

OFFICIAL RECORD

Requested By:

STEWART TITLE OF DOUGLAS

COUNTY

Douglas County - NV

Werner Christen - Recorder

Page: 1 Of 4 Fee: 17.00

BK-0706 PG- 4103 RPTT: 0.00



APN: 1418-22-510-001
When Recorded Mail to:
DEER RUN INVESTMENTS, LLC
3384 Peachtree Road, Suite 375
Atlanta, GA 30326

060100208

MODIFICATION OF DEEDS OF TRUST
AND ASSIGNMENTS OF RENTS

THIS MODIFICATION OF DEEDS OF TRUST AND ASSIGNMENTS OF RENTS, is made this 10 day of MAY, 2006, by and between ROBERT A. KELLER, III as Trustee of THE ROBERT A. KELLER, III TRUST (u/a/d February 20, 2001), "Trustor," and DEER RUN INVESTMENTS, LLC, a Georgia limited liability company, "Beneficiary,"

WITNESSETH:

Whereas, Trustor on March 1st 2002, executed a "Deed of Trust and Assignment of Rents (Notice of Right of First Refusal)" which was recorded in Douglas County, Nevada on March 4, 2002, as Document Number 05361005 (2002 Deed of Trust) which secured a Promissory Note in the face amount of \$2,000,000.00 (First Promissory Note); and

Whereas, Trustor executed an Amended Promissory Note date March 4, 2004 (Amended First Promissory Note); and

Whereas, on behalf of Beneficiary a Memorandum of Amendment to Loan and Security Agreement in reference to said 2002 Deed of Trust was recorded in Douglas County, Nevada on March 5, 2004, as Document Number 0606464 reflecting the terms of the Amended First Promissory Note;

Whereas, on March 5, 2005, Trustor executed a Second Amended Promissory Note dated March 5, 2005 (Second Amended First Promissory Note) and a Second Amendment to Loan and Security Agreement dated March 5, 2005; and

Whereas, Trustor executed a "Deed of Trust and Assignment of Rents (Notice of Right of First Refusal)" dated January 13, 2006 which was recorded in Douglas County, Nevada on January 13, 2006, as Document Number 0665755 (2006 Deed of Trust) securing a Promissory Note dated January 13, 2006, in the face amount of \$300,000.00 (Second Promissory Note); and

Whereas, the First Promissory Note, Amended First Promissory Note, Second Amended First Promissory Note, Second Promissory Note, Loan and Security Agreement, the Amendment to Loan and Security Agreement, Second Amendment to Loan and Security Agreement, 2002 Deed of Trust and 2006 Deed of Trust and all documents executed in connection therewith erroneously referred to the Trustor Trust as "The Robert A Keller, III Trust (u/a/d February 20, 2000)" or a variation thereof, instead of "The Robert A. Keller, III Trust (u/a/d February 20, 2001)";

NOW THEREFORE, for good and valuable consideration the receipt of which is hereby acknowledged by Trustor and Beneficiary, Trustor and Beneficiary agree that all of the above referenced documents recorded and not recorded and all documents executed in connection therewith are modified to correctly reference Trustor as "Robert A. Keller, III as Trustee of The Robert A. Keller, III Trust (u/a/d February 20, 2001).

IN WITNESS WHEREOF, the Trustor and Beneficiary have executed this Modification to Deeds of Trust and Assignments of Rents affecting the real estate described in

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Exhibit A attached hereto and incorporated herein by this reference, the day and year first above written.

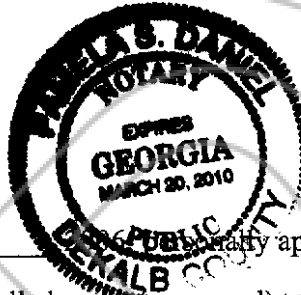
DEER RUN INVESTMENTS, LLC,
a Georgia limited liability company

ROBERT A. KELLER, III TRUST
(u/a/d February 20, 2001)

By: [Signature]
M. DOUGLAS IVESTER, President

By: [Signature]
ROBERT A. KELLER, III, Trustee

STATE OF Georgia)
 : ss.
COUNTY OF DeKalb)



On May 10, 2006, [Signature] personally appeared before me, a notary public, ROBERT A. KELLER, III, personally known (or proved) to me to be the person whose name is subscribed to the foregoing Modification of Deeds of Trust and Assignments of Rents, who acknowledged to me that he executed the foregoing document as Trustee of THE ROBERT A. KELLER, III TRUST (u/a/d February 20, 2001).

[Signature]
NOTARY PUBLIC

STATE OF Georgia)
 : ss.
COUNTY OF Cobb)

On May 10, 2006, personally appeared before me, a notary public, M. DOUGLAS IVESTER, personally known (or proved) to me to be the person whose name is subscribed to the foregoing Modification to Deeds of Trust and Assignments of Rents, who acknowledged to me that he executed the foregoing document as President of Deer Run Investments, LLC.

[Signature]
NOTARY PUBLIC

Notary Public, Cobb County, Georgia
My Commission Expires April 25, 2009



SEAL

EXHIBIT "A"

The real property and improvements situated in the state of Nevada, Douglas County, described as follows:

Lot 1, as shown on the Map of Cedarbrook Subdivision, filed in the Office of the County Recorder of Douglas County, Nevada on November 2, 1964 as Document No. 24623.

Excepting any portion of the above-described property lying within the bed of Lake Tahoe below the line of natural ordinary high water and also excepting any artificial accretions to the land waterward of the line of natural ordinary high water or, if lake level has been artificially lowered, excepting any portion lying below an elevation of 6,233.00 feet, Lake Tahoe Datum established by NRS 331.595.

Together with a non-exclusive access and retaining Wall Easement affecting a portion of Lot 2 of the hereinabove mentioned subdivision as Granted to Eugene R. White and Lorraine C. White, Trustees of the Eugene R. White Family Trust, dated December 9, 1988 in instrument recorded January 9, 1991 in Book 191 as Page 806 as Document No. 242518.

