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### MODIFICATION OF DEED OF TRUST FOR SUSTITUTION OF COLLATERAL PROPERTY

THIS AGREEMENT, made and entered into on MAY 9, 2001, by and between D. GERALD BING, JR., A MARRIED MAN, Beneficiary(s) and KIM POSNIEN CONSTRUCTION INC., Trustor(s)

**WITNESSETH THAT:**

WHEREAS, Trustor has heretofore executed and delivered for valuable consideration, a Deed of Trust and a Promissory Note in the original sum of \$147,809.95, in favor of beneficiary named herein, and dated SEPTEMBER 21, 2000 and

WHEREAS, said Deed of Trust was recorded on September 22, 2000, in Book 0900, at Page 4070, under Document No. 0499965.

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

**THE ORIGINAL PROPERTY DESCRIPTION;**

LOT 2, BLOCK D OF THE FINAL MAP #1010-4B OF WESTWOOD VILLAGE UNIT 4B, ACCORDING TO THE MAP THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF DOUGLAS COUNTY, STATE OF NEVADA ON DECEMBER 13, 1995 IN BOOK 1295, PAGE 1906, AS DOCUMENT NO. 376827. EXCEPTING THEREFORM ANY PORTION OF SAID LAND THAT LIES BELOW THE ORDUINARY HIGH WATER LINE OF THE CARSON RIVER.

**NEW DESCRIPTION:**

LOT 4, BLOCK B, AS SHOWN ON THE FINAL SUBDIVISION MAP #2012 FOR G. ANSBERG ESTATES, FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF DOUGLAS COUNTY, STATE OF NEVADA, ON OCTOBER 28, 1997, IN BOOK 1097, PAGE 5456, AS DOCUMENT NO. 425008. ASSESSOR'S PARCEL NO. 19-440-040

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, 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):

BENEFICIARY:

**KIM POSNIEN CONSTRUCTION INC**

*Kim Posnien*  
\_\_\_\_\_  
KIM POSNIEN, PRESIDENT

*D. Gerald Bing Jr.*  
\_\_\_\_\_  
D. GERALD BING, JR.

STATE OF NEVADA     )  
                                  )ss  
COUNTY OF Douglas )

This instrument was acknowledged before me on *May 9 2001*  
by *Kim Posnien & D. Gerald Bing Jr.*

*Carol Costa*  
\_\_\_\_\_  
Notary Public



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

AFTER RECORDING  
D, GERALD BING  
P.O. BOX 487  
MINDEN, NEVADA 89423

2001 MAY 10 AM 9:35

LINDA SLATER  
RECORDER

\$7<sup>00</sup> PAID *KD* DEPUTY

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