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Requested By:  
ROWE & HALES LLP

RECORDING REQUESTED BY AND  
MAIL TO:

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Douglas County - NV  
Karen Ellison - Recorder  
Page: 1 Of 3 Fee: 16.00  
BK-1008 PG- 1857 RPTT: 0.00



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ASSIGNMENT OF PROMISSORY NOTE AND DEED OF TRUST

COPY

## **ASSIGNMENT OF PROMISSORY NOTE AND DEED OF TRUST**

This Assignment of Promissory Note and Deed of Trust (the "Assignment") is made and entered into on this \_\_\_ day of September, 2008, by Walter Russell, on behalf of William Comet Rees, also known as Will C. Rees.

### **RECITALS**

WHEREAS a Promissory Note was made and entered into on the 16<sup>th</sup> day of February, 2007, by William R. Kyle and M. Jan Kyle, husband and wife (herein "Promissors"), whereby Promissors promised to pay to Will C. Rees, a widower, the principal sum of \$78,500, at six and one-half percent (6.5%) interest per annum, pursuant to the terms thereof ("Promissory Note"). The Promissory Note was secured by a Deed of Trust on property with the street address of 3710 Rock Road, Wellington, Nevada; and

WHEREAS, Will C. Rees died on May 12, 2008; and

WHEREAS, Walter Russell, the named Personal Representative in the Will, filed a petition in the Ninth Judicial District Court in and for the County of Douglas, to set aside the estate of William Comet Rees without administration (hereafter "Petition"), a true and correct copy of which Petition is attached hereto as Exhibit 1 and by reference incorporated herein; and

WHEREAS, on the 11<sup>th</sup> day of August, 2008, the District Court granted the Petition, a true and correct copy of which is attached hereto as Exhibit 2; and


WHEREAS, pursuant to the terms of that Order, Walter Russell is authorized to assign the note to the beneficiaries of the Will, without administration of the estate;

NOW THEREFORE, pursuant to the terms of the Order attached hereto, the assigner hereby assigns and agreed as follows:

The Promissory Note and Deed of Trust are assigned in their entirety to Dorothy L. Rees Smoot, Kenneth C. Rees, Diane Rees Smoot, Lemuel Kneedler, and Mona Needler Nolken, in five equal shares. Also assigned are all rights set forth in the first Deed of Trust, secured with a Promissory Note, which Deed of Trust was recorded on February 28, 2007, as Document No. 0696069, Book 0207, Page 10197, in the Official Records of Douglas County, Nevada.

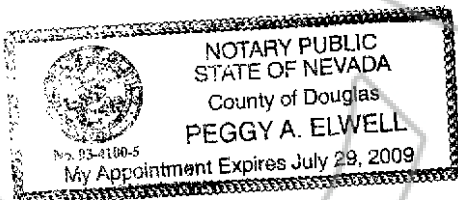
In witness whereof, this Assignment has been executed by Walter Russell to be effective on the terms and conditions as set forth in the Order attached as Exhibit 2.

Dated this \_\_\_ day of September, 2008.

  
Walter Russell

STATE OF NEVADA            )  
                                  4 on            ) ss.  
COUNTY OF DOUGLAS    )

This instrument was acknowledged before me on the 26 day of September, 2008 by Walter Russell.



  
NOTARY PUBLIC