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OFFICIAL RECORD

Requested By:

STEWART TITLE OF DOUGLAS

COUNTY

Douglas County - NV
Werner Christen - Recorder

Page: 1 Of 5 Fee: 18.00
BK-1006 PG- 5886 RPTT: 0.00



APN 1320-30-801-001

Recording Requested By:

Stewart Title of Douglas County

1663 US Highway 395 # 101

Minden, NV 89423

ACCM 1770 (SC)

MODIFICATION AGREEMENT

(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.

STEWART TITLE

1663 US Highway 395 N, Ste. 101 ~ Minden, Nevada 89423

Phone: (775) 782-2208 ~ Fax: (775) 782-4601

Escrow No: ACCM1770

MODIFICATION AGREEMENT

THIS AGREEMENT, made this 14TH day of SEPTEMBER, 2006, by and between ROSS JEFFREY CHICHESTER, AS TRUSTEE OF THE ROSS JEFFREY CHICHESTER TRUST AGREEMENT DATED JANUARY 21, 1993 AS TO \$600,000.00; AND JADE MILLER AND TENLEY MILLER, HUSBAND AND WIFE AS JOINT TENANTS, AS TO \$250,000.00 First Party (Beneficiary) and JAMES MICHAEL HICKEY, TRUSTEE OF THE JAMES MICHAEL HICKEY FAMILY TRUST DATED JULY 29, 1981, AND AS AMENDED AND RESTATED ON JUNE 7, 1995 Second Party (Trustor)

WITNESSETH:

WHEREAS, the Second Party is the owner of that certain real property described in the Deed of Trust dated May 12, 2004 executed by

James Michael Hickey, Trustee of the James Michael Hickey Family Trust dated July 29, 1981, and as amended and restated on June 7, 1995 as Trustor to

Stewart Title of Douglas County, a Nevada Corporation, as Trustee, and

Ross Jeffrey Chichester, as Trustee of the Ross Jeffrey Chichester Trust Agreement Dated January 21, 1993, as to \$600,000.00; and Jade Miller and Tenley Miller, husband and wife as joint tenants as to \$250,000.00 as Beneficiaries; which

Deed of Trust was recorded on May 17, 2004 in Book 0504, Page 8004-8009, as Document No. 613396, Official Records of Douglas County;

which Deed of Trust was given as security for a Note dated May 12, 2004 in the sum of \$850,000.00 executed by James Michael Hickey, Trustee of The James Michael Hickey Family Trust dated July 29, 1981 in favor of Ross Jeffrey Chichester, as Trustee of The Ross Jeffrey Chichester Trust Agreement dated January 21, 1993, as to \$600,000.00; and Jade Miller and Tenley Miller, husband and wife as joint tenants, as to \$250,000.00;

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AND WHEREAS, the Second Party is desirous of modifying the terms of said Note and the First Party is willing to modify the terms of the said Note;

NOW THEREFORE, in consideration of the promises and agreements hereafter contained to be performed by the Second Party, the Parties do hereby agree as follows:

TO EXTEND THE DUE DATE OF THE ABOVE MENTIONED NOTE AND DEED OF TRUST TO SEPTEMBER 14, 2007.

Said modification of the terms of payment shall in no manner or respect alter any of the other terms, covenants and conditions of said Promissory Note or the Deed of Trust securing it.

The Second party hereby represents and warrants that there are no other liens or encumbrances of any nature whatsoever on or against the real property mentioned in said Deed of Trust, except as follows: A First Deed of Trust in the amount of \$1,150,000.00 dated May 15, 1995 in favor of Nevada Banking Company recorded May 24, 1995 in Book 595, Pages 3905-3910 as Document No. 362788 and Modified March 4, 1999 in Book 399, Page 1247, as Document No. 462631; and a Second Deed of Trust in the amount of \$250,000.00 dated February 24, 2003 in favor of Genie Corporation, a Nevada Corporation recorded March 4, 2003 in Book 0303 Page 625-629 as Document No. 568760;

FIRST PARTY

SECOND PARTY

Ross Jeffrey Chichester, Trustee
ROSS JEFFREY CHICHESTER, TRUSTEE

James Michael Hickey, Trustee
JAMES MICHAEL HICKEY, TRUSTEE

Jade Miller
JADE MILLER

Tenley Miller
TENLEY MILLER
TENLEY

STATE OF NEVADA)

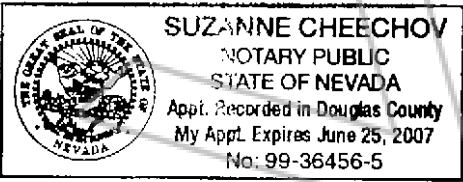
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STATE OF NEVADA)
COUNTY OF DOUGLAS) ss.

This instrument was acknowledged before me SUZANNE CHEECHOV
on 10/17/2006 by James Michael Hickey and Ross Jeffrey
Chichester, and Jade Miller and Tenley Miller

Suzanne Cheechev
Notary Public



STATE OF _____)
COUNTY OF _____) ss.

This instrument was acknowledged before me
on _____ by _____

Notary Public

WHEN RECORDED, RETURN TO:
ROSS JEFFREY CHICHESTER
JADE MILLER & Tenley MILLER
C/O ROSS CHICHESTER
P.O. BOX 884
MINDEN, NV 89423

EXHIBIT "A"

LEGAL DESCRIPTION

The land referred to herein is situated in the State of Nevada, County of Douglas City of MINDEN described as follows:

A parcel of land located within a portion of Section 30, Township 13 North, Range 20 East, the Southwest 1/4 of the Southeast 1/4 of M.D.B. & M., Douglas County, Nevada, described as follows:

Commencing at the Southwest corner of Commercial Parcel "A-1-1" as shown on Parcel Map No. 2 for Mackland and Cattle Co., recorded in Book 185, at Page 2070, as Document No. 112841, Douglas County, Nevada Recorder's Office, also described as a point on the East Right-of-Way line of State Highway 88; thence along said East Right-of-Way line North $00^{\circ}53'30''$ East 438.60 feet to the POINT OF BEGINNING; thence continuing North $00^{\circ}53'30''$ East, 265.91 feet; thence along the arc of a curve to the right having a delta angle of $73^{\circ}56'30''$ a radius of 20.00 feet and an arc length of 25.81 feet thence North $74^{\circ}50'00''$ East along the South Right-of-Way line of County Road, 124.03 feet; thence South $15^{\circ}10'00''$ East, 160.01 feet; thence North $74^{\circ}50'00''$ East 41.00 feet; thence South $15^{\circ}10'00''$ East 110.00 feet; thence South $74^{\circ}50'00''$ West, 257.81 feet to the POINT OF BEGINNING;

Reference is made to Record of Survey recorded January 15, 1986 in Book 186, at Page 1133, as Document NO. 129468, Douglas County Records.

APN 1320-30-801-001

"IN COMPLIANCE WITH NEVADA REVISED STATUTE 111.312, THE HEREIN ABOVE LEGAL DESCRIPTION WAS TAKEN FROM INSTRUMENT RECORDED OCTOBER 6, 1995, BOOK 1095, PAGE 1121, AS FILE NO. 372128, RECORDED IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY, STATE OF NEVADA."

