

A.P.N. # 1420-34-303-001
ESCROW NO. 040100216A
RECORDING REQUESTED BY:
STEWART TITLE COMPANY

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

2004 AUG 30 PM 3:40

WERNER CHRISTEN
RECORDER

\$16⁰⁰ PAID BC DEPUTY

WHEN RECORDED MAIL TO:

c/o Western Title
Installment Collection Dept.
500 Damonte Ranch Pkway. #657
Reno, Nevada 89521

(Space Above For Recorder's Use Only)

NOTICE OF ADVANCE UNDER DEED OF TRUST

KNOW ALL MEN BY THESE PRESENTS: THAT WHEREAS, the undersigned, ERIC BARRY and KRISTINA BARRY, husband and wife as joint tenants, as Trustor by a certain Deed of Trust dated February 10, 2004 and recorded February 13, 2004 in the office of the County Recorder of the County of Douglas, State of Nevada, Instrument No. 0204-5839, granted and conveyed the real property therein described to Stewart Title of Douglas County as Trustee, to secure the payment of certain promissory note of even date therewith for \$290,000.00 in favor of:

DONALD WILLIAM PENFIELD and LINDA JOYCE PENFIELD, Co-Trustees of the DONALD W. PENFIELD FAMILY TRUST dated May 2, 1995, as to an undivided 51.73% interest;

TRUST COMPANY OF AMERICA FBO TOMMY L. GATEWOOD, ACCOUNT NO. 89346, as to an undivided 37.93% interest; and

DAVID J. TRUJILLO and MICHELLE L. TRUJILLO, husband and wife as joint tenants, as to an undivided 10.34%,

as Beneficiary.

AND WHEREAS, the Deed of Trust hereinabove referred to provides that the same also is given as security for the payment of such additional sum or sums as may thereafter by said Beneficiary be loaned or advanced said Trustor.

AND WHEREAS, TRUST COMPANY OF AMERICA FBO TOMMY L. GATEWOOD, ACCOUNT NO. 89346, one of the Beneficiaries under said Deed of Trust has this day advanced to said Trustor the sum of \$90,000.00, and the said Trustor has executed a Note Modification, which note is intended to be secured under the terms of the Deed of Trust hereinabove referred to.

NOW THEREFORE, the undersigned Trustor in said Deed of Trust mentioned hereby acknowledged the payment of said sum of \$90,000.00 and certifies that the Note Modification evidencing said sum is given to evidence an advance as provided by said Deed of Trust, with new loan amount reflected as \$380,000.00.

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amended for the purpose of reflecting their true percentage of interest under the new loan amount of \$380,000.00 as follows:

DONALD WILLIAM PENFIELD and LINDA JOYCE PENFIELD, Co-Trustees of the DONALD W. PENFIELD FAMILY TRUST dated May 2, 1995, as to an undivided 39.47% interest;

TRUST COMPANY OF AMERICA FBO TOMMY L. GATEWOOD, ACCOUNT NO. 89346, as to an undivided 52.63% interest; and

DAVID J. TRUJILLO and MICHELLE L. TRUJILLO, husband and wife as joint tenants, as to an undivided 7.90% interest

The real property described in said Deed of Trust and affected by these presents is situated in the City of MINDEN, County of Douglas, State of Nevada, for a particular description of which reference is hereby made to said Deed of Trust and the record thereof, all of which are hereby referred to and made a part hereof. In this instrument, whenever the context so requires, the singular number includes the plural.


DATE: August 20, 2004



ERIC BARRY


KRISTINA BARRY


DONALD WILLIAM PENFIELD, CO-TRUSTEE


LINDA JOYCE PENFIELD, CO-TRUSTEE

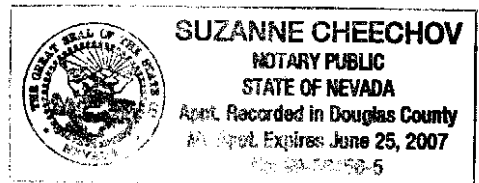

TRUST COMPANY OF AMERICA FBO
TOMMY L. GATEWOOD


DAVID J. TRUJILLO


MICHELLE L. TRUJILLO

STATE OF NEVADA }
 }ss.
COUNTY OF Douglas }

This instrument was acknowledged before me on 8/27/2004, by Eric Barry and Kristina Barry and Donald William Penfield and Linda Joyce Penfield, Trustees and Tommy L. Gatewood and David J. Trujillo and Michelle L. Trujillo.



Signature 
Notary Public

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EXHIBIT "A"

LEGAL DESCRIPTION

ESCROW NO.: 040100216

The land referred to herein is situated in the State of Nevada, County of Douglas City of MINDEN described as follows:

A parcel of land, being a portion of Lot 1 of the Original ARTEMESIA SUBDIVISION, in the Northeast 1/4 of the Southwest 1/4 of Section 34, Township 14 North, Range 20 East, M.D.B. & M. in Douglas County, Nevada, described as follows:

Beginning at the southeast corner of the parcel from which the south 1/4 corner of said Section 34 bears South 7°40'55" East, 2471.36 feet; thence South 89°58' West, 302.50 feet to Stewart Avenue; thence North 0°03' East, 140.67 feet along Stewart Avenue; thence on a curve to the right with a radius of 20 feet, through an angle of 89°52'20" for length of 31.37 feet, through an angle of 89°52'20" for length of 31.37 feet; thence North 89°55'20" East, 282.54 feet; thence South 0°03' West, 160.88 feet to the Point of Beginning.

ASSESSOR'S PARCEL NO. 1420-34-303-001

"IN COMPLIANCE WITH NEVADA REVISED STATUTE 111.312, THE HEREIN ABOVE LEGAL DESCRIPTION WAS TAKEN FROM INSTRUMENT RECORDED SEPTEMBER 1, 1989, BOOK 989, PAGE 113, AS FILE NO. 210096, RECORDED IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY, STATE OF NEVADA."

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