

STEWART TITLE

1650 North Lucerne ~ Minden, Nevada 89423

Phone: (775) 782-2208 ~ Fax: (775) 782-4601

APN 1319-03-410-008
020700603

MODIFICATION AGREEMENT

Escrow No: 020700603

THIS AGREEMENT, made this 9th day of January, 2002, by and between Esther Schwarzer, an unmarried woman, First Party (Beneficiary)

and Cole S. Smith, an unmarried man, Second Party (Trustor)

WITNESSETH:

WHEREAS, the Second Party is the owner of that certain real property described in the Deed of Trust dated NONE SHOWN executed by

Cole S. Smith, an unmarried man, as Trustor to

Western Title Company Inc., a Nevada Corporation, as Trustee, and

Esther Schwarzer, an unmarried woman, as Beneficiary; which

Deed of Trust was recorded on April 2, 2001 in Book 401, Page 301, as Document No. 511583, Official Records of Douglas County;

which Deed of Trust was given as security for a Note dated NONE SHOWN in the sum of \$55,000.00, executed by Cole S. Smith, an unmarried man, in favor of Esther Schwarzer, an unmarried woman.

AND WHEREAS, the Second Party is desirous of modifying the terms of said Note and the First Party is willing to modify the terms of the said Note;

NOW THEREFORE, in consideration of the promises and agreements hereafter contained to be performed by the Second Party, the Parties do hereby agree as follows:

DUE DATE IS EXTENDED TO ON OR BEFORE DECEMBER 1, 2002.

Said modification of the terms of payment shall in no manner or respect alter any of the other terms, covenants and conditions of said Promissory Note or the Deed of Trust securing it.

The Second party hereby represents and warrants that there are no
Continued on next page

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other liens or encumbrances of any nature whatsoever on or against the real property mentioned in said Deed of Trust, except as follows: NONE

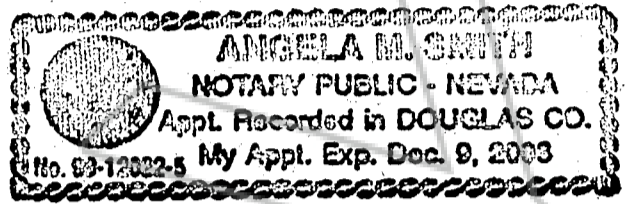
FIRST PARTY

SECOND PARTY

Esther Schwarzer
ESTHER SCHWARZER

COLE S. SMITH

STATE OF NV
COUNTY OF Carson City) ss.



This instrument was acknowledged before me
on 17th by January 2002
Esther Schwarzer
Notary Public

STATE OF _____)
COUNTY OF _____) ss.

This instrument was acknowledged before me
on _____ by _____

Notary Public

WHEN RECORDED, RETURN TO:
ESTHER SCHWARZER

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ESCROW NO.: 020700603

other liens or encumbrances of any nature whatsoever on or against the real property mentioned in said Deed of Trust, except as follows: NONE

FIRST PARTY

SECOND PARTY

ESTHER SCHWARZER

COLE S. SMITH

STATE OF _____)
COUNTY OF _____) ss.

This instrument was acknowledged before me

on _____ by _____

Notary Public

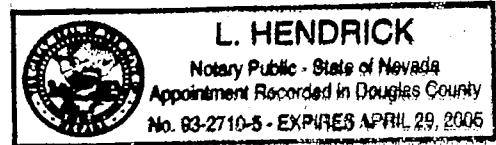
STATE OF Nevada)
COUNTY OF Douglas) ss.

This instrument was acknowledged before me

on 1-17-02 by Cole S. Smith

Notary Public

WHEN RECORDED, RETURN TO:
ESTHER SCHWARZER
2815 BAKER STREET
CARSON CITY, NV 89702



REQUESTED BY
Stewart Title of Douglas County

IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2002 JAN 22 PM 4:16

LINDA SLATER
RECORDER

s/6 PAID KJ DEPUTY

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