 208.664.1684 <i>Counsel For VP Incorporated/North Idaho Resorts</i>	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Electronic Mail sweeks@jvwlaw.net
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Jeff R. Sykes