

DOC # 0743079
05/13/2009 01:18 PM Deputy: SG
OFFICIAL RECORD
Requested By:
MARQUIS TITLE & ESCROW INC

Assessor's Parcel No.: 1318-15-802-008
1418-03-301-008

Recording Requested by:
Marquis Title & Escrow, Inc.
1520 U.S. Highway 395 North
Gardnerville, NV 89410

Douglas County - NV
Karen Ellison - Recorder
Page: 1 Of 5 Fee: 18.00
BK-0509 PG- 3045 RPTT: 0.00



Escrow Number: 290071-56

TITLE OF DOCUMENT: deed of trust

COPY

WHEN RECORDED MAIL TO:
OAKBROOK REALTY & INVESTMENTS II, LLC
1000 ROYCE BLVD., 3RD FLOOR
OAKBROOK TERRACE, IL 60181

SHORT FORM SECOND DEED OF TRUST AND ASSIGNMENT OF RENTS

THIS DEED OF TRUST, made this 12 day of May, 2009, between JEAN MERKELBACH, an unmarried woman, (hereinafter called TRUSTOR), whose mailing address is P.O. Box 1370, Zephyr Cove, NV 89448, and MARQUIS TITLE & ESCROW, INC., a Nevada Corporation, (hereinafter called Trustee), and OAKBROOK REALTY & INVESTMENTS II, LLC (hereinafter called BENEFICIARY).

WITNESSETH: That WHEREAS Trustor has borrowed and received from Beneficiary in lawful money of the United States the sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) and has agreed to repay the same, with interest, to Beneficiary in lawful money of the United States according to the terms of a promissory note of even date herewith, executed and delivered therefor by Trustor;

NOW, THEREFORE, for the purpose of securing each agreement of the Trustor herein contained including payment of the said promissory note and of any money with interest thereon that may be advanced by or otherwise become due to Trustee or Beneficiary under the provisions hereof and for the purpose of securing payment of such additional sums as may be hereafter be advanced for the account of Trustor by Beneficiary with interest thereon.

TRUSTOR irrevocably GRANTS AND TRANSFERS TO TRUSTEE, in TRUST WITH POWER OF SALE, all that property in Douglas County Nevada described as: (Set forth legal description and commonly known street address, if known):

4B
SEE EXHIBIT A ATTACHED

ASSESSORS PARCEL NOS. 1318-15-802-008; 1418-03-301-008

TOGETHER WITH all appurtenances in which Trustee has any interest including water rights benefiting said realty whether represented by shares of a company or otherwise; and

TRUSTOR ALSO ASSIGNS to Beneficiary all rents, issues and profits of said realty, reserving the right to collect and use the same except during continuance of some default hereunder and during continuance of such default authorizing Beneficiary to collect and enforce the same by any lawful means in the name of any party hereto.

TO HAVE AND TO HOLD said property upon and subject to the trusts and agreements herein set forth and incorporated herein by reference. The following covenants Nos. 1, 2, 3, 4, 5, 6, 7, 8 and 9 of NRS 107.030 are hereby adopted and made a part of this Deed of Trust. Such provisions so incorporated shall have the same force and effect as though specifically set forth and incorporated in this Deed of Trust.

THE UNDERSIGNED TRUSTOR REQUESTS that a copy of any notice of default and any notice of sale hereunder be mailed to him at the address hereinbefore set forth.

IN WITNESS WHEREOF, Grantor has executed this instrument.

In Witness Whereof, I/We have hereunto set my hand/our hands this _____ day of _____, 20 ____.


