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08/08/2006 09:28 AM Deputy: SD

OFFICIAL RECORD  
Requested By:  
PINNACLE BANK

Douglas County - NV  
Werner Christen - Recorder  
Page: 1 of 4 Fee: 17.00  
BK-0806 PG- 2559 RPTT: 0.00



Return to: PINNACLE BANK  
P O BOX 218  
CODY, WY 82414-0218

Prepared By: PINNACLE BANK  
P O BOX 218  
CODY, WY 82414-0218

Assessor's Parcel Number: 1419-27-810-006

State of Nevada Space Above This Line For Recording Data

### MODIFICATION OF DEED OF TRUST

DATE AND PARTIES. The date of this Real Estate Modification (Modification) is 03-07-2006. The parties and their addresses are:

GRANTOR: RONALD L. SIMEK, AS AN INDIVIDUAL  
PO BOX 582  
GENOA, NV 89411-0582

TRUSTEE: PINNACLE BANK  
1702 17TH ST/PO BOX 218  
CODY, WY 82414-0218

LENDER: PINNACLE BANK  
ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF WYOMING  
P O BOX 218 1702 17TH ST CODY, WY 82414-0218

BACKGROUND. Grantor and Lender entered into a Security Instrument dated 02-18-2004 and recorded on 04-06-2004. The Security Instrument was recorded in the records of DOUGLAS County, Nevada at #0608526 BK 0404 PG 02780. The property is located in DOUGLAS County at 288 JAMES CANYON LOOP, GENOA, NV 89411

Described as:  
REFER TO EXHIBIT "A" WHICH IS ATTACHED HERETO AND MADE A PART HEREOF.

REAL ESTATE MODIFICATION-NEVADA

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**MODIFICATION.** For value received, Grantor and Lender agree to modify the original Security Instrument. Grantor and Lender agree that this Modification continues the effectiveness of the original Security Instrument. The Security Instrument was given to secure the original debts and obligations (whether identified as Secured Debts, Sums Secured, or otherwise) that now have been modified. Together with this Modification, the Security Instrument now secures the following debts and all extensions, renewals, refinancings, modifications and replacements. *(Include items such as borrower's name, note or contract amounts, interest rates (whether variable), maturity dates, etc.)* PROMISSORY NOTE #6080008967, IN THE ORIGINAL AMOUNT OF \$4,000,000.00, BY AND BETWEEN RONALD L SIMEK AS GRANTOR AND PINNACLE BANK AS LENDER, DATED MARCH 7, 2006, MATURING MARCH 10, 2007.

**MAXIMUM OBLIGATION LIMIT.** The total principal amount secured by the Security Instrument at any one time will not exceed \$4,000,000.00  which is a \$1,000,000.00  increase  decrease in the total principal amount secured. This limitation of amount does not include interest and other fees and charges validly made pursuant to the Security Instrument. Also, this limitation does not apply to advances made under the terms of the Security Instrument to protect Lender's security and to perform any of the covenants contained in the Security Instrument.

**WARRANTY OF TITLE.** Grantor warrants that Grantor is or will be lawfully seized of the estate conveyed by the Security Instrument and has the right to grant, bargain, convey, sell, and mortgage the property. Grantor also warrants that such same property is unencumbered, except for encumbrances of record.

**CONTINUATION OF TERMS.** Except as specifically amended in this Modification, all terms of the Security Instrument remain in effect.

**SIGNATURES:** By signing below, Grantor agrees to the terms and covenants contained in this Modification. Grantor also acknowledges receipt of a copy of the Modification.

**GRANTOR:**

*Ronald L. Simek* 3/8/06  
 (Signature) RONALD L. SIMEK (Date) (Signature) (Date)

\_\_\_\_\_  
 (Signature) (Date) (Signature) (Date)

\_\_\_\_\_  
 (Signature) (Date) (Signature) (Date)

**LENDER: PINNACLE BANK**

By *Michael J. Schumacher*  
 MICHAEL J SCHUMACHER, SENIOR VICE PRESIDENT

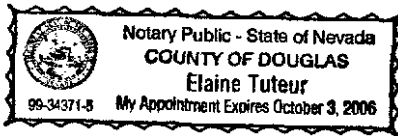
(page 2 of 3)



**ACKNOWLEDGMENT:**

(Individual)

STATE OF NEVADA, COUNTY OF CARSON CITY } ss.  
This instrument was acknowledged before me this 8<sup>th</sup> day of MARCH  
2006 by RONALD L. SIMEK, AS AN INDIVIDUAL.  
My commission expires: 10-3-06



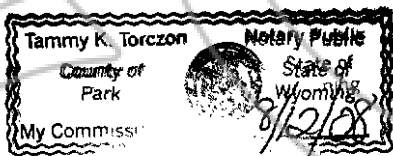
Elaine Tuteur  
(Notary Public)

**ACKNOWLEDGMENT:**

(Lender)

STATE OF Wyoming, COUNTY OF Park } ss.  
This instrument was acknowledged before me this 17<sup>th</sup> day of March  
2006 by MICHAEL J. SCHUMACHER  
as SENIOR VICE PRESIDENT (Titles)  
of PINNACLE BANK (Name of  
Business or Entity).

My commission expires: August 12, 2008  
Tammy K. Torczon  
(Notary Public)



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EXHIBIT "A"

COMMENCING at the Southeast corner of Lot 22, as shown on the Final Subdivision Map PD 00-16 for MOUNTAIN MEADOW ESTATES, PHASE 1, recorded March 6, 2002, in the office of the Recorder, Douglas County, Nevada, as Document No. 536360, the POINT OF BEGINNING;

thence along the Westerly line of James Canyon Loop, along the arc of a curve concave to the Southwest, having a radius of 170.00 feet, central angle of 11°40'17", arc length of 34.63 feet and chord bearing and distance of South 70°11'50" East, 34.57 feet;

thence South 49°35'52" West, 269.19 feet;

thence North 57°37'53" West, 211.67 feet;

thence North 41°31'52" East, 216.16 feet to a point on said Westerly line of James Canyon Loop;

thence along said Westerly line, along the arc of a curve concave to the Northeast, nontangent to the preceding course, having a radius of 230.00 feet, central angle of 32°33'10" arc length of 130.68 feet and chord bearing and distance of South 59°45'24" East, 128.93 feet;

thence continuing along said Westerly line, South 76°01'59" East, 99.49 feet to the POINT OF BEGINNING.

REFERENCE is further made to Record of Survey recorded December 6, 2002, in Book 1202, at Page 3054, as Document No. 560049, of Official Records.

THE BASIS OF BEARING of this description is North 89°22'26" East, the North line of the Northwest 1/4 of Section 26, Township 14 North, Range 19 East, M.D.M., as shown on Record of Survey to Support a Boundary Line Adjustment for Ronald L. Simek, recorded June 11, 1998, in said office of Recorder, as Document No. 441786.

NOTE: Per NRS 111.312, this legal description was previously recorded on January 17, 2003, in Book 0103, at Page 7241, as Document No. 564319, of Official Records. This Note will be removed from the Policy of Title Insurance.

Assessor's Parcel No. 1419-27-610-018

