

AND WHEN RECORDED MAIL TO

AMWEST SURETY INSURANCE COMPANY
P.O. BOX 4500
WOODLAND HILLS, CA 91365
attn: Court Division
Brenda Szaldebagyi

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS (Agent's Form)

This Deed of Trust, made this 14th day of October, 19 97, between Randall H. Rees & June Ann Rees Husband & Wife as community property, herein called Trustor, and AMWEST GENERAL AGENCY, INC. herein called Trustee, and AMWEST SURETY INSURANCE COMPANY, herein called Beneficiary.

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

See attached Exhibit " A " for Legal Description
APN# 05-044-05
Street Address : 129 Willow Drive Zephyr Cove Nevada 89448

together with appurtenances thereto and the rents, issues and profits thereof. This trust and the property hereby conveyed are security for the performance by the Trustor of each agreement herein contained and for the performance of all of the obligations of Executing Agent's Contract herein called Agent as set forth and described in that certain contract between said Agent and Beneficiary dated December 4, 1987 and all amendments or addenda thereto

Trustor agrees:

- (1) To keep said property in good condition and repair; not to remove or demolish any building thereon; to maintain adequate insurance thereon and to pay; at least ten days before delinquency all taxes and assessments affecting said property, all encumbrances, charges and liens, with interest, on said property or any part thereof, and all costs, fees and expenses of this Trust.
(2) That upon default of any of his obligations or the obligations of agent to Beneficiary hereby secured, the Beneficiary may collect the rents, issues and profits of said property.
(3) That Beneficiary, or any successor in ownership of any indebtedness or obligation secured hereby, may from time to time, by instrument in writing, substitute a successor or successors to any Trustee named herein or acting hereunder, which instrument, executed by the Beneficiary and duly acknowledged and recorded in the office of the recorder of the county or counties where said property is situated, shall be conclusive proof of proper substitution of such successor Trustee or Trustees, who shall, without conveyance from the Trustee predecessor, succeed to all its title, estate, rights, powers and duties.
(4) That a certificate signed by the Beneficiary at any time hereafter setting forth that any bond or undertaking has been declared forfeited or that a loss, damage, expenditure or liability has been sustained or incurred by Beneficiary on account of any bond or undertaking written, effected or posted by or at the request of said agent or that monies have become due to Beneficiary under the contract hereinabove referred to; the date or dates and amount or amounts of such loss, damages, expenditures and/or liability; that payment has been demanded of said agent and that such loss, damage, expenditures or determined liability has not been paid to the Beneficiary, shall be conclusive and binding on the Trustor and shall be the warrant of the Trustee to proceed forthwith to foreclose and sell upon the security herein and from the proceeds of sale (after deducting expenses including cost and search of evidence of title) pay to the Beneficiary the amount so certified and such additional expenses as may thereafter be certified including interest at ten percent (10%) per annum from demand to date of payment and attorney fees. Upon delivery of said certificate to Trustee, Beneficiary may declare all sums or obligations secured hereby due and payable by delivery to Trustee or written declaration of default and demand for sale and of written notice of default and election to cause property to be sold, which notice Trustee shall cause to be duly filed for record.

Request is hereby made that a copy of any notice of default and a copy of any notice of sale under the deed of trust recorded 19 in Book page records of County (or filed for record with recorder's serial number County), executed by as Trustor in which is named as Beneficiary and as Trustee be mailed to AMWEST SURETY INSURANCE COMPANY, ATTN. COURT DIVISION AT P.O. BOX 4500, WOODLAND HILLS, CA 91365-4500.

Signature of Trustor Street and Number City State
Randall H. Rees 129 Willow Drive Zephyr Cove NV 89448
June Ann Rees 129 Willow Drive Zephyr Cove NV 89448
STATE OF } ss.
COUNTY OF }

On this day of 19 before the undersigned, a Notary Public in and for said County and State personally appeared known to me to be the person(s) whose name(s) subscribed to the foregoing instrument, and acknowledged to me that he (she) (they) executed the same. Witness my hand and official seal.

0431735 SEE ATTACHED NOTARY ACKNOWLEDGMENT Signed Notary Public

BK0198PG5324

EXHIBIT "A"

LOT 223, AS SHOWN ON THE MAP OF SKYLAND SUBDIVISION NO. 3, FILED IN THE OFFICE OF THE COUNTY RECORDER OF DOUGLAS COUNTY, STATE OF NEVADA ON FEBRUARY 24, 1960, DOCUMENT NO. 15653.

TOGETHER WITH ALL THE BEACH RIGHTS AS CONTAINED IN DEED TO SKYLAND WATER CO., RECORDED FEBRUARY 5, 1960 AS DOCUMENT NO. 15573, DOUGLAS COUNTY, NEVADA.

APN # 05-044-05

STEET ADDRESS : 129 WILLOW DRIVE ZEPHYR COVE NEVADA 89448

0431735

BK0198PG5325

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

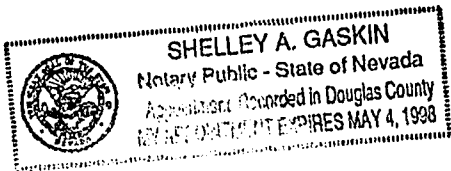
State of NEVADA

County of DOUGLAS

On 10/14/97 before me, SHELLEY A. GASKIN  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared JUNE ANN REES & RANDALL H. REES  
Name(s) of Signer(s)

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]  
Signature of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

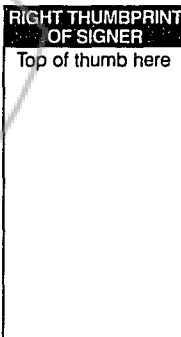
Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

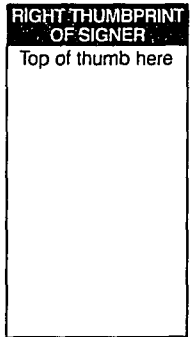
- Individual
- Corporate Officer  
Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing:  
\_\_\_\_\_  
\_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer  
Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing:  
\_\_\_\_\_  
\_\_\_\_\_

COPY

REQUESTED BY  
Randall Rees  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

'98 JAN 30 P4:58

0431735

LINDA SLATER  
RECORDER  
\$ 10.00 PAID Ka DEPUTY

BK0198PG5327