

REQUESTED BY
Novastar
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2004 SEP -7 AM 11:01

WERNER CHRISTEN
RECORDER

\$15⁰⁰ PAID Ka DEPUTY

When recorded mail to:
✓ NovaStar Mortgage, Inc.
8140 Ward Parkway, Suite 300
Kansas City, MO 64114
Attn: Special Loans Department

997874

MODIFICATION AGREEMENT

THIS AGREEMENT made on _____ by and between **NOVASTAR MORTGAGE, INC.** designated as the **BENEFICIARY** and **JAMES HEROLD AND FABIENNE HEROLD**.

WHEREAS, **BENEFICIARY** is the holder of a certain Promissory Note executed by Borrower(s) in the total amount of \$193,334.30, dated **November 19, 2003** which Note is secured by Deed of Trust/Mortgage dated **November 19, 2003**, recorded in the Office of the County Recorder of **Douglas County, Nevada** on **11-24-03** in Book Number **1103** Page Number **10754** of official records of said County.

Instrument No. 0577709

NOW THEREFORE, for value received, the parties hereto modify the above referenced Note and/or Deed of Trust/Mortgage and/or as follows:

THIS DOCUMENT IS BEING EXECUTED TO CORRECT THE FOLLOWING:

- (A) The date on which the payment is due from the 19th day of each month to the 1st day of each month.
- (B) The Date Final Payment Due from 11/19/33 to 12/01/33.

Nothing herein contained in any manner whatsoever, alter, amend, modify or changed any other terms or conditions of the above referenced Note and/or Deed of Trust/Mortgage and/or except as to the Modification described above, nor shall any of the rights of the **BENEFICIARY** thereunder be specifically prejudiced by reason of this modification; all rights of the beneficiary shall be and shall remain in full effect as though the Modification had been originally specified in the original Note and/or Deed of Trust/Mortgage.

PREVIOUS DISCHARGE IN BANKRUPTCY In the event that the underlying debt has been discharged as a result of a prior bankruptcy proceeding, NovaStar Mortgage hereby acknowledges that it is not assessing personal liability for the debt to the borrower(s) and that its recourse in collection matters shall be limited to the collateral described in the security instrument.

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APR 05 2004

Date

4/5/04

Date

5/27/04

Date

JAMES HEROLD

-Borrower

FABIENNE HEROLD

-Borrower

RONDA SCHRADER, VICE PRESIDENT
By: NOVASTAR MORTGAGE, INC.

-Lendor

STATE OF ~~NEVADA~~ Hawaii

County ss:

Hawaii

On this 05th day of April 2004, before me, a Notary Public for the State of Nevada, personally appeared James Herold and Fabienne Herold known to me to be the person(s) whose name(s) subscribed to the foregoing instrument and acknowledged to me that they executed the same.

My Commission expires:

03/30/2007

Edwin Cuaresma

Notary Public for Nevada Hawaii

Residing at

County, Nevada Hawaii

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STATE OF MISSOURI,

County ss:

On this 27th day of May 2004, before me, a Notary Public for the State of Missouri, personally appeared RONDA SCHRADER, VICE PRESIDENT FOR NOVASTAR MORTGAGE, INC known to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that she executed the same.

My Commission expires:

Carrie M. Mikkelsen

Notary Public for Missouri

Residing at

Clay County, Missouri

CARRIE M. MIKKELSON
Notary Public - Notary Seal
State of Missouri
County of Clay
My Commission Exp. 06/03/2007

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