

**RECORDING REQUESTED BY:**

John Gerken

**WHEN RECORDED RETURN TO:**

Henry R. Butler

P. O. BOX 5367

Stateline, Nevada 89449

Escrow Number 10081

Loan Number JGRA2617

**SHORT FORM DEED OF TRUST WITH ASSIGNMENT OF RENTS  
FOR A CONSTRUCTION LOAN**

THIS DEED OF TRUST, made November 30, 1994, between RAND CONSTRUCTION MANAGEMENT & CONSULTING CO. , a Nevada Corporation , whose address is 4600 Kietzke Lane Suite A103, Reno, Nevada, herein called TRUSTOR, HENRY R. BUTLER, ESQ, herein called TRUSTEE, and John Gerken, herein called BENEFICIARY,

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

Lot 37 as set forth upon that subdivision map entitled WILDGORSE ANNEX UNIT NO. 2, as Planned Unit Development, recorded October 10, 1994 in Book 1094 at Page 1490, Official Records of Douglas County, State of Nevada, as Document No. 348105. A.P.N. 21-290-76

Together with the rents, issues and profits thereof, and the rights to all governmental permits or licenses of all types which are necessary for the ordinary and intended use of the property, including but not limited to sewer and water hookup rights and water rights. Such rights shall be considered appurtenant to and part of the real property, SUBJECT, HOWEVER, to the right, power and authority given to and conferred upon Beneficiary by paragraph (10) of the provisions incorporated herein by reference to collect and apply such rents, issues and profits.

For the Purpose of Securing (1) Performance of each agreement of Trustor incorporated by reference or contained herein. (2) Payment of the indebtedness evidenced by the promissory note of even date herewith, and any extension or renewal thereof, in the principal sum of \$131,000.00 (one hundred thirty-one thousand dollars) payable to Beneficiary or order. (3) Payment of such further sums (Additional Advances) that may be advanced by the Beneficiary to the then record owner of said property plus interest thereon; and (4) all other monies owed to the beneficiary herein whether or not they originated from this transaction.

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:

COUNTY	BOOK	PAGE	DOC. NO.
Douglas	1286 Off. Rec.	2432	147018
Elko	545 Off. Rec.	316	223111

**351891**

**BK 1294PG0484**

Lyon  
Washoe  
Carson  
Churchill  
Lander

2464 Off. Rec 0571  
  
279 Off. Rec. 034

0104086  
1126264  
000-52876  
224333  
137077

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) 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 thereof does not exceed a reasonable amount. The Beneficiary or the collection agent appointed by him may charge a fee of not to exceed \$45.00 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.

Gary S. Rand Dated: 11/30/94  
RAND CONSTRUCTION MANAGEMENT & CONSULTING CO.  
By: GARY S. RAND

STATE OF NEVADA  
COUNTY OF DOUGLAS ss.

On 11-30-94 personally appeared before me, a Notary Public, in and for said County and State, GARY S. RAND, known to me to be the person who executed the within instrument as President of the corporation or on behalf of the corporation therein named and acknowledged to me that the corporation executed it.

WITNESS my hand and official seal.

Sharon Goodwin  
Signature Notary Public



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

94 DEC -2 AM 1:15

351891

DK1294P60485

SUZANNE BEAUDREAU  
RECORDER  
\$ 8.00 PAID K2 DEPUTY