

OFFICIAL RECORD

Requested By:  
MARQUIS TITLE

A.P.N. 1022-18-001-045  
ESCROW NO. 290132s1

WHEN RECORDED MAIL TO:  
Marquis Title & Escrow Inc.  
1662 US Hwy 395 N., Ste 103  
Minden, Nv 89423

Douglas County - NV  
Karen Ellison - Recorder

Page: 1 Of 3 Fee: 16.00  
BK-0809 PG- 665 RPTT: 0.00



## SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS

**THIS DEED OF TRUST**, made this 28th day of July, 2009, between , JOHN FRANK and KAREN CRUZ, husband and wife as , herein called TRUSTOR,

whose address is

and **MARQUIS TITLE & ESCROW, INC.**, a Nevada Corporation, herein called TRUSTEE and

DOROTHY H. FUNEZ, an unmarried woman as to an undivided 33.33% interest, JUANITA L. FUNEZ, an unmarried woman as to an undivided 33.33% interest and ROY J. FUNEZ, an unmarried man as to an undivided 33.33% interest, all as Tenants in Common,

herein called BENEFICIARY.

WITNESSETH: That Trustor irrevocable grants, transfers and assigns to Trustee in trust, with power of sale, that property in Douglas, State of Nevada, being Assessment Parcel No. **1022-18-001-045**, more specifically described as follows:

See "EXHIBIT A" attached hereto and made a part of.

### ACCELERATION CLAUSE:

In the event Trustors sell, convey or alienate the property described in this Deed of Trust securing Note, or contracts to sell, convey or alienate; or is divested of title or interest in any other manner, whether voluntarily or involuntarily without written approval of Beneficiary being first obtained, said Beneficiary shall have the right to declare the entire unpaid principal balance due and payable in full, upon written demand and notice, irrespective of the maturity date expressed in Note.

Together with the rents, issues and profits thereof, subject, however, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits.

For the purpose of securing (1) payment of the sum of \$ **265,857.00** with interest thereon according to the terms of a promissory note or notes of even date herewith made by Trustor, payable to order of Beneficiary, and all extensions or renewals thereof; and (2) the performance of each agreement of Trustor incorporated herein by reference or contained herein; (3) payment of additional sums and interest thereon which may hereafter be loaned to Trustor, or to his successors or assigns, when evidence by a promissory note or notes reciting that they are secured by this Deed of Trust.

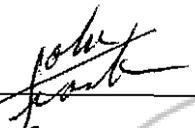
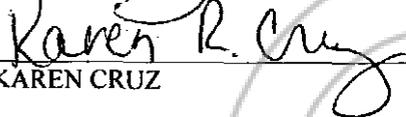
To protect the security of this Deed of Trust, and with respect to the property above described, Trustor expressly makes each and all of the agreements, and adopts and agrees to perform and be bound by each and all of the terms and provisions set forth in subdivision A, and it is mutually agreed that each and all of the terms and provisions set forth in subdivision B of the fictitious Deed of Trust recorded in the office of each County Recorder in the State of Nevada, in the book and at the page thereof, or under the document file number, noted below opposite the name of such county, namely:



COUNTY	BOOK	PAGE	DOC NO.	COUNTY	BOOK	PAGE	DOC NO.
Carson	Off. Rec.		000-52876	Lincoln	73 Off. Rec.	248	86043
City	Off. Rec.		224333	Lyon	Off. Rec.		0104086
Churchill	8 6 1 2 2 6		00857	Mineral	112 Off. Rec.	352	078762
Clark	Off. Rec.	2432	147018	Nye	558 Off. Rec.	075	173588
Douglas	1286 Off. Rec.	316	223111	Pershing	187 Off. Rec.	179	151646
Elko	545 Off. Rec.	244	109321	Storey	055 Off. Rec.	555	58904
Esmeralda	110 Off. Rec.	187	106692	Washoe	2464 Off. Rec.	0571	1126264
Eureka	153 Off. Rec.	781	266200	White Pine	104 Off. Rec.	531	241215
Humboldt	223 Off. Rec.	034	137077				
Lander	279 Off. Rec.						

shall inure to and bind the parties hereto with respect to the property above described. Said agreement, terms and provisions contained in said subdivision A and B, (identical in all counties, and printed on the reverse side hereof) are by the within reference thereto, incorporated herein and made a part of this Deed of Trust for all purposes as fully as if set forth at length herein, and Beneficiary may charge for a statement regarding the obligation secured hereby, provided the charge therefor does not exceed a reasonable amount. The Beneficiary or the collection agent appointed by him may charge a fee of not to exceed \$15.00 for each change in parties, or for each change in a party making or receiving a payment secured hereby.

The undersigned Trustor requests that a copy of any notice of default and any notice of default and any notice of sale hereunder be mailed to him at his address hereinbefore set forth.

  
 \_\_\_\_\_  
 JOHN FRANK  
  
 \_\_\_\_\_  
 KAREN CRUZ

STATE OF NEVADA  
 COUNTY OF Douglas

On July 30, 2009, personally appeared before me, a Notary Public, JOHN FRANK and KAREN CRUZ who acknowledged that he/she/ they executed the above instrument.

  
 \_\_\_\_\_  
 Notary Public



**EXHIBIT "A"**

A parcel of the East ½ of Section 18, Township 10 North, Range 22 East, M.D.B. & M., further described as follows:

COMMENCING at the ¼ corner common to Section 17 and 18, Township 10 North, Range 22 East, M.D.B. & M.;

Thence along the Section line North 00°13'20" West 252.48 feet;

Thence North 40°38'00" West 351.11 feet;

Thence South 67°20'79" West 838.72 feet;

Thence North 20°32'15" West 112.64 feet;

Thence North 68°37'49" East 250.00 feet to the POINT OF BEGINNING of Parcel "A";

Thence North 20°32'15" West 179.33 feet;

Thence North 04°33'00" West 173.54 feet;

Thence North 85°27'00" East 90.00 feet;

Thence South 82°17'07" East 97.45 feet;

Thence South 04°33'00" East 284.17 feet;

Thence South 68°37'49" West 141.91 feet to the POINT OF BEGINNING.

Also shown as Parcel "A" on that Amended Parcel Map for ARGUS J. AND JUANITA G. CAPPS, as recorded October 28, 1975, in Book 1075, Page 1102, Document No. 84096, Official Records of Douglas County, State of Nevada.

Assessors Parcel No. 1022-18-001-045

This document was previously recorded on September 10, 2004, in Book 0904, Page 3578, as Document No. 623823, Official Records of Douglas County, Nevada.