

Escrow No. _____

WHEN RECORDED, MAIL TO:

DEED OF TRUST WITH ASSIGNMENT OF RENTS

THIS DEED OF TRUST, made this 1ST day of MARCH, 1986, between LAUVELLA M. BANNER, as Executrix of the estate of Joseph T. Banner, deceased, and FRANK C. BOSLER and MARY BOSLER, husband and wife, TRUSTOR, whose address is: Box 1066 Laramie WY. 82070; FIRST AMERICAN TITLE COMPANY OF NEVADA, a Nevada corporation, TRUSTEE, and FIRST INTERSTATE BANK OF LARAMIE, WYOMING, a national banking association, BENEFICIARY.

WITNESSETH: That Trustor grants to Trustee in trust, with power of sale, that property in the County of Douglas, State of NEVADA, more particularly described 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 \$383,467.62, with interest thereon according to the terms of a promissory note or notes dated April 20, 1984, made by Trustor, payable to the 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 the Washoe County Recorder in the State of Nevada on January 30, 1968, in Book 57 of Official Records, at page 115, as Document No. 40050, 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, 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.

Page 1 of 2 Pages

Hale, Lane, Peek, Dennison and Howard
Attorneys and Counsellors at Law
Reno, Nevada

142607
BOOK 1086 PAGE 1347

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

Signature of Trustor

Laurella M. Banner

Laurella M. Banner, Executrix
of the Estate of Joseph T.
Banner, deceased

Frank C. Bosler
Frank C. Bosler

~~Mary Bosler~~

STATE OF WYOMING)
County of Albany) : ss.

On March 3, 1986, personally appeared before me, a Notary Public, LAUELLE M. BANNER, who acknowledged that she executed the foregoing instrument.

JOLENE WALLER - Notary Public
County of Albany State of Wyoming
My Commission Expires Jan. 26, 1988

Jolene Waller
Notary Public

STATE OF WYOMING)
County of Albany) : ss.

On March 3, 1986, personally appeared before me, a Notary Public, FRANK C. BOSLER and ~~MARY BOSLER~~, who acknowledged that they executed the foregoing instrument.

JOLENE WALLER - Notary Public
County of Albany State of Wyoming
My Commission Expires Jan. 26, 1988

Jolene Waller
Notary Public

All that certain property situate in the County of Douglas, State of Nevada, described as follows:

TOWNSHIP 10 NORTH, RANGE 22 EAST, M.D.B.&M.

Section 13: All.

Section 23: All, excepting therefrom the Northwest 1/4, the North 1/2 of the Southwest 1/4, the Southwest 1/4 of the Southwest 1/4 and the North 1/2 of the North 1/2 of the Southeast 1/4 of the Southwest 1/4.

Section 24: All.

Section 25: North 1/2; Fractional North 1/2 of Southwest 1/4 lying North of a traverse line "B" hereinafter described; Fractional East 1/2 of Southeast 1/4 lying North of a traverse line "B" hereinafter described.

Section 26: North 1/2 Fractional South 1/2 lying North of a traverse line "B" hereinafter described.

EXCEPTING THEREFROM that portion of Section 13 shown on two records of survey filed in the Office of the County Recorder of Douglas County on October 10, 1969, in Book 1 of Maps under Recorder's filing Numbers 45990 and 45991.

TOWNSHIP 9 NORTH, RANGE 23 EAST, M.D.B.&M.

Section 6: South 1/2 of Southeast 1/4; Southeast 1/4 of Southwest 1/4 lying East of a traverse line "A" hereinafter described.

Section 7: Northeast 1/4; East 1/2 of Northwest 1/4; fractional West 1/2 of Northwest 1/4 lying East of traverse line "A" hereinafter described.

Section 18: East 1/2; East 1/2 of West 1/2; fractional West 1/2 of West 1/2 lying East of a traverse line "A" hereinafter described.

Section 19: All lying East of a traverse line "A" hereinafter described.

Section 30: Northwest 1/4 of Northeast 1/4; Lots 1, 2, 3 and 4.

EXCEPTING THEREFROM, the following described parcels situate in Sections 18, 19 and 30, Township 9 North, Range 23 East:

Parcels 1 through 30, inclusive, as shown on the land division map for the Estate of Joseph T. Banner and Frank C. Bosler, filed in the office of the County Recorder of Douglas County, Nevada, on January 18, 1984, as File No. 94344.

