

NOTICE OF DEFAULT


THE UNDERSIGNED, Daniel P. Bracht, being the substitute Trustee under the Deed of Trust dated August 12, 2013 (“Deed of Trust”) among Upstream Brewing Company, LLC a Colorado limited liability company (“Borrower”), as Trustor, Mutual of Omaha Bank (“Lender”), as Beneficiary and Lender as Trustee, and recorded on August 13, 2013 in the Official Records of Douglas County, Nebraska, as Document No. 2013082603 and which Deed of Trust has been endorsed, sold, transferred, assigned, granted, conveyed and delivered by Lender to Sortino Asset Management Company, LLC., a Nebraska limited liability company, by an Assignment of Beneficial Interest under Assignment of Rents and Deed of Trust executed effective as of February 6, 2018, hereby gives notice that a breach and default of an obligation for which the trust property was conveyed as security has occurred and that the nature of such breach or default is Trustor’s failure to make timely payments of interest, fees, extension fees, late payment fees and principal due, all as provided by the Deed of Trust and the Promissory Note dated January 24, 2018, and other related loan agreements. The legal description of the property affected by this Notice of Default is as follows:

Lot Eight (8), Block One Hundred Sixty Five (165), Original City of Omaha, Douglas County, Nebraska,

You, as Trustor, are hereby further notified that because of the default referenced above, the undersigned has elected to sell the property to satisfy the obligations under the Deed of Trust insofar as the same are hereby identified, plus all sums which may be advanced for expenses incurred by Trustee for the enforcement of Trustor’s obligations under the Deed of Trust (including title search charges for real estate and Trustee’s attorneys fees) and any further such expenses and any advances thereafter made to protect the security of the Deed of Trust.

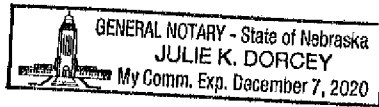
You, as Trustor, are further notified that pursuant to Neb. Rev. Stat. § 76-1012, you may cure the default described above, and the obligations and Deed of Trust may be reinstated, by (1) making payment to Beneficiary of \$526,930.53 (which amount includes \$473,917.52 in principal, a diligence fee of \$5.00, an extension fee of \$4,739.18, interest through February 5, 2018 of \$4,194.50, interest from February 5, 2018 to April 18, 2018 of \$10,900.10, a late payment fee of \$33,174.23); and (2) paying accruing interest at the per diem rate of \$151.39031 from and after April 19, 2018; and (3) making payment to Trustee of all expenses and fees incurred by Trustee for the enforcement of Trustor’s obligations under the Deed of Trust; but, in

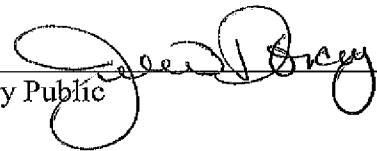
any event, the payments and other actions specified above must be made and completed within one (1) month from the date this Notice of Default is filed of record or resale of the property under the power of sale shall commence. You have the right to bring a court action to assert the nonexistence of a default or any other defense to acceleration and sale, and this may give you a right to reinstate after acceleration, if any.


Daniel P. Bracht, Substitute Trustee

STATE OF NEBRASKA)
) SS.
COUNTY OF CUMING)

The foregoing instrument was executed and acknowledged before me this 18th day of April, 2018, by Daniel P. Bracht, Substitute Trustee, as his own voluntary act and deed.




Notary Public

My Commission Expires: _____