

APN 1320-30-301-001

Order No. # 2000-35346 KJP

When Recorded

Mail to:

Northern Nevada Bank

P.O. Box 20607

Reno, NV 89515-0607

Assessor's parcel number: 1320-30-211-099

Space Above This Line For Recording Data

## MODIFICATION OF DEED OF TRUST

**DATE AND PARTIES.** The date of this Real Estate Modification (Modification) is December 24, 2001. The parties and their addresses are:

**GRANTOR:**

**FOOTHILL DEVELOPMENT GROUP, A LIMITED LIABILITY COMPANY**

a Nevada Limited Liability Company

P O BOX 487

GLENBROOK, Nevada 89413-0487

**TRUSTEE:**

**FIRST AMERICAN TITLE COMPANY OF NEVADA (ZEPHYR COVE OFFICE)**

Corporation

195 Highway 50, Ste 202

Zephyr Cove, Nevada 89448-0000

**LENDER:**

**NORTHERN NEVADA BANK**

Organized and existing under the laws of Nevada

Commercial Lending

P. O. Box 20607

Reno, Nevada 89515-0607

88-0472990

**1. BACKGROUND.** Grantor and Lender entered into a Security Instrument dated November 27, 2000 and recorded on November 28, 2000. The Security Instrument was recorded in the records of Douglas County, Nevada at Official Records No. 0504023, Book 1100, Page 5465 and covered the following described Property:

FOOTHILL DEVELOPMENT GROUP, A LIMITED LIABILITY COMPANY  
Nevada Real Estate Modification  
NV/4msteeves00505900003440005122101Y

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Initials \_\_\_\_\_  
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See Exhibit A attached hereto and made a part hereof by this reference.

The property is located in Douglas County at 1752 North Highway 395, Minden, Nevada .

**2. MODIFICATION.** For value received, Grantor and Lender agree to modify the original Security Instrument. Grantor and Lender agree that this Modification continues the effectiveness of the original Security Instrument. The Security Instrument was given to secure the original Secured Debts which have now been modified.

**3. SECURED DEBTS.** This Modification will secure the following Secured Debts:

**A. Specific Debts.** The modified Secured Debts include the following debts and all extensions, renewals, refinancings, modifications and replacements. A promissory note, No. 8800000113, dated November 27 2000, from Grantor to Lender, with a loan amount of \$240,000.00 with an interest rate based on the then current index value as the promissory note prescribes.

**B. Sums Advanced.** All sums advanced and expenses incurred by Lender under the terms of this Modification when the evidence of indebtedness specifically states that it is secured by this Modification.

**4. MAXIMUM OBLIGATION LIMIT.** The total principal amount secured by this Modification at any one time will not exceed \$169,000.00. This limitation of amount does not include interest and other fees and charges validly made pursuant to this Modification. Also, this limitation does not apply to advances made under the terms of this Modification to protect Lender's security and to perform any of the covenants contained in this Modification.

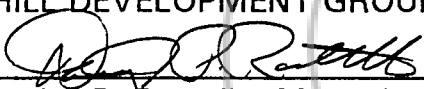
**5. WARRANTY OF TITLE.** Grantor warrants that Grantor continues to be lawfully seized of the estate conveyed by this Security Instrument and has the right to irrevocably grant, bargain, convey and sell the Property in trust to Trustee, with power of sale. Grantor also warrants that the Property is unencumbered, except for encumbrances of record.

**6. CONTINUATION OF TERMS.** Except as specifically amended in this Modification, all terms of the Security Instrument remain in effect.

**SIGNATURES.** By signing, Grantor agrees to the terms and covenants contained in this Modification. Grantor also acknowledges receipt of a copy of this Modification.

**GRANTOR:**

FOOTHILL DEVELOPMENT GROUP, A LIMITED LIABILITY COMPANY

  
\_\_\_\_\_  
Douglas P. Rastello, Managing Member

  
\_\_\_\_\_  
Michael B. Jager, Managing Member

**LENDER:**

Northern Nevada Bank

  
\_\_\_\_\_  
Robert E. Hemsath, President

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**ACKNOWLEDGMENT.**

(Business or Entity)

State Nevada OF County OF Douglas ss.

This instrument was acknowledged before me this 27<sup>th</sup> day of December, 2001 by Douglas P. Rastello as Managing Member of **FOOTHILL DEVELOPMENT GROUP, A LIMITED LIABILITY COMPANY.**

My commission expires: May 11, 2002

(Notary Public)



(Business or Entity)

State California OF County OF Orange ss.

This instrument was acknowledged before me this 27 day of December, 2001 by Michael B. Jager as Managing Member of **FOOTHILL DEVELOPMENT GROUP, A LIMITED LIABILITY COMPANY.**

My commission expires **DAVID DOAN**  
Commission # 1316647  
Notary Public — California  
Orange County  
My Comm. Expires Aug 4, 2005

(Notary Public)

(Lender Acknowledgment)

State Nevada OF County OF Washoe ss.

