

WHEN RECORDED, PLEASE MAIL TO:  
Annemarie Rehberger, Trustee  
P.O. Box 3651  
Incline Village, NV 89450

FIRST AMERICAN TITLE COMPANY  
ESCROW NO. 1998-01814 -LS

SECOND MODIFICATION OF NOTE SECURED BY DEED OF TRUST

WHEREAS, on June 4, 1998, CHAD R. SMITTKAMP and JEAN MERKELBACH, of Post Office Box 321, Glenbrook, Nevada 89413 (hereinafter "Borrowers"), executed a certain Promissory Note in favor of ANNEMARIE REHBERGER, as Trustee of THE REHBERGER FAMILY TRUST dated June 17, 1992 to an undivided  $\frac{1}{2}$  interest, and WILLIAM MARTIN and RUTH S. MARTIN, as Trustees of THE WILLIAM MARTIN AND RUTH S. MARTIN TRUST AGREEMENT dated January 2, 1987, as to an undivided  $\frac{1}{2}$  interest, of Post Office Box 3651, Incline Village, Nevada 89450 (hereinafter "Lenders"), or order, said note being secured by a Deed of Trust wherein Borrowers were the Trustors, FIRST AMERICAN TITLE COMPANY OF NEVADA was Trustee, and Lenders were the Beneficiaries, said Deed of Trust having been recorded on June 5, 1998, as Document No. 0441351, and said Deed of Trust securing an interest in that certain real property situate in the County of Douglas, State of Nevada, being more particularly described as follows:

All that certain parcel of land situate in the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 3, Township 14 North, Range 18 East, M.D.B.&M., and a portion of the East  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of said Section 3, more particularly described as follows:

COMMENCING at a point lying on the North line of the South  $\frac{1}{2}$  of Section 3, said point being Northeasterly corner of Parcel "A" as shown on a parcel map recorded in the Official Records of Douglas County, Nevada, October 27, 1973, Document No. 69719, said point being the TRUE POINT OF BEGINNING; thence South 01 degree 27'58" West, 1180.65 feet along the Easterly line of said Parcel "A" to a point marked by a 1 inch steel pipe; thence continuing along said Easterly line South 00 degrees 46'04" West, 164.70 feet to a point marked by a 1 inch steel pipe in concrete, said point being the Northwesterly corner of the Derby property; thence North 45 degrees 12'27" East, 687.54 feet along the Northerly line of said Derby property to a point; thence North 14 degrees 16'54" East, 257.15 feet to a point; thence North 27 degrees 06'13" East, 693.86 feet, more or less, to a point on the North line South  $\frac{1}{2}$  of Section 3; thence South 89 degrees 34'00" West, 835.09 feet along said North line returning to the TRUE POINT OF BEGINNING.

Assessor's Parcel No.: 01-090-21

And

WHEREAS, said Promissory Note and Deed of Trust were modified by instrument recorded on September 9, 1998, as Document No. 449023.

WHEREAS, on June 22, 1999, WILLIAM MARTIN and RUTH S. MARTIN, as Trustees of THE WILLIAM MARTIN AND RUTH S. MARTIN TRUST AGREEMENT dated January 2, 1987, assigned all of their right and

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interest (consisting of an undivided 1/2 interest) in and to said Promissory Note and Deed of Trust to ANNEMARIE REHBERGER, as Trustee of THE REHBERGER FAMILY TRUST dated June 17, 1992.

WHEREAS, on June 22, 1999, Borrowers and Lender agreed to modify said Promissory Note and Deed of Trust.

NOW, THEREFORE, for good and valuable consideration, it is agreed as follows:

1. The date when all sums of principal, accrued interest, and any other sums which may be due is extended six (6) months, that is, to December 5, 1999.

All other terms and conditions not specifically modified hereunder under said Promissory Note and Deed of Trust and the first Modification thereof shall remain the same.

DATED: This 22<sup>nd</sup> day of June, 1999.

*Chad R. Smittkamp*  
CHAD R. SMITTKAMP

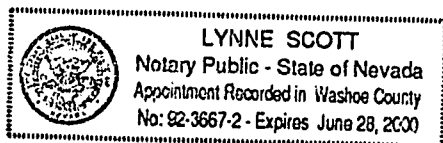
*Jean C. Merkelbach*  
JEAN C. MERKELBACH  
THE REHBERGER FAMILY TRUST  
dated June 17, 1992

*Annemarie Rehberger*  
ANNEMARIE REHBERGER, Trustee

STATE OF Nevada : ss.  
COUNTY OF Washoe :

On this 22<sup>nd</sup> day of June, 1998, personally appeared before me, Lynne Scott, a Notary Public, CHAD R. SMITTKAMP and JEAN C. MERKELBACH, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the above instrument, who acknowledged to me that they executed the above instrument in their authorized capacities and that by their signatures on the instrument, they, and/or the entity upon the behalf of which they acted, executed the instrument.

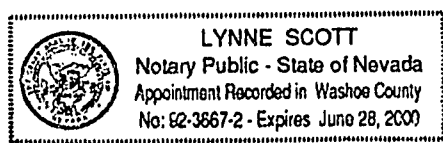
*Lynne Scott*  
NOTARY PUBLIC



STATE OF Nevada : ss.  
COUNTY OF Washoe :

On this 22<sup>nd</sup> day of June, 1998, personally appeared before me, Lynne Scott, a Notary Public, ANNEMARIE REHBERGER, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the above instrument, who acknowledged to me that she executed the above instrument in her authorized capacity and that by her signature on the instrument, she, and/or the entity upon the behalf of which she acted, executed the instrument.

*Lynne Scott*  
NOTARY PUBLIC



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FIRST AMERICAN TITLE CO.

COPY

REQUESTED BY  
FIRST AMERICAN TITLE CO.

IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

'99 JUN 23 P4:03

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LINDA SLATER  
RECORDER  
\$ 9.00 PAID *KD* DEPUTY