

AFTER RECORDING MAIL TO:

HomeSide Lending, Inc.  
7301 Baymeadows Way  
Jacksonville, FL 32256  
Attn: PIF Dept./Kelly Wilson  
APN 29-182-01

41391M

**MODIFICATION AND SUPPLEMENT TO DEED OF TRUST  
AND PARTIAL RECONVEYANCE**

THIS AGREEMENT is made by and between JAMES M. HICKEY, an unmarried person, KIM A. POSNIEN and DEBBIE POSNIEN, husband and wife as Joint Tenants, hereinafter collectively called Trustors; LAWYERS TITLE OF NORTHERN NEVADA, INC., hereinafter called Trustee; and HOMESIDE LENDING, INC., f/k/a BANCOSTON MORTGAGE CORPORATION, AS ATTORNEY IN FACT FOR FEDERAL HOME LOAN MORTGAGE CORPORATION, hereinafter called Beneficiary.

**WITNESSETH:**

THAT WHEREAS, James M. Hickey and Kim A. Posnien did make, execute and deliver to Trustee that certain Deed of Trust dated December 15, 1986, and recorded on February 27, 1987, in Book 287, Page 3006, Document No. 150801, Official Records, Douglas County, State of Nevada, securing a promissory note in the amount of \$96,000.00, in favor of Old Stone Mortgage Corporation and covering the property described as follows:

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATE IN THE COUNTY OF DOUGLAS, STATE OF NEVADA, DESCRIBED AS FOLLOWS: LOT 297, SHOWN ON THE MAP OF GARDNERVILLE RANCHOS UNIT NO. 6, FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF DOUGLAS COUNTY, NEVADA ON MAY 29, 1973, AS FILE NO. 66512. APN 29-181-02

Physical Address: 750 Wagon Drive, Gardnerville, NV 89410

AND WHEREAS, Old Stone Mortgage Corporation assigned to the beneficiary the beneficial interest under said deed of trust by an assignment recorded concurrently herewith;

AND WHEREAS, Debbie Posnien acquired a title interest in said real property by a deed recorded November 12, 1993, in 1193, Page 2436, Document No. 322472, Official Records, Douglas County;

AND WHEREAS, the parties hereto have been made aware of an apparent error in the property to have been encumbered by said Deed of Trust and hereby desire and intend to correct the legal description contained in said deed of trust and to eliminate any interest or claim in property not otherwise intended to be encumbered thereby.

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NOW THEREFORE, for value received, the receipt and sufficiency of which is hereby acknowledged, the parties hereto do hereby modify and supplement said Deed of Trust to provide that the legal description therein shall read as follows:

**ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATE IN THE COUNTY OF DOUGLAS, STATE OF NEVADA, DESCRIBED AS FOLLOWS: LOT 268, SHOWN ON THE MAP OF GARDNERVILLE RANCHOS UNIT NO. 6, FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF DOUGLAS COUNTY, NEVADA ON MAY 29, 1973, AS FILE NO. 66512. APN 29-182-01**

**Physical Address: 751 Wagon Drive, Gardnerville, NV 89410**

Trustors do hereby grant and convey the last above described real property to Trustee under said Deed of Trust together with power of sale and subject to each and all of the terms and conditions of said Deed of Trust, including this modification and supplement thereto and the Trustors, and each of them, ratifies the deed of trust as an encumbrance on the last described real property as if first encumbering said real property on the date on which the deed of trust was first delivered to Trustee and expressly waive any rights to object to its enforceability as a valid encumbrance on the title to the last above described real property.

Beneficiary and Trustee do hereby reconvey, without warranty to the person or persons legally entitled thereto, all estate in and to any portion of the first above described real property, which is not included within the last above described real property.

IT IS FURTHER AGREED, by and between the parties hereto that in all other respects not inconsistent herewith, the terms of said Deed of Trust which is incorporated herein by reference shall remain in full force and effect and be binding hereon. Said Deed of Trust as herein modified and supplemented shall constitute one Deed of Trust.

This agreement may be signed in counterpart.

This agreement shall inure to and bind the heirs, devisees, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year listed opposite their signatures.

  
\_\_\_\_\_  
James M. Hickey

9-24-96  
Date

  
\_\_\_\_\_  
Kim A. Posnien

9-24-96  
Date

State of Nevada )  
County of Douglas )

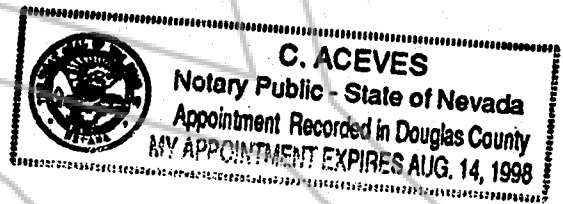
On 9-24-96 before me, CAceves

personally appeared \*\*\* JAMES M. HICKEY \*\*\* personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

*C. Aceves*  
Signature

(Seal)



COPY

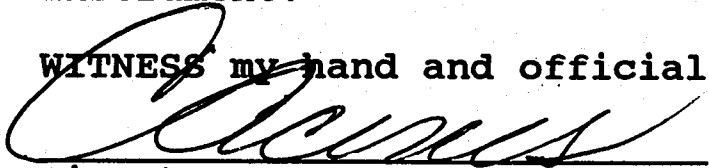
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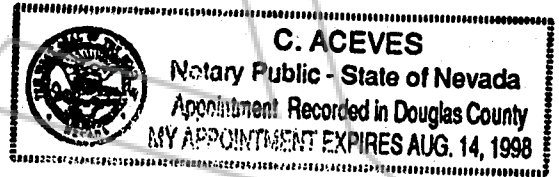
State of Nevada )  
County of Douglas )

On 9-24-96 before me, CAceves,  
personally appeared \*\*\* KIM A. POSNIEN \*\*\* personally  
known to me (or proved to me on the basis of satisfactory evidence)  
to be the person(s) whose name(s) is/are subscribed to the within  
instrument and acknowledged to me that he/she/they executed the  
same in his/her/their authorized capacity(ies), and that by  
his/her/their signature(s) on the instrument the person(s), or the  
entity upon behalf of which the person(s) acted, executed the  
instrument.

