

**MODIFICATION OF NOTE SECURED BY
DEED OF TRUST**

THIS AGREEMENT, made and entered into on December 28, 1993 , by and between JANICE K. CONDON,

**PRESENT, Beneficiary(s)
and MICHELLE J. GABLER-HERZ, Trustee of THE MICHELLE J. GABLER-HERZ FAMILY TRUST, Dated July 12, 1991 , Trustor(s)**

WITNESSETH THAT:

WHEREAS, trustor has heretofore executed and delivered for valuable consideration, a promissory note in the original sum of \$40,000.00 , in favor of beneficiary named herein, and dated 10/02/92 and

WHEREAS, said note is secured by a deed of trust in like amount and of even date therewith, which deed of trust recorded on 12/04/92 in Book 1292, at Page 818 , under Document No. 294731 .

NOW THEREFORE, in consideration of the mutual benefit of the parties hereto, said note hereinabove referenced shall be modified as to the following particulars;

(Continued)

THIS AGREEMENT is a modification only, and not a novation; and except as provided herein, all of the original terms and conditions set forth in deed of trust and note secured thereby, shall remain in full force and effect, and shall further be binding upon and inure to the heirs, successors and assigns forever to the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year first above written.

TRUSTOR(S):
Michelle J. Gabler-Herz
MICHELLE J. GABLER-HERZ, TRUSTEE

BENEFICIARY:
Janice K. Condon
JANICE K. CONDON

**STATE OF NEVADA
County of DOUGLAS)
) SS.**

On *January 4, 1994*
before me, a notary public,
personally appeared JANICE K.
CONDON AND MICHELLE J.

GABLER-HERZ, *trustee*
personally known or proved to
me to be the person(s) whose
name(s) IS subscribed to the
above instrument who acknowledged that SHE executed
the instrument.

Judy A. Coclich
Notary Public

**SCARPELLO & ALLING
CARSON CITY OFFICE
VALLEY BANK CENTER
600 WILLIAM STREET, SUITE 301
CARSON CITY, NEVADA 89701-4502
TELEPHONE (702) 882-4577
LAKE TAHOE OFFICE
KINGSBURY SQUARE
P.O. BOX 3390
STATELINE, NEVADA 89449-3390
TELEPHONE (702) 588-6676**



WHEN RECORDED MAIL TO:
*Janice K. Coclich
1183 Marshall
Gardnerville NV 89410*
.....
FOR RECORDER'S USE

So long as the trustor is not in default under the terms of this Deed of Trust and Note secured hereby, the beneficiary agrees to execute requests for partial reconveyance of 1 parcel, releasing such parcels from the lien hereof, at such a time as the unpaid principal balance has been paid down to \$20,000.00. Each parcel released must provide legal access to the remaining unreleased parcel. Any costs incurred by reason of said releases, including any filing of a parcel map, shall be paid by the trustor. All release payments shall be applied upon the unpaid principal balance of the Note secured hereby. Beneficiary's acceptance of the release payments and subsequent releases shall not affect THE LIABILITY of the Trustor for the indebtedness remaining after each release, until said principal sum is fully paid.

COPY

WESTERN FILE COMPANY, INC.

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DOUGLAS CO., NEVADA

94 JUN 10 12:05

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SUZANNE BEAUDREAU
RECORDER

800 PAID k2 DEPUTY