

Order No. AP # 37-143-18-7

Escrow No. Escrow 116735 GG

When Recorded Mail To:

First American Title Company of Nevada
P.O. Box 531
Reno, Nevada
IC # 13659

Space above this line for recorder's use

DEED OF TRUST WITH ASSIGNMENT OF RENTS

THIS DEED OF TRUST, made this 1st day of November, 1978

between

JERRY BOYER and CHARLENE S. BOYER, husband and wife,
whose address is 4040 Mayberry Drive, Reno, Nevada
(Number and Street) (City) (State)

, TRUSTOR,

FIRST AMERICAN TITLE COMPANY OF NEVADA, a Nevada corporation,

TRUSTEE, and

TOPAZ DEVELOPMENT CORP., a Nevada corporation

, BENEFICIARY,

WITNESSETH: That Trustor grants to Trustee in trust, with power of sale, that property in the
, County of Douglas , State of NEVADA described as: in

Exhibit "A" attached hereto, and by this reference made a part hereof.

Together with the rents, issues and profits thereof, subject, however, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits.

For the purpose of securing (1) payment of the sum of \$ 9,000.00 with interest thereon according to the terms of a promissory note or notes of even date herewith made by Trustor, payable to order of Beneficiary, and all extensions or renewals thereof; and (2) the performance of each agreement of Trustor incorporated herein by reference or contained herein; (3) payment of additional sums and interest thereon which may hereafter be loaned to Trustor, or to his successors or assigns, when evidenced by a promissory note or notes reciting that they are secured by this Deed of Trust.

To protect the security of this Deed of Trust, and with respect to the property above described, Trustor expressly makes each and all of the agreements, and adopts and agrees to perform and be bound by each and all of the terms and provisions set forth in subdivision A, and it is mutually agreed that each and all of the terms and provisions set forth in subdivision B of the fictitious Deed of Trust recorded in the office of each County Recorder in the State of Nevada on January 30, 1968, in the book and at the page thereof, or under the document or file number, noted below opposite the name of such county, namely:

COUNTY	BOOK	PAGE	DOC. NO.	COUNTY	BOOK	PAGE	DOC. No.
Churchill	39 Mortgages	363	115384	Lincoln			45902
Clark	850 Off. Rec.		682747	Lyon	37 Off. Rec.	341	100661
Douglas	57 Off. Rec.	115	40050	Mineral	11 Off. Rec.	129	89073
Elko	92 Off. Rec.	652	35747	Nye	105 Off. Rec.	107	04823
Esmeralda	3-X Deeds	195	35922	Ormsby	72 Off. Rec.	537	32867
Eureka	22 Off. Rec.	138	45941	Pershing	11 Off. Rec.	249	66107
Humboldt	28 Off. Rec.	124	131075	Storey	"S" Mortgages	206	31506
Lander	24 Off. Rec.	168	50782	Washoe	300 Off. Rec.	517	107192
				White Pine	295 R. E. Records	258	

shall inure to and bind the parties hereto, with respect to the property above described. Said agreements, terms and provisions contained in said subdivision A and B, (identical in all counties, and printed on the reverse side hereof) are by the within reference thereto, incorporated herein and made a part of this Deed of Trust for all purposes as fully as if set forth at length herein, and Beneficiary may charge for a statement regarding the obligation secured hereby, provided the charge therefor does not exceed a reasonable amount.

The undersigned Trustor requests that a copy of any notice of default and any notice of sale hereunder be mailed to him at his address above set forth.

STATE OF NEVADA)
) ss.
County of Washoe)

Signature of Trustor

X Jerry Boyer
Jerry Boyer
X Charlene S. Boyer
Charlene S. Boyer

On November 1, 1978
personally appeared before me, a Notary Public,
Jerry Boyer and Charlene S. Boyer

who acknowledged that they executed the above instrument.

Sherman L. Loggin
SHERMAN L. LOGGIN Notary Public
Notary Public — State of Nevada
Washoe County
My Commission Expires April 25, 1980



31076

1791 (9/71)

BOOK 379 PAGE 1417

LEGAL DESCRIPTION

PARCEL 1

All that certain piece or parcel of land situated in the County of Douglas, State of Nevada, being all that portion of Section 13, Township 10 North, Range 22 East, M.D.B&M., described as follows:

Commencing, at the North Quarter corner of Section 14 Township 10 North, Range 22 East, M.D.B.&M., thence South $89^{\circ}51'$ East along the North line of said Section 14 a distance of 792.53 feet to a point; thence South $13^{\circ}00'$ East 465.12 feet to a point; thence on a curve to the left the tangent of which bears the last described course having a radius of 500 feet through a central angle of $22^{\circ}30'$ for an arc distance of 196.35 feet; thence South $35^{\circ}30'$ East a distance of 2287.85 feet; thence on a curve to the left the tangent of which bears the last described course having a radius of 500 feet through a central angle of $29^{\circ}15'$ for an arc distance of 255.25 feet; thence South $64^{\circ}45'$ East 429.53 feet to the TRUE POINT OF BEGINNING; thence North $25^{\circ}15'$ East 1146.65 feet; thence South $25^{\circ}15'$ West 1042.30 feet; thence North $64^{\circ}45'$ West a distance of 400 feet to the TRUE POINT OF BEGINNING.

Referance is made to Record of Survey filed in the office of the County Recorder of Douglas County, Nevada on October 10, 1969 under File No. 45991 and the above described parcel shown as Parcel 11.

RESERVING HOWEVER unto the grantor and to its successors and assigns a non-exclusive easement for roadway and utility purposed and to provide access to State Route No. 3 and right to convey said easements to others, and said easement being the Southwesterly 30 feet measured at right angles to and parallel with Southwesterly line of the hereinabove conveyed parcel.

EXHIBIT "A"

PAGE 1 of 3 PAGES

31076

BOOK **379** PAGE**1418**

DESCRIPTION (Continued)

PARCEL 2

All that certain piece or parcel of land situate in the County of Douglas, State of Nevada, being all that portion of Section 13 and the East half of Section 14, Township 10 North, Range 22 East, M.D.B.&M., described as follows:

Non-exclusive easements for roadway and utility purposes and to provide access to State Route No. 3, for the benefit of and appurtenant to the property conveyed hereinabove and shall inure to the benefit of and be used by all persons who may become owners of said land or any parts or portions thereof said easements being 60 feet in width the centerline of which is described as follows:

Commencing at North quarter corner of said Section 14; thence South $89^{\circ}51'$ East along the North line of said Section 14 a distance of 792.53 feet to a point; thence South $13^{\circ}00'$ East 104.32 feet to a point on the Southerly right-of-way line of State Route No. 3, the true point of beginning; thence along said line South $13^{\circ}00'$ East 360.80 feet; thence on a curve to the left the tangent of which bears the last described course having a radius of 500 feet through a central angle of $22^{\circ}30'00''$ for an arc distance of 196.35 feet; thence South $35^{\circ}30'$ East 2287.85 feet; thence on a curve to the left the tangent of which bears the last described course having a radius of 500 feet through a central angle of $29^{\circ}15'$ for an arc distance of 255.25 feet; thence South $64^{\circ}45'$ East 1559.09 feet; thence on a curve to the left the tangent of which bears the last described course having a radius of 500 feet through a central angle of $49^{\circ}29'15''$ for an arc distance of 431.86 feet; thence North $65^{\circ}45'45''$ East 1075.22 feet; thence on a curve to the left the tangent of which bears the last described course having a radius of 500 feet through a central angle of $16^{\circ}40'22''$ for an arc distance of 145.50 feet; thence North $49^{\circ}05'23''$ East a distance of 1161.73 feet to the true point of ending.

Continued.....

EXHIBIT "A"

Page 2 of 3 Pages

31076
BOOK **379** PAGE **1419**

DESCRIPTION (Continued)

ALSO

Commencing at North quarter corner of said Section 14; thence South 89°51' East along the North line of said Section 14 a distance of 792.53 feet to a point; thence South 13°00' East 104.32 feet to a point on the Southerly right-of-way line of State Route No. 3; thence South 13°00' East 360.80 feet; thence on a curve to the left the tangent of which bears the last described course having a radius of 500 feet through a central angle of 07°04'13" for an arc distance of 61.70 feet to the TRUE POINT OF BEGINNING; thence North 76°34' East 1706.97 feet; thence on a curve to the right the tangent of which bears the last described course having a radius of 500 feet through a central angle of 28°59'00" for an arc distance of 129.23 feet; thence South 74°27' East a distance of 3465.80 feet to the true point of ending.

Reference is made to Record of Survey filed in the office of the County Recorder of Douglas County, Nevada on October 10, 1969 under File No. 45991 and the above described easements shown as Bosler Way and Kyle Drive.

EXHIBIT "A"

PAGE 3 of 3 PAGES

REQUESTED BY
DOUGLAS COUNTY TITLE
IN OFFICIAL RECORDS OF
DOUGLAS CO. NEVADA
B. C. do pd
1979 MAR 28 PM 12:04

MARIE A. RABEL
RECORDER

Liana Slater
dep.

31076
BOOK **379** PAGE **1420**