WITNESS my hand and official seal.

  
Signature

(Seal)



COPY

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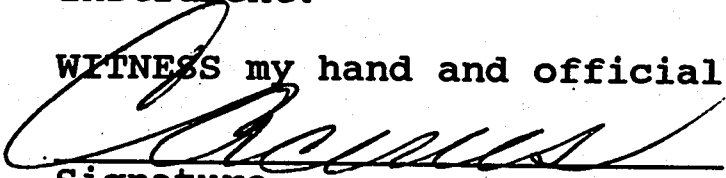
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State of Nevada )  
County of Douglas )

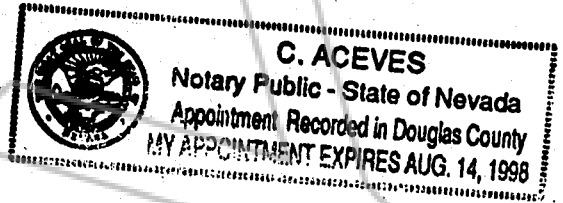
On 9-23-96 before me, CAceves

personally appeared \*\*\* DEBBIE POSNIEN \*\*\* personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

  
Signature

(Seal)



COPY

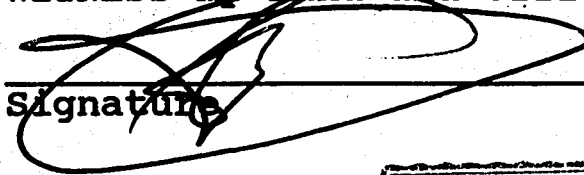
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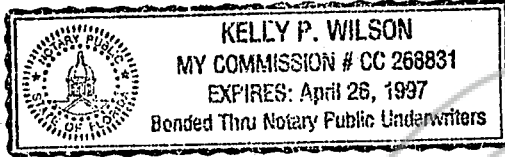
BK 1096 PG 1312

State of Florida )  
County of Duval )

On 10-1-96 before me, Kelly P. Wilson,  
personally appeared Elizabeth E. Brigham & Carla D. Lang personally  
known to me (or proved to me on the basis of satisfactory evidence)  
to be the person(s) whose name(s) is/are subscribed to the within  
instrument and acknowledged to me that he/she/they executed the  
same in his/her/their authorized capacity(ies), and that by  
his/her/their signature(s) on the instrument the person(s), or the  
entity upon behalf of which the person(s) acted, executed the  
instrument.

WITNESS my hand and official seal.

  
\_\_\_\_\_  
Signature (Seal)



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Debbie Posnien

Debbie Posnien  
WESTERN TITLE SUCCESSOR IN INTEREST TO  
LAWYERS TITLE OF NORTHERN NEVADA, INC.

9/23/96  
Date

by: Janice K Condon  
title: Assistant Secretary  
JANICE K. CONDON

10-8-96  
Date

by: [Signature]  
title: Corp. Assist. Secty.  
C. ACEVES

10-8-96  
Date

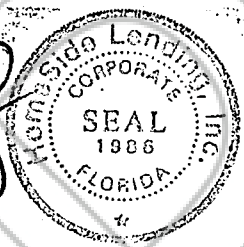
HOMESIDE LENDING, INC.  
f/k/a BANCOSTON MORTGAGE CORPORATION, Beneficiary

by: Elizabeth E. Bruf  
title: Vice President

10-1-96  
Date 10-1-96

by: Carla D. Lang  
title: Asst. Vice President  
Carla D. Lang

10/1/96  
Date 10-1-96





Situs:  
State of NEVADA )  
County of DOUGLAS )

On October 8, 1996 before me, Charlene L. Hanover

JANICE K. CONDON AND C. ACEVES, personally appeared

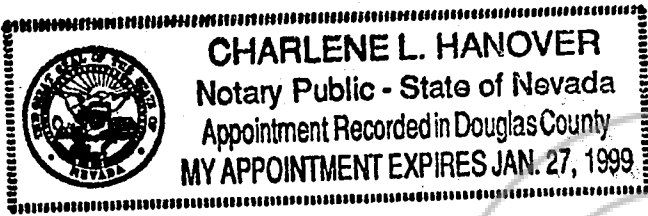
\_\_\_\_\_ personally known to me  
(or proved to me on the basis of satisfactory evidence) to be the  
person(s) whose name(s) is/are subscribed to the within instrument  
and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their  
signature(s) on the instrument the person(s), or the entity upon  
behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

*Charlene L. Hanover*

Signature

(Seal)



COOPER

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

'96 OCT -8 P12:05

**398257**

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LINDA SLATER  
RECORDER  
\$ 17.00 PAID *kr* DEPUTY