

SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS

ORDER NO.: 100352 TO

THIS DEED OF TRUST, made this 24th day of AUGUST, 19 92, between

DAVID WHITHAM, a married man as his sole and separate property, herein called TRUSTOR,

whose address is P.O. BOX 7272 INCLINE VILLAGE, NV. 89450 (number and street) (city) (state) (zip) and

PACIFIC TITLE, INC., a Nevada corporation, herein call TRUSTEE, and

JOSEPH S. LODATO, an unmarried man, herein called BENEFICIARY,

WITNESSETH: That Trustor irrevocably grants, transfers and assigns to Trustee in trust, with power of sale, that property in County, Nevada, described as:

PLEASE SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION. MADE A PART HEREOF

IF ALL OR ANY PART OF THE PROPERTY DESCRIBED HEREIN, OR AN INTEREST THEREIN, IS SOLD AGREED TO BE SOLD, CONVEYED OR ALIENATED BY THE TRUSTOR HEREIN, OR BY THE OPERATION OF LAW OR OTHERWISE, WITHOUT THE BENEFICIARIES PRIOR WRITTEN CONSENT, BENEFICIARY MAY, AT BENEFICIARIES OPTION, DECLARE ALL SUMS SECURED BY THIS DEED OF TRUST TO BE IMMEDIATELY DUE AND PAYABLE. CONSENT TO ONE SUCH TRANSACTION SHALL NOT BE A WAIVER OF THE RIGHT TO REQUIRE CONSENT TO FUTURE OR SUCCESSIVE TRANSACTIONS.

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 the sum of \$ 210,000.00\*\* 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, in the book and at the page thereof, or under the document file number, noted below opposite the name of such county, namely:

Table with 8 columns: COUNTY, BOOK, PAGE, DOC. NO., COUNTY, BOOK, PAGE, DOC. NO. Lists various counties and their corresponding document details.

shall inure to and bind the parties hereto with respect to the property above described. Said agreement, 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 Beneficiary or the collection agent appointed by him may charge a fee of not to exceed \$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 hereinbefore set forth.

STATE OF NEVADA

SS

COUNTY OF LOS ANGELES

ON AUGUST 24, 1992

personally appeared before me, a Notary Public, DAVID WHITHAM

DAVID WHITHAM

personally known or proved to me to be the person whose name(s) is/are subscribed to the above instrument who acknowledged that he executed the instrument

Notary Public

D.L. PAGE



FOR RECORDER'S USE

WHEN RECORDED MAIL TO:

JOSEPH S. LODATO

3350 FAIRCHILD COURT

GARDNERVILLE, NV. 89410

SHEERIN WALSH & KEELE ATTORNEYS AT LAW PO BOX 806 CARSON CITY, NEVADA 89702 PD BOX 1331 GARDNERVILLE NEVADA 89410

286972 BOOK 892 PAGE 4661

EXHIBIT "A"

LEGAL DESCRIPTION

A parcel of land situated within Sections 17, 18 & 19 of T.10N., R.22E., M.D.B.&M., Douglas County, Nevada and more particularly described as follows:

Commencing at the Southeast corner of Section 18, T.10N., R.22E., M.D.B.&M., said corner being marked by a 1940 U.S.G.L.O. brass cap and being the true point of beginning; thence S0°17'49"W along the one sixteenth section line a distance of 1319.45 feet to the North one sixteenth section corner between Sections 19 & 20 of said township and range; thence S89°06'16"W along the one sixteenth section line a distance of 471.16 feet to a point on the Easterly right-of-way line of U.S. Hwy 395; thence N4°28'44"W along said right-of-way line a distance of 1720.87 feet; thence N4°29'17"W along said right-of-way line a distance of 157.51 feet; thence N85°33'13"E along said right-of-way line a distance of 24.86 feet; thence N4°26'47"W along said right-of-way line a distance of 81.41 feet to a point on a curve; thence along a curve to the left with a tangent bearing of N4°26'47"W, through a central angle of 0°09'34", with a radius of 10,100 feet and an arc distance of 28.13 feet; thence leaving said right-of-way N89°48'51"E a distance of 606.27 feet; thence N0°11'09"W a distance of 658.94 feet; thence S88°56'18"E a distance of 953.80 feet; thence S0°05'51"E a distance of 27.65 feet to a point on the Westerly right-of-way line of Olympus Drive; thence S0°05'51"E along said right-of-way line a distance of 382.86 feet to a point on a cul-de-sac; thence around said cul-de-sac on a curve with a tangent bearing of S59°54'09"W, through a central angle of 150°00'00", with a radius of 50.00 feet and an arc distance of 130.90 feet to a point on the Easterly line of a private easement twenty feet in width; thence S0°05'51"E along the Easterly line of said easement a distance of 156.37 feet; thence N88°52'17"W a distance of 325.88 feet; thence S0°06'59"E a distance of 659.10 feet to a point on the South line of Section 17 of said township and range; thence N88°53'23"W along the southerly line of said section a distance of 651.13 feet to the true point of beginning. Said parcel containing 49.43 acres, more or less.

REQUESTED BY .  
**PACIFIC TITLE, INC.**  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

'92 AUG 27 P3:45

SUZANNE BEAUDREAU  
RECORDER

286972

\$6.00 PAID *OK* DEPUTY  
BOOK 892 PAGE 4662

7-29-92