JEAN MERKELBACH

EXHIBIT "A"

The land referred to herein is situate in Douglas County, State of Nevada and is described as follows:

PARCEL I:

A parcel of land located within a portion of Section 15, Township 13 North, Range 18 East, M.D.B. & M., more particularly described as follows:

Commencing at the Southeast corner of said Section 15;

thence along the Section line common to Sections 15 and 22 North 89°54'09" West, 1,513.39 feet to a point on the Northeasterly right-of-way of U.S. Highway 50 as described in the conveyance to the State of Nevada recorded on July 18, 1933 in the office of the Recorder of Douglas County, Nevada in Book T of Deeds, Page 436;

thence along said Northeasterly right-of-way North 47°36'00" West, 674.72 feet to the Southwest corner of a parcel of land shown as NEVADA ALLIED INDUSTRIES on the Record of Survey for NEVADA ALLIED INDUSTRIES recorded September 25, 1980 in the office of the Recorder of Douglas County, Nevada in Book 980, Page 1969, as Document No. 48927, a round ¾" iron pipe and plug RLS 3519, the POINT OF BEGINNING

thence continuing along said Northeasterly right-of-way North 47°36'00" West 152.81 feet;

thence North 43°32'23" East 70.01 feet,

thence South 47°36'25" West, 26.67 feet;

thence North 42°24'00" East, 63.25 feet;

thence South 47°36'52" East, 31.73 feet;

thence North 42°19'21" East, 55.58 feet;

thence South 47°36'00" East, 171.43 feet to a point on the Westerly right-of-way of Elks Point Road;

thence along said Westerly right-of-way South 42°24'00" West, 163.84 feet;

thence along the arc of a curve to the right having a delta angle of 90°00'0", radius of 25.00 feet and arc curve length of 39.27 feet to the POINT OF BEGINNING.

PARCEL II:

Those certain Reciprocal Easements as described in Declaration of Reciprocal Easement dated December 18, 1998, recorded December 21, 1998, in Book 1298, Page 5054, as Document No. 457043, of Official Records of Douglas County, State of Nevada.

APN: 1318-15-802-008

NOTE: The above metes and bounds description appeared previously in that certain instrument recorded in the office of the County Recorder of Douglas County, Nevada on December 2, 2003, as Document No. 598470 of Official Records.



EXHIBIT "A"

All that certain lot, piece or parcel of land situate in the County of Douglas, State of Nevada, described as follows:

All that portion of Section 3, Township 14 North, Range 18 East, M.D.M., more particularly described as follows:

Beginning at a point which bears South 36° 41' 48" West 1,267.14 from the Center ¼ Corner of said Section 3, as established by the Bureau of Land Management in 1990; thence North 01° 14' 07" East 284.68 feet; thence South 88° 55' 53" East 101.83 feet; thence South 01° 45' 00" West 44.80 feet; thence along a curve concave to the East with a radius of 190.00 feet, a central angle of 21° 33' 30", and an arc length of 71.49 feet, the chord of said curve bears South 02° 40' 35" West 71.07 feet; thence along a curve concave to the Northwest with a radius of 180.00 feet, a central angle of 66° 05' 15", and an arc length of 207.62 feet, the chord of said curves bears South 31° 44' 20" West 196.30 feet to the Point of Beginning.

The Basis of Bearing for this description is the Record of Survey filed for record as Document No. 163482.

NOTE (NRS 111.312): The above metes and bounds description appeared previously in that certain Stipulation and Order, recorded in the office of the County Recorder of Douglas County, Nevada on December 19, 2000, in Book 1200, Page 3832, as Document No. 505326, of Official Records.

APN: 1418-03-301-008

This document was previously recorded on May 22, 2008, in Book 0508, Page 5728, as Document No. 723774, of Official Records.



State of Nevada

County of Douglas

On 5/12/09 before me, Sharon Goodwin
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Jan Merkelbach
Name(s) of Signer(s)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

[Signature]
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Deed of Trust

Document Date: 5/12/09 Number of Pages: 2

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

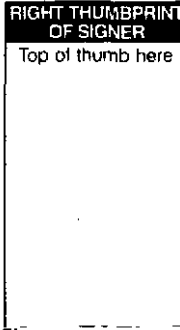
- Individual
- Corporate Officer
- Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer
- Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____