TOWNSHIP 10 NORTH, RANGE 23 EAST, M.D.B.&M.

- Section 7: Lot 3 (Northwest 1/4 of Southwest 1/4), Southeast 1/4 of Southwest 1/4; Northwest 1/4 of Southeast 1/4; Southeast 1/4 of Southeast 1/4.
- Section 8: Southeast 1/4 of Southeast 1/4.
- Section 17: Southeast 1/4 of Northeast 1/4; Northwest 1/4 of Northwest 1/4; fractional East 1/2 of the Southeast 1/4 lying below the 5010 foot contour line of Hoye Canyon Reservoir.
- Section 18: North 1/2; and the West 1/2 of the Southwest 1/4.
- Section 19: South 1/2; and the West 1/2 of the Northwest 1/4.
- Section 20: Southwest 1/4.
- Section 30: North 1/2, fraction South 1/2 lying North of a traverse line "B" hereinafter described.
- Section 31: Fractional East 1/2 of West 1/2 of Southeast 1/4 lying East of a traverse line "A" hereinafter described; fractional East 1/2 of East 1/2 lying East of a traverse line "A" hereinafter described.

Traverse line "A" above referred to is described as follows:

COMMENCING at a point which lies South $14^{\circ}4'$ West 714.3 feet from the West quarter corner of Section 19, Township 9 North, Range 23 East, M.D.B.&M., thence along the fence known as the East fence of the Lancaster field North $5^{\circ}20'$ East 15333.0 feet; thence West 208.0 feet; thence North $0^{\circ}22'$ West 4294.0 feet, whence the Northeast corner of Section 1, Township 9 North, Range 22 East, M.D.B.&M., bears South $87^{\circ}22'$ West 1216.0 feet; thence South $88^{\circ}5'$ East 2000 feet; thence North $85^{\circ}44'$ East 604.0 feet; thence North $2^{\circ}58'$ West 1125.5 feet; thence North $14^{\circ}40'$ East 4898 feet to the end of traverse "A" being a point in the Southeast 1/4 of Southeast 1/4 of Section 30, Township 10 North, Range 23 East, M.D.B.&M., which is the beginning point of traverse "B" above mentioned; said point lies North $14^{\circ}40'$ East 822 feet from an intersection with the South boundary of Section 30 at a point North $88^{\circ}30'$ West 417 feet from the Southeast corner of Section 30, Township 10 North, Range 23 East, M.D.B.&M.

TOWNSHIP 10 NORTH, RANGE 23 EAST, M.D.B.&M.

Traverse line "B" above referred to is described as follows:

BEGINNING at the said last mentioned point at the end of Traverse "A", thence North 82°56' West 9062.0 feet, ending across Walker River near the end of Topaz Lake outlet canal and 100 feet South of the Center line thereof; thence North 450 feet; thence South 56°7' West 566 feet; thence South 65°21' West 2879.3 feet; thence South 81°55' West 611.3 feet; thence North 86°47' West 5991.0 feet.

EXCEPTING THEREFROM that portion described in the Final Order of Condemnation filed in the First Judicial District Court of the State of Nevada, in and for the County of Douglas on July 22, 1965, as Case #2251, recorded July 22, 1965, in Book 33, Page 85.

TOGETHER WITH all tenements, hereditaments and appurtenances to the above described real property ("the Real Property");

TOGETHER WITH the following easements:

(1) The non-exclusive right to use all easements appurtenant to the Real Property, or used in connection therewith, including, but not limited to, any and all easements for ingress and egress which may have been acquired by prescription;

(2) Non-exclusive easements of a width required by the County of Douglas for an approved subdivision, over, across and through that real property situate in Douglas and Lyon Counties, State of Nevada, which is more particularly described as follows:

All that certain real property situate in the County of Douglas, State of Nevada, described as follows (which is herein referred to as "the Released Land"):

TOWNSHIP 9 NORTH, RANGE 23 EAST, M.D.B.&M.

Section 5: South 1/2 of South 1/2;

Section 6: Southeast 1/4 of Northeast 1/4;

TOWNSHIP 10 NORTH, RANGE 23 EAST, M.D.B.&M.

Section 4: Southeast 1/4 of Southwest 1/4;
South 1/2 of Southeast 1/4;

Section 8: Southeast 1/4 of Southwest 1/4;

Section 9: North 1/2 of Northeast 1/4;
Southwest 1/4 of Northeast 1/4;
Northwest 1/4 of Northwest 1/4;
Southeast 1/4 of Northwest 1/4;
Northwest 1/4 of Southwest 1/4;
Southeast 1/4 of Southwest 1/4;
Northwest 1/4 of Southeast 1/4;
South 1/2 of Southeast 1/4;

- Section 15: Fraction North 1/2 of Southwest 1/4 of Northwest 1/4 lying below the 5010 foot contour line of Hoyer Canyon Reservoir;
- Section 16: Northwest 1/4; North 1/2 of Northeast 1/4; fractional North 1/2 of Southwest 1/4 and fractional North 1/2 of South 1/2 of Northeast 1/4 lying below the 5010 foot contour line of the Hoyer Canyon Reservoir;
- Section 17: Northwest 1/4 of Southwest 1/4; South 1/2 of Southwest 1/4; fractional West 1/2, Southeast 1/4 lying below the 5010 foot contour of the Hoyer Canyon Reservoir; Northwest 1/4 of Northeast 1/4; Southeast 1/4 of Northwest 1/4;
- Section 18: Southeast 1/4; Northeast 1/4 of Southwest 1/4; Southeast 1/4 of Southwest 1/4;
- Section 19: Northeast 1/4; East 1/2 of the Northwest 1/4;
- Section 20: Northwest 1/4;

All that certain real property situate in the County of Lyon, State of Nevada, described as follows:

TOWNSHIP 10 NORTH, RANGE 23 EAST, M.D.B.&M.

- Section 3: Southwest 1/4 of Southwest 1/4;
- Section 10: East 1/2 of Northwest 1/4; Northwest 1/4 of Southwest 1/4;
- Section 15: North 1/2 of Northwest 1/4;

the centerline of which easements shall be the centerline of any and all roadways on such land which now exist or which may hereafter come into existence; which non-exclusive easements shall be for the purposes of pedestrian and vehicular ingress and egress to and from the Real Property, and installation and maintenance of all pipes, poles, lines and other equipment necessary to provide utility services to the Real Property;

(3) The non-exclusive right to use any and all easements which have been or may be hereafter acquired by Trustor and which are appurtenant to the Released Land or any part thereof;

(4) Those certain easements evidenced by the following described recorded maps: (a) a map entitled "Record of Survey for the Estate of Joseph T. Banner.... and Frank C. Bosler" recorded on June 7, 1977, in the office of the County Recorder of Douglas County, Nevada, under File No. 33203, official records, and (b) a map entitled "A Map for Application to the Bureau of Land Management for Right of Way in Section 8, Township 10 North, Range 23 East, M.D.B.&M.", filed in the office of the Bureau of Land Management

under File No. N-25706(2800), official records;

(5) Non-exclusive easements of a width required by the County of Douglas for an approved subdivision, over, across and through any and all lands hereafter acquired by Trustor in Section 7 of Township 10 North, Range 23 East, M.D.B.&M., or in Section 12 of Township 10 North, Range 22 East, M.D.B.&M.; at a location or locations to be selected by Beneficiary, which locations shall not unreasonably interfere with Trustor's use of such after-acquired property, which non-exclusive easements shall be for the purposes of pedestrian and vehicular ingress and egress to and from the Real Property, and the installation and maintenance of all pipes, poles, lines and other equipment necessary to provide utility services to the Real Property;

AND TOGETHER WITH THE FOLLOWING:

(i) An undivided 75% of the waters and water rights evidenced by the following certificates:

Water Right Certificate No. 4927 on file at Book 14, Page 4927, under Application No. 12885 with the State of Nevada, Department of Water Resources; and

Water Right Certificate No. 4834, on file at Book 14, Page 4834, under Application No. 12884 with the State of Nevada, Department of Water Resources; and

Water Right Certificate No. 4928 on file at Book 14, Page 4928, under Application No. 13013 with the State of Nevada, Department of Water Resources;

(ii) All other water rights appurtenant to the Real Property or used in connection therewith;

(iii) All minerals and mineral rights, including, but not limited to, oil and gas rights and profits and geothermal rights, appurtenant to the Real Property.

REQUESTED BY
First Interstate Bank
IN OFFICIAL RECORDS OF
DOUGLAS COUNTY, NEVADA

'86 OCT 14 AIO:38

SUZANNE BLAUNREAU
RECORDER

\$ 11.00 PAID JK DEPUTY

142607

BOOK 1086 PAGE 1353