

DEED OF TRUST WITH ASSIGNMENT OF RENTS

THIS DEED OF TRUST, made

JUNE 1, 1990

between

JOHN E. MASON, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY

, TRUSTOR,

whose address is

P.O. BOX 11055, ZEPHYR COVE, NEVADA 89448  
(Number and Street) (City) (State/Zip)

(State/Zip)

First Nevada Title Company, a Nevada corporation,

TRUSTEE, and

JOHN F. AHERN & JUDITH W. AHERN, TRUSTEES OF THE JOHN F. AHERN  
FAMILY TRUST UTD JULY 13, 1983

, 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:

ASSESSOR'S PARCEL NO. 05-250-16

SEE DESCRIPTION SHEET ATTACHED HERETO AND MADE A PART THEREOF

ACCELERATION CLAUSE/DUE ON SALE CLAUSE: SEE ATTACHED HERETO AND MADE A PART THEREOF

CLAUSE:

SAID DEED OF TRUST IS ALSO TO BE CONSIDERED AS ADDITIONAL SECURITY FOR THAT CERTAIN PROMISSORY NOTE IN THE AMOUNT OF \$320,000.00 DATED OCTOBER 26, 1989, BOOK 1089, PAGE 3088, DOCUMENT NO. 213604, OFFICIAL RECORDS OF DOUGLAS COUNTY, STATE OF NEVADA AND RECORDED AGAINST THAT CERTAIN PARCEL OF LAND KNOWN AS ASSESSOR'S PARCEL NO. 03-200-13. SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART THEREOF FOR FULL DESCRIPTION.

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 \$ 1,100,000.00\*\*\*\*\* 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, 1988, 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	118384	Linch			45902
Clark	850 Off. Rec.		682747	Lyon	37 Off. Rec.	341	100661
Douglas	57 Off. Rec.	115	40060	Mineral	11 Off. Rec.	129	86073
Elko	92 Off. Rec.	652	36747	Nye	105 Off. Rec.	107	04623
Esmeralda	3-X Deeds	195	35922	Ormsby	72 Off. Rec.	537	32847
Eureka	22 Off. Rec.	138	45941	Parshing	11 Off. Rec.	249	68107
Humboldt	28 Off. Rec.	124	131075	Storey	"B" Mortgages	208	31506
Lander	24 Off. Rec.	168	50782	Washoe	300 Off. Rec.	517	107192
				White Pine	295 P.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

County of Douglas

On June 8, 1990

personally appeared before me, a Notary Public,

John E. Mason

Signature of Trustor

John E. Mason

who acknowledged that he executed the above instrument.

Notary Public  
GORDON B. LANE  
Notary Public Nevada

When Recorded Mail To:  
AHERN  
P.O. BOX 10269  
ZEPHYR COVE, NV 89448

FOR RECORDER'S USE

228091

BOOK 690 PAGE 1835

ESCROW NO. 205886-LM  
ATTACHEMENT TO DEED OF TRUST  
AHERN TO MASON  
BITTLERS ROAD

DESCRIPTION SHEET

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATE IN THE COUNTY OF DOUGLAS, STATE OF NEVADA, DESCRIBED AS FOLLOWS:

Situate in Section 16, Township 13 North, Range 18 East:

BEGINNING at a point 168.05 feet North of the South line of Section 16, Township 13 North, Range 18 East, M.D. B. & M., and 20 feet West of the East line of said Section 16, said point being marked by an iron pipe set in concrete, and running; thence North  $0^{\circ}02'-1/2'$  West, 102.75 feet parallel to the East line of said Section, to an iron pipe set in concrete; thence South  $89^{\circ}57'-1/2'$  West, 434.26 feet to an iron pipe set in concrete on the meander line of Lake Tahoe; thence South  $28^{\circ}00'$  East along said meander line 142.32 feet to an iron pipe set in concrete; thence North  $86^{\circ}26'-1/2'$  East, 368.26 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion of the described property below the elevation of 6,223 feet, Lake Tahoe Datum.

ALSO that certain right-of-way for road purposes, as set forth under those certain Agreements recorded in Book R of Deeds, Page 557 and in Book F of Agreements, Page 45, Douglas County Records, said right-of-way extending from the above described property to the public road.

TOGETHER WITH a right-of-way 20 feet wide as conveyed by Deed recorded in Book T of Deeds, Page 356, Douglas County Records.

Assessor's Parcel No. 05-250-16

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATE IN THE COUNTY OF DOUGLAS, STATE OF NEVADA, DESCRIBED AS FOLLOWS:

All that portion of Parcel A, as shown on the map of SKYLAND SUBDIVISION NO. 1, filed in the office of the County Recorder of Douglas County, Nevada, on February 27, 1958, that is described as follows:

BEGINNING at the Northwest corner of Lot 31 of said subdivision; thence North  $53^{\circ}35'30''$  West, a distance of 32.00 feet; thence South  $36^{\circ}34'30''$  West, a distance of 75.00 feet; thence South  $16^{\circ}55'13''$  East, 63.98 feet; thence North  $89^{\circ}48'10''$  East, a distance of 52.00 feet to a point on the Westerly line of said Lot 31; thence along said line North  $0^{\circ}11'50''$  West, a distance of 102.40 feet to the POINT OF BEGINNING.

TOGETHER WITH a non-exclusive right-of-way and easement for ingress to and egress from the above described parcel to Skyland Court, as shown on the map of SKYLAND SUBDIVISION NO. 1, filed in the office of the County Recorder of Douglas County, Nevada, on February 27, 1958, over and across the following described parcel:

BEGINNING at the Northeast corner of Lot 32 in said subdivision; thence South  $89^{\circ}48'10''$  West, a distance of 166.87 feet to the Northwest corner thereof; thence South  $0^{\circ}11'50''$  East along the Westerly line of said Lot 32, a distance of 69.28 feet to the most Southerly corner of Parcel A as shown on said subdivision; thence along the Southerly line of said Parcel A the following 2 courses and distances: North  $60^{\circ}38'50''$  West, 107.02 feet; and North  $45^{\circ}21'$  West, a distance of 60.41 feet; thence leaving said line North  $47^{\circ}37'40''$  East, a distance of 12.82 feet; thence North  $0^{\circ}22'30''$  West, a distance of 69.57 feet; thence North  $21^{\circ}19'53''$  East, 29.66 feet; thence South  $89^{\circ}38'00''$  East, 45.34 feet; thence South  $16^{\circ}55'13''$  East, 63.98 feet; thence North  $89^{\circ}48'10''$  East, a distance of 52.00 feet to a point on the Westerly line of Lot 31, as shown on said subdivision; thence along said line South  $0^{\circ}11'50''$  East, a distance of 45.00 feet to the Southwest corner of said Lot 31; thence along the Southerly line of Lot 31 and Lot 30 North  $89^{\circ}48'10''$  East, a distance of 150.0 feet; thence South  $34^{\circ}11'10''$  East, a distance of 30.15 feet to the POINT OF BEGINNING.

TOGETHER WITH the right to install, operate, repair, maintain and replace leaching lines in common with others entitled to use the same granted by document recorded in Book 17 of Official Records at page 599, under Document No. 26641, Douglas County, Nevada Records.

SUBJECT TO AND TOGETHER WITH a permanent easement for parking, ingress, egress and utility purposes over and including all that property described as Parcel 2 in the Deed from Ferdie Sievers, et ux, to Rudolph S. Gersick, et ux, recorded February 6, 1964 in Book 22, Page 135, Document No. 24368, Official Records of Douglas County, State of Nevada, and as adjudged in Judgment in the Second Judicial District Court of the State of Nevada in and for the County of Washoe, Case No. 309246, and Recorded April 15, 1977 in Book 477, Page 784, Document No. 08491, Official Records of Douglas County, State of Nevada. Said easement is to be used jointly with the other owners of Parcel A of Skyland Subdivision No. 1, their heirs, successors, assigns, guests and invitees.

Assessor's Parcel No. 05-051-09

ESCROW NO. 205886-LM  
ATTACHEMENT TO DEED OF TRUST  
MASON TO AHERN  
418 BITTLERS ROAD

ACCELERATION CLAUSE

IN THE EVENT TRUSTOR, WITHOUT THE PRIOR WRITTEN CONSENT OF THE BENEFICIARY, SELLS AGREES TO SELL, TRANSFERS OR CONVEYS ITS INTEREST IN THE REAL PROPERTY OR ANY PART THEREOF OR ANY INTEREST THEREIN, BENEFICIARY MAY AT ITS OPTION DECLARE ALL SUMS SECURED HEREBY IMMEDIATELY DUE AND PAYABLE. CONSENT TO ONE SUCH TRANSACTION SHALL NOT BE DEEMED TO BE A WAIVER OF THE RIGHT TO REQUIRE SUCH CONSENT TO FUTURE OR SUCCESSIVE TRANSACTIONS. THE TERMS , "TRUSTOR" AND "BENEFICIARY" INCLUDE THIER SUCCESSORS.

COPY

REQUESTED BY  
**FIRST NEVADA TITLE COMPANY**  
IN OFFICIAL RECORDS OF  
COUNTY OF CLATSOP, NEVADA

'90 JUN 13 P3:46

SUZANNE F. BEAU  
RECORDER  
S. *Leo* *W*

228091

DEPU880K 690 PAGE1838