

Assessor Parcel No(s):
1318-26-101-005

REQUESTED BY
TSI TITLE & ESCROW
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2004 AUG 11 PM 4:12

WERNER CHRISTEN
RECORDER

\$17.00 PAID *CF* DEPUTY

RECORDATION

REQUESTED BY:
COLONIAL BANK,
N.A.
Stateline Office
229 Kingsbury Grade
Stateline, NV 89449

WHEN RECORDED MAIL

TO:
COLONIAL BANK,
N.A.
Stateline Office
229 Kingsbury Grade
Stateline, NV 89449

SEND TAX NOTICES TO:

GARDNER
ENTERPRISES, LLC
P. O. Box 2194
Stateline, NV 89449

FOR RECORDER'S USE ONLY

TSI # 04-50234

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated August 2, 2004, is made and executed between GARDNER ENTERPRISES, LLC, a Nevada limited liability company, whose address is P. O. Box 2194, Stateline, NV 89449 ("Grantor") and COLONIAL BANK, N.A.; Stateline Office; 229 Kingsbury Grade; Stateline, NV 89449 ("Lender").

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated June 8, 1999 (the "Deed of Trust") which has been recorded in Douglas County, State of Nevada, as follows:

Recorded June 11, 1999 as Document No. 470135 in the office of the County Recorder of Douglas County, State of Nevada.

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property located in Douglas County, State of Nevada:

Being a Portion of North 1/2 of Northwest 1/4 of Section 26, Township 13 North, Range 18 East, M. D. B. & M. described as follows:

Parcel No. 1 according to that certain Parcel Map recorded on February 10, 1978 as Document No. 17578 in Book 278 at Page 591, Official Records of Douglas County, Nevada

The Real Property or its address is commonly known as 225 and 227 Kingsbury Grade, Stateline, NV 89449. The Real Property tax identification number is 1318-26-101-005

MODIFICATION. Lender and Grantor hereby modify the Deed of Trust as follows:

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**MODIFICATION OF DEED OF TRUST
(Continued)**

Loan No: 11604158-01

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EFFECTIVE AUGUST 2, 2004: The original obligation as evidenced by Promissory Note dated January 10, 2003 in the amount of \$673,836.17 is hereby increased by \$60,000.00, resulting in a Change In Terms Agreement dated August 2, 2004. The borrower's total indebtedness is hereby amended to \$681,623.02. The additional advance of funds is evidenced by this Modification of Deed of Trust and a Change In Terms Agreement which have been executed and delivered to the Lender by Grantor.

The Real Property tax identification number has been changed to 1318-26-101-005.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Deed of Trust shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Deed of Trust as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Deed of Trust (the "Note"). It is the intention of Lender to retain as liable all parties to the Deed of Trust and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Deed of Trust does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED AUGUST 2, 2004.

GRANTOR:

GARDNER ENTERPRISES, LLC

By: Richard D. Gardner
RICHARD D. GARDNER, Member of GARDNER
ENTERPRISES, LLC

By: Nancy N. Gardner
NANCY N. GARDNER, Member of GARDNER
ENTERPRISES, LLC

By: Richard K. Gardner
RICHARD K. GARDNER, Member of GARDNER
ENTERPRISES, LLC

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**MODIFICATION OF DEED OF TRUST
(Continued)**

Loan No: 11604158-01

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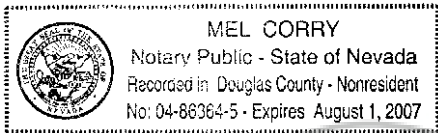
LENDER ACKNOWLEDGMENT

STATE OF Nevada

COUNTY OF Douglas

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This instrument was acknowledged before me on August 5th 2007 by Lora McKay as designated agent of Colonial Bank



(Seal, if any)

Mel Corry
(Signature of notarial officer)
Notary Public in and for State of Nevada

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