

OFFICIAL RECORD

Requested By:

TSI TITLE & ESCROW

WHEN RECORDED MAIL TO:

First Republic Bank  
111 Pine Street  
San Francisco, CA 94111

Douglas County - NV  
Karen Ellison - Recorder

Page: 1 Of 4 Fee: 17.00  
BK-1109 PG-1609 RPTT: 0.00

ATTN: Loan Review Dept.  
RE: Loan No. 60-418599-7  
*APN 1418-22-611-027*  
*07-5165970*



MODIFICATION OF DEED OF TRUST

WHEREAS Richard S. Long as Trustee of the Richard S. Long Logan Creek II Property Trust, under Declaration of Trust dated April 30, 2003 for the benefit of Richard S. Long and others; and Richard S. Long as Trustee of the Richard, S. Long Logan Creek Property Trust, under Declaration of Trust dated April 30, 2003 for the benefit of Richard S. Long and others; and Richard S. Long as Trustee of the Cynthia A. Long Logan Creek Property Trust, under Declaration of Trust dated April 30, 2003, for the benefit of Cynthia A. Long and others; and Richard S. Long as Trustee of the Cynthia A. Long Logan Creek II Property Trust, under Declaration of Trust dated April 30, 2003, for the benefit of Cynthia A. Long and others ("Borrower") executed and delivered to First Republic Bank ("Lender"), a certain Agreement, in the sum of \$3,000,000.00, dated September 20, 2007 ("the Agreement"), as amended; Whereas said Agreement is secured by a 1ST trust deed of even date, as amended recorded on September 26, 2007 as Instrument No. 0710032 Official Records of Douglas County on certain real property more commonly described as: 1640 Zephyr Cove, NV 89448 (the "Deed of Trust"); and

WHEREAS, First Republic Bank is now known as First Republic Bank, a Division of Merrill Lynch Bank & Trust Co., FSB by merger; and

WHEREAS, the Borrower and Lender now desire to change and modify the terms of said Note and Deed of Trust; and

NOW, THEREFORE, in consideration of the mutual covenants contained herein, Borrower(s) and Lender agree as follows:

1. Term. The Account term of your Agreement is hereby extended from September 1, 2009 to April 30, 2010.
2. This is not a novation and it is expressly agreed by all parties hereto that none of the clauses, terms or conditions contained in said Note and in the Deed of Trust securing said Note, or in any amendment, modification, or rider of said Deed of Trust are or shall be changed, altered or modified in any way except as herein set forth.
3. This Modification constitutes the entire agreement of the Borrower and Lender with respect to the matters addressed in this Modification and this Modification supersedes, all negotiations and discussions between the Borrower and Lender prior to the execution of this Modification with respect to the matters addressed in this Modification.

4. This Modification may only be modified by another agreement in writing, and shall be governed by the laws of the State of Nevada.

**BORROWER:**

Richard S. Long as Trustee of the Richard S. Long Logan Creek II Property Trust, under Declaration of Trust dated April 30, 2003 for the benefit of Richard S. Long and others

Richard S. Long - Trustee  
Richard S. Long, Trustee

Richard S. Long as Trustee of the Richard. S. Long Logan Creek Property Trust, under Declaration of Trust dated April 30, 2003 for the benefit of Richard S. Long and others

Richard S. Long - Trustee  
Richard S. Long, Trustee

Richard S. Long as Trustee of the Cynthia A. Long Logan Creek Property Trust, under Declaration of Trust dated April 30, 2003, for the benefit of Cynthia A. Long and others

Richard S. Long - Trustee  
Richard S. Long, Trustee

Richard S. Long as Trustee of the Cynthia A. Long Logan Creek II Property Trust, under Declaration of Trust dated April 30, 2003, for the benefit of Cynthia A. Long and others

Richard S. Long - Trustee  
Richard S. Long, Trustee

LENDER: First Republic Bank  
a Division of Merrill Lynch Bank & Trust Co., FSB

Lynette Nerney  
By: **LYNETTE NERNEY**  
Its: **DIRECTOR**

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of San Francisco

On 10/29/09 before me, Puneet Kaur, a Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Lynnette Nerney  
Name(s) of Signer(s)

who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Puneet Kaur  
Signature of Notary Public

Place Notary Seal Above

**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: \_\_\_\_\_

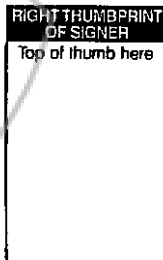
Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

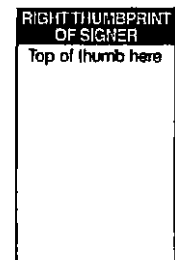
- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



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: \_\_\_\_\_

**ALL PURPOSE ACKNOWLEDGMENT**

State of California

County of Napa

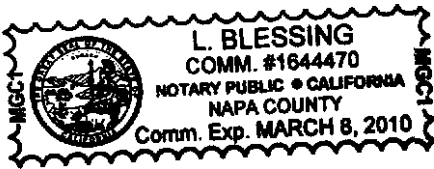
On Oct 30, 2009 before me, L. Blessing, Notary Public  
Date Name and Title of Officer

personally appeared Richard P. Hong  
Name(s) of Signer(s)

who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal Above

Signature [Signature]  
Signature of Notary Public

\_\_\_\_\_

State of \_\_\_\_\_

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_  
Date Name and Title of Officer

personally appeared \_\_\_\_\_  
Name(s) of Signer(s)

who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature \_\_\_\_\_  
Signature of Notary Public