This instrument was acknowledged before me this 21<sup>st</sup> day of December, 2001 by Robert E. Hemsath as President of Northern Nevada Bank.

My commission expires:

(Notary Public)



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Exhibit "A"

PARCEL 1

All that certain lot, piece or parcel of land situate in the County of Douglas, State of Nevada, described as follows:

A parcel of land located within a portion of the West ½ of Section 30, Township 13 North, Range 20, East, Mount Diablo Baseline and Meridian, Douglas County, Nevada, described as follows:

Commencing at the Northwest corner of Parcel C as shown on the Record of survey # 2 for Foothill Development Group filed for record on June 13<sup>th</sup>, 1997 in the Douglas County Recorder's Office in Book 697 at Page 3036 as Document No. 41511: thence South 00°18'00" West, 20.00 feet to the Point of Beginning

thence North 00°18'00" East, 304.59 feet;  
thence South 89°42'00" East, 100.00 feet;  
thence North 45°18'00" East, 50.26 feet;  
thence South 89°52'42" East, 144.46 feet;  
thence South 00°18'00" West, 255.99 feet;  
thence South 89°42'00" East, 190.28 feet;  
thence South 00°18'00" West 113.46 feet;  
thence South 89°42'00" East, 139.64 feet;  
thence South 00°18'00" West, 230.60 feet;  
thence North 89°42'00" West, 147.92 feet;  
thence South 00°18'00" West, 149.68 feet  
thence North 89°42'00" West, 432.00 feet;  
thence South 00°18'00" West, 208.38 feet;  
thence North 88°47'55" West, 30.00 feet;  
thence North 00°18'00" East, 320.62 feet;  
thence South 89°42'00" East, 172.33 feet;  
thence North 00°18'00" East 20.53 feet;  
thence South 89°42'00" East, 83.48 feet;  
thence North 00°18'00" East, 275.91 feet;  
thence North 89°42'00" West 255.81 feet to the Point of Beginning.

EXCEPTING THEREFROM

A parcel of land located within a portion of the West ½ of Section 30, Township 13 North, Range 20, East, Mount Diablo Baseline and Meridian, Douglas County, Nevada, described as follows:

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Commencing at the Southwest corner of Parcel 4-A-1 as shown on Parcel Map # 3 for Minden Ironwood Partners as recorded January 24, 1995 in the office of the Recorder, Douglas County, Nevada in Book 195 at Page 3133, as Document No. 354903;

Thence North 88°47'55" West, 30.00 feet to a point on the easterly right-of-way of Pinewood Drive per road abandonment recorded in the office of the Recorder, Douglas County, Nevada as Document No. 398149;

thence along said Easterly right-of-way North 00°18'00" East, 617.06 feet to the POINT OF BEGINNING;

thence continuing along said easterly right-of-way North 00°18'00" East, 304.59 feet to the northwest corner of Minden Ironwood Partners as shown on the Final Subdivision Map # 2015 recorded March 24, 1997 in the office of the Recorder, Douglas County, Nevada as Document No. 408980;

thence along the boundary of said Minden Ironwood Partners the following courses:

thence South 89°42'00" East, 100.00 feet;  
thence North 45°18'00" East, 50.26 feet;  
thence South 89°52'42" East, 144.46 feet;  
thence South 00°18'00" West, 255.99 feet;  
thence leaving said boundary North 89°42'00" West, 24.18 feet;  
thence South 00°18'00" West 84.59 feet;  
thence North 89°42'00" West, 255.81 feet to the POINT OF BEGINNING

## PARCEL 2

All that certain lot, piece or parcel of land situate in the County of Douglas, State of Nevada, described as follows:

A parcel of land located within a portion of Section 30, Township 13 North, Range 20 East, Mount Diablo Baseline and Meridian, Douglas County, Nevada, described as follows:

Beginning at the Southwest corner of Parcel B, per said record of Survey a 5/8" rebar and plastic cap PLS 6899;

thence North 00°18'00" East, 208.38 feet;  
thence South 89°42'00" East, 432.00 feet;  
thence South 00°18'00" West, 49.61 feet  
thence North 89°42'00" West, 26.43 feet  
thence South 00°18'00" West, 165.14 feet;  
thence North 88°47'55" West, 405.62 feet  
to the TRUE POINT OF BEGINNING

Reference is made to Final Subdivision Map # 2015 for MINDEN IRONWOOD PARTNERS, A Commercial Subdivision recorded March 24, 1997, Book 397, Page 3609, as Document No. 408980. Further reference is made to Parcel B of Record of Survey for Foothill Development Group recorded on April 14, 1997, Page 497, Book 2055 as Document No. 410525.

Per NRS 111.312, this legas description was previously recorded at Document # 504023, Book# 1100, on November 28, 2000.

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COPY

REQUESTED BY  
**FIRST AMERICAN TITLE CO.**

IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

2001 DEC 31 PM 1:14

LINDA SLATER  
RECORDER

\$ 1900 PAID kg DEPUTY

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