

**Kingsbury  
Crossing**

# SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS

This Deed of Trust is made on December 3, 19 84, between JOSEPH SMITH JR. AND LINDA N. SMITH  
A HUSBAND AND WIFE AS JOINT TENANTS

("Trustor"), whose address is 3991 3RD AVE. SACRAMENTO, CALIFORNIA 95817  
and Douglas County Title Co., Inc., a Nevada corporation ("Trustee"), and The Bank of California, N. A., a national  
banking association ("Beneficiary"). Trustor hereby irrevocably grants, bargains and sells to Trustee in trust, with  
power of sale, that certain real property located in Douglas County, Nevada, described as:

An undivided one-three thousand two hundred and thirteenth (1/3213) interest as a tenant-in-common in the fol-  
lowing described real property (The Real Property):

A portion of the North one-half of the Northwest one-quarter of Section 26, Township 13 North, Range 18  
East, MDB&M, described as follows: Parcel 3, as shown on that amended Parcel Map for John E. Michelsen and  
Walter Cox recorded February 3, 1981, in Book 281 of Official Records at page 172, Douglas County, Nevada,  
as Document No. 53178, said map being an amended map of Parcels 3 and 4 as shown on that certain map for  
John E. Michelsen and Walter Cox, recorded February 10, 1978, in Book 278, of Official Records at page 591,  
Douglas County, Nevada, as Document No. 17578.

EXCEPTING FROM THE REAL PROPERTY the exclusive right to use and occupy all of the Dwelling Units and  
Units as defined in the "Declaration of Timeshare Use" as hereinafter referred to.

ALSO EXCEPTING FROM THE REAL PROPERTY AND RESERVING TO GRANTOR, its successors and as-  
signs, all those certain easements referred to in paragraphs 2.5, 2.6 and 2.7 of the Declaration of Timeshare Use to-  
gether with the right to grant said easements to others.

TOGETHER WITH THE EXCLUSIVE RIGHT TO USE AND OCCUPY A "Unit" as defined in the Declaration of  
Timeshare Use recorded February 16, 1983, in Book 283 at page 1341, as Document No. 76233, and amended by  
an instrument recorded April 20, 1983 in Book 483 at page 1021, as Document No. 78917 and again amended by  
an instrument recorded July 20, 1983 in Book 783, at page 1688 as Document No. 84425, and again amended by  
an instrument recorded October 14, 1983 in Book 1083 at page 2572 as Document No. 89535, Official Records  
of the County of Douglas, State of Nevada, ("Declaration"), during a "Use Period", within the HIGH Season  
within the "Owner's Use Year", as defined in the Declaration, together with a nonexclusive right to use the com-  
mon areas as defined in the Declaration.

SUBJECT TO all covenants, conditions, restrictions, limitations, easements, rights and rights-of-way of record, to-  
gether with the rents, issues and profits thereof, subject, however, to the right, power and authority hereafter 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 \$ 8,190.00 dollars with interest thereon according  
to the terms of a promissory note or notes of even date herewith made by Trustor, payable to the order of Bene-  
ficiary, and all extensions or renewals thereof; and (2) the performance of each agreement of Trustor incorporated  
herein by this reference, or contained therein; (3) payment of additional sums and interest thereon which may here-  
after 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 described above in this document,  
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 the parties agree that each and all of the terms and pro-  
visions set forth in subdivision B of the Master Form Deed of Trust recorded in the office of the Douglas County  
Recorder in the State of Nevada on December 20, 1983 in Book 1283, page 2319, as Document No. 92939, shall  
inure to and bind the parties hereto, with respect to the property described above. Said agreements, terms and pro-  
visions contained in said subdivision A and B of the Master Form Deed of Trust are by the within reference incor-  
porated herein and made a part of this Deed of Trust for all purposes as if fully set forth at length herein, and Bene-  
ficiary may charge for a statement regarding the obligation secured hereby, provided the charge therefor does not  
exceed a reasonable amount. The Beneficiary or the collection agent appointed by him may charge a fee not to ex-  
ceed \$15.00 for each change in parties, or for each change in a party making or receiving a payment secured hereby.

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 set forth herein.


DATED: NOVEMBER 24, 1984

BY: Joseph Smith Jr  
JOSEPH SMITH JR.  
Linda N. Smith  
LINDA N. SMITH

STATE OF NEVADA  
County of Douglas

Before me, a Notary Public in and for said county and state, personally appeared JOSEPH SMITH JR.,  
LINDA N. SMITH to me known to be the person who executed the foregoing instrument, who, being  
by me first duly sworn, acknowledged under oath that he executed the said instrument as his free and voluntary act  
for the use and purpose therein set forth.

Subscribed and sworn to me on NOVEMBER 24, 1984  
My Commission expires:

(SEAL)  **JUDY A. BROWN**  
Notary Public - State of Nevada  
Appointment Recorded in Douglas County  
MY APPOINTMENT EXPIRES SEPT 22, 1988

Judy A. Brown  
NOTARY PUBLIC

FOR RECORDER'S USE  
**110722**  
BOOK **1284** PAGE **060**

COPY

REQUESTED BY  
**DOUGLAS COUNTY TITLE**  
IN OFFICIAL RECORDS OF  
DOUGLAS CO. NEVADA

'84 DEC -3 P12:38

SUZANNE BEAUDREAU  
RECORDER

\$ <sup>00</sup> 6 PAID ju DEPUTY

**110722**

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