

Assessor's Parcel Number: 1320-30-711-007

Recording Requested By:

Name: FIDELITY NATIONAL

Address: 1300 Dove St. ste 310

City/State/Zip Newport Beach, CA  
92660

Real Property Transfer Tax: \$           

REQUESTED BY  
Fidelity National  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

2004 OCT -6 PM 3:19

WERNER CHRISTEN  
RECORDER

\$19<sup>00</sup> PAID KJ DEPUTY

First Amendment to Deed of Trust  
(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fee applies)

*This cover page must be typed or legibly hand printed.*

C:\bc docs\Cover page for recording

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**FIRST AMENDMENT TO DEED OF TRUST**

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Trustor hereby agrees to the execution, delivery, and recording of this Amendment to that certain Deed of Trust, Assignments of Rents, Security Agreement and Fixture Filing (the "Deed of Trust") dated September 8, 2004 executed by **K & S Properties** to Fidelity National Title Company as Trustee, in favor of those persons listed on Exhibit "A" as Lenders. The Deed of Trust was recorded on September 16, 2004 as Document No. 0624305 in the Official Records of Douglas County, Nevada.

Said Deed of Trust is hereby amended to increase the amount secured thereby from \$3,575,000 to \$4,575,000, to add a new **Exhibit "A"** (in the form attached hereto) thereto to reflect the present Beneficiaries.

Said Deed of Trust affects the real property described on **Exhibit "B"** hereto.

Dated this 5 day of Oct, 2004.

**TRUSTOR: K & S Properties, a California general partnership**

*[Handwritten signature of Kevin A. Coleman]*  
\_\_\_\_\_  
Kevin A. Coleman, Managing Partner

**BENEFICIARY: USA Commercial Mortgage Company, Attorney-in-Fact**

By: *[Handwritten signature of Joseph D. Milanowski]*  
\_\_\_\_\_  
Joseph D. Milanowski, President

STATE OF NEVADA     )  
                                  ) ss  
COUNTY OF CLARK    )

This document was executed and acknowledged before me on this 30 day of September, 2004 by Joseph D. Milanowski, as President of USA Commercial Mortgage Company.

*[Handwritten signature of Lynda Stewart]*  
\_\_\_\_\_  
Notary Public  
(My commission expires: 2/4/07)



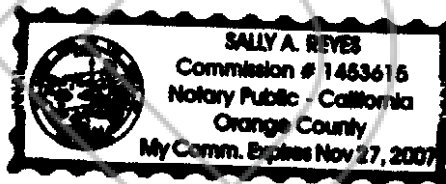
STATE OF California )  
 ) ss.  
COUNTY OF Orange )

On October 5th, 2004, before me, SALLY A. REYES, a Notary Public in and for said State, personally appeared **Kevin A. Coleman as Managing Partner of K & S Properties** personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Sally A. Reyes  
Signature

(Seal)



**EXHIBIT "A"**

LENDERS

<b>Names</b>	<b>Amount</b>
1. William D. Botton Trustee of the Botton Living Trust dated 11/17/00	\$50,000
2. Kathleen A. Boyce Trustee of the Boyce 1989 Trust dated 6/12/89	\$250,000
3. Larry R. Brasuell & Susan L. Brasuell Trustees of The Larry R. & Susan L. Brasuell 1996 Living Trust dated 7/22/96	\$100,000
4. Penny L. Brock Trustee of the Brock Family Trust dated 5/25/95	\$50,000
5. Robert W. Browne & Muriel L. Browne Trustees of the Browne 1990 Family Trust dated 6/11/90	\$100,000
6. Bruce H. Corum Trustee of the Credit Shelter Trust	\$200,000
7. Richard N. Dahlke, a married man dealing with his sole & separate property	\$50,000
8. Duane U. Deverill Trustee of the Nevada Freedom Corp. PSP dated 10/1/90 AMD 9/1/95 For the Benefit of Duane U. Deverill	\$2,000,000
9. Robert Essaff & Cindy H. Essaff Trustees of the Essaff Family Trust dtd 6/18/02	\$100,000
10. Kenneth L. Hansen & Donna J. Hansen Trustees of the Hansen Family Trust dated 6/6/89	\$50,000
11. T. Claire Harper Trustee of the Harper Family Trust dated 2/28/84	\$100,000
12. Michael T. Heffner & Barbara C. Heffner Trustees of the Heffner Family Trust dated 9/10/02	\$100,000
13. Leif A. Johansen Trustee of The Johansen Family Trust dated 7/17/96	\$200,000
14. Monique A. Markwell, a single women	\$50,000
15. Terry Markwell Trustee of the Terry Markwell Profit Sharing Plan & Trust	\$100,000
16. Sandra O. Masters Trustee of the Charles T. Masters & Sandra O. Masters Family Trust dated 10/9/92	\$125,000
17. Chester R. McDowell, a single man.	\$100,000
18. William L. McQuerry Trustee of the McQuerry Family Partnership	\$100,000
19. Robert E. Meldrum, a married man dealing with his sole & separate property	\$50,000
20. Monighetti, Inc., a Nevada corporation	\$100,000
21. Diane Moreno, a married woman dealing with her sole & separate property	\$50,000
22. Henry J. Obermuller & Mengia K. Obermuller Trustees of the Henry & Mengia Obermuller Trust dated 9/14/90	\$100,000
23. Grable B. Ronning, an unmarried woman	\$100,000
24. The Wild Water Limited Partnership, a Nevada limited partnership	\$50,000
25. Dennis Sipiorski & Donna Sipiorski, husband & wife, as joint tenants with right of survivorship	\$50,000
26. Gregory W. Stimpson & Carrie M. Stimpson, husband & wife, as joint tenants with right of survivorship	\$50,000

27.	Jay C. Mclaughin & Peggy Ann Valley Trustees of the Mclaughin-Valley Trust dated 2/24/97	\$100,000
28.	Kenneth B. Van Woert Trustee of the Sheehan Van Woert Bigotti Architects 401(k) PSP & Trust dated 7/1/98	\$50,000
29.	Corazon Wehrin, a married woman dealing with her sole & separate property	<u>\$50,000</u>
	TOTAL	\$4,575,000

C O R P

**EXHIBIT "B"**

**PROPERTY DESCRIPTION**

Land situate in Douglas County, Nevada described as follows:

Parcel 5 as set forth on the Subdivision Map for MINDEN VILLAGE, filed for record in the office of the Douglas County Recorder on May 7, 2004 in Book 0504, page 2786, as Document No. 612540, Official Records.

APN: 1320-30-711-007

