

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

THIS AGREEMENT, made and entered into on December 7, 1994, by and between ROBERT A. KIMMERLING AND MARGERY A. KIMMERLING, TRUSTEES OF THE KIMMERLING 1990 TRUST DATED JUNE 12, 1990, Beneficiary(s) and LAGUNA SEASIDE ASSOCIATES, A LIMITED PARTNERSHIP, Trustor(s)

WITNESSETH THAT:

WHEREAS, trustor has heretofore executed and delivered for valuable consideration, a promissory note in the original sum of \$150,000.00, in favor of beneficiary named herein, and dated 06/08/94 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 06/08/94 in Book 694, at Page 1525, under Document No. 339286

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

NOTE MATURITY DATE HAS BEEN EXTENDED FROM DECEMBER 8, 1994 TO JUNE 8, 1995.

THIS DOCUMENT IS BEING RECORDED AS AN ACCOMMODATION ONLY WITHOUT LIABILITY ON THE PART OF WESTERN TITLE COMPANY, INC. FOR THE SUFFICIENCY HEREOF OR FOR THE CONDITION OF TITLE.

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):

LAGUNA SEASIDE ASSOCIATES

**BY: BILLY M. SCAPHERS, JR.
STATE OF NEVADA
County of DOUGLAS**

**On December 13, 1994
before me, a notary public,
personally appeared
ROBERT A. KIMMERLING AND
MARGERY A. KIMMERLING**

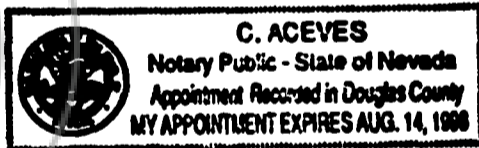
**personally known or proved to
me to be the person(s) whose
name(s) are subscribed to the
above instrument who ack-
nowledged that they executed
the instrument.**

**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**

BENEFICIARY:

ROBERT A. KIMMERLING, TRUSTEE

MARGERY A. KIMMERLING, TRUSTEE



**WHEN RECORDED MAIL TO:
KIMMERLING TRUST
641 HIGHWAY 88
GARDNERVILLE, NV 89410**

FOR RECORDER'S USE

STATE OF NEVADA,

ss.

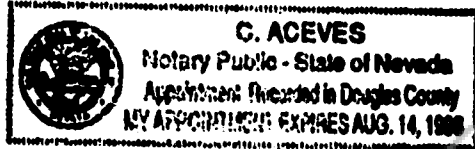
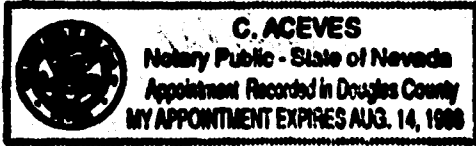
County of Douglas

On December 21, 1994 DATE *personally appeared before me.*

a Notary Public (or judge or other authorized person, as the case may be),

BILLY M. SCYPHERS, JR.

who acknowledged that he executed the above instrument.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official stamp at my office in the County of Douglas the day and year in this certificate first above written.

[Handwritten Signature]
Signature of Notary

CARLISLE'S FORM NO. 38 N (ACKNOWLEDGEMENT GENERAL) — 838946

COPIES

REQUESTED BY
WESTERN TITLE COMPANY, INC.
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

94 DEC 22 P12:19

353121

BK 1294 PG 3426

SUZANNE BEAUDREAU
RECORDER
s [initials] PAID [initials] DEPUTY