

APN# 1420-29-812-041
APN: #1420-29-812-003
ESCROW NO. 040101471A
RECORDING REQUESTED BY:
STEWART TITLE COMPANY

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

2004 NOV 12 AM 11:01

WHEN RECORDED MAIL TO:
Mack/Condon
C/O 1663 US Highway 395 # 101
Minden, Nevada 89423

WERNER CHRISTEN
RECORDER

\$15⁰⁰ PAID *RC* DEPUTY

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

THIS AGREEMENT, made and entered into on November 2, 2004, by and between Kim Posnien Construction and Development, 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, 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.

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: ENCUMBRANCE BEING RELEASED.

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.

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NEW DESCRIPTION: (OF PROPERTY BEING ENCUMBERED)

Lot 2, in Block A, 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.

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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 NV Corp.

BENEFICIARY:
Mack Land and Cattle Company,
A Partnership

[Signature]
KIMBALL A. POSNIEN, PRESIDENT

BY: [Signature]
MAUREEN MACK, GEN. PARTNER

STATE OF NV)
COUNTY OF Douglas) SS.

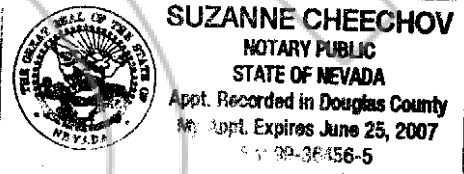
THE JANICE K. CONDON 1995 TRUST,
DATED March 2, 1995

[Signature]
Janice K. Condon, Trustee

This instrument was acknowledged before me on
10th by Kimball A. Posnien.

WITNESS my hand and official seal.

Signature [Signature]
Notary Public

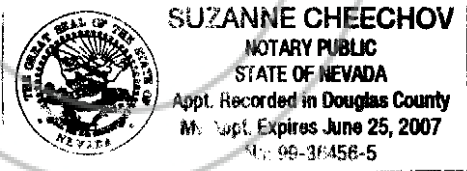


STATE OF NV)
COUNTY OF Douglas) SS.

This instrument was acknowledged before me on
11/10/04 by Maureen Mack and Janice K. Condon.

WITNESS my hand and official seal.

Signature [Signature]
Notary Public



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