

APN: 1220-04-501-012

DOUGLAS COUNTY, NV **2016-892492**
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FIRST AMERICAN TITLE INSURANCE CO. - NCS -
KAREN ELLISON, RECORDER

Record And Return To:

Kutak Rock LLP
1650 Farnam Street
Omaha, Nebraska 68102
Attention: A. Jill Stigge, Esq.

Recording Requested By:

Kutak Rock LLP
1650 Farnam Street
Omaha, Nebraska 68102
Attention: A. Jill Stigge, Esq.

817614 NV6

SUBSTITUTION OF TRUSTEE AND DEED OF RECONVEYANCE

The undersigned, **GE BUSINESS FINANCIAL SERVICES, INC.**, a Delaware corporation, formerly known as Merrill Lynch Business Financial Services Inc. ("**Beneficiary**"), as collateral agent and as the current owner and holder of the indebtedness secured by the following:

- 1) That certain Deed of Trust, Security Agreement, Financing Statement and Assignment of Rents made by the trustor or grantor thereunder ("**Grantor**") to **CHICAGO TITLE INSURANCE COMPANY** ("**Trustee**"), as the original trustee, for the benefit of Beneficiary, as the original beneficiary, which Deed of Trust (defined below) was dated October 21, 2003, and recorded on February 18, 2004 at Book 0204, Page 7284 in the Official Records of Douglas County, Nevada (the "**Deed of Trust**");
- 2) That certain UCC Financing Statement (the "**Fixture Filing**") recorded on February 19, 2004, at Book 0204, Page 7303 in the Official Records of Douglas County, Nevada; and
- 3) That certain Tenant Subordination Agreement (the "**Subordination Agreement**") by and between **EMERALD CASCADE RESTAURANT SYSTEMS, INC.**, and Holder, and recorded on February 18, 2004 at Book 0204, Page 307, in the Official Records of Douglas County, NV

