

REQUESTED BY
Stewart Title of Douglas County
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2004 MAY 13 AM 10:54

WERNER CHRISTEN
RECORDER

\$ 15.00 PAID PR DEPUTY

APN: 1420-29-812-033

ESCROW NO. 040101007

RECORDING REQUESTED BY:

STEWART TITLE COMPANY

040101007

WHEN RECORDED MAIL TO:

MACK LAND CATTLE & JANICE CONDON

C/O Stewart Title Company
1663 Highway 395 Suite # 101
Minden, Nevada 89423

**MODIFICATION OF DEED OF TRUST
FOR SUBSTITUTION OF COLLATERAL PROPERTY**

THIS AGREEMENT, made and entered into on April 30, 2004 by and between Kim Posnien Construction and Development Company, a Nevada Corporation, Trustor, and Mack Land and Cattle Company, a Partnership, as to an undivided 50% interest; and Janice K. Condon, Trustee of the Janice K. Condon 1995 Trust, dated March 2, 1995, as to an undivided 50% interest by Assignment of Deed of Trust, Beneficiary;

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 \$250,000.00, in favor of Beneficiary named herein, and dated November 24, 2003, and

WHEREAS, said Deed of Trust was recorded on November 25, 2003, in Book 1103, Page 11215-11220, as Document No. 0597874, Official Records of Douglas County, Nevada.

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

THE ORIGINAL PROPERTY DESCRIPTION:

Lot 31, in Block C, as set forth on Final Subdivision Map, Planned development PD 02-01 for North Fork Trails, filed in the office of the County Recorder of Douglas County on October 20, 2003, in Book 1003, Page 9460, as Document No. 594029.

EXCEPTING THEREFROM all minerals, oil, gas and other hydrocarbons as deeded to Stock Petroleum Co., Inc. in Document recorded March 13, 1980, in Book 380, Page 1315, as

Document No. 42677, Official Records of Douglas County, Nevada.

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SUBSTITUTED COLLATERAL PROPERTY BEING ENCUMBERED
Lot 39, in Block C, as set forth on Final Subdivision Map,
Planned development PD 02-01 for North Fork Trails, filed in
the office of the County Recorder of Douglas County on
October 20, 2003, in Book 1003, Page 9460, as Document No.
594029.

EXCEPTING THEREFROM all minerals, oil, gas and other
hydrocarbons as deeded to Stock Petroleum Co., Inc. in
Document recorded March 13, 1980, in Book 380, Page 1315, as
Document No. 42677, Official Records of Douglas County,
Nevada.

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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:

KIM POSNIEN CONSTRUCTION AND
DEVELOPMENT COMPANY,
a Nevada Corporation

BY: [Signature]
KIMBALL A. POSNIEN, PRESIDENT

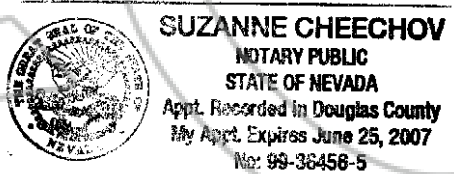
BENEFICIARY:

MACK LAND AND CATTLE COMPANY,
a Partnership

BY: [Signature]
MAUREEN MACK, PARTNER

JANICE K. CONDON 1995 TRUST

BY: [Signature]
JANICE K. CONDON, TRUSTEE



STATE OF NV)
COUNTY OF Douglas) SS.

This instrument was acknowledged before me on
May 5 2004 by Maureen Mack, Janice K Condon.
and Kimball A. Posnien
WITNESS my hand and official seal.

Signature [Signature]
Notary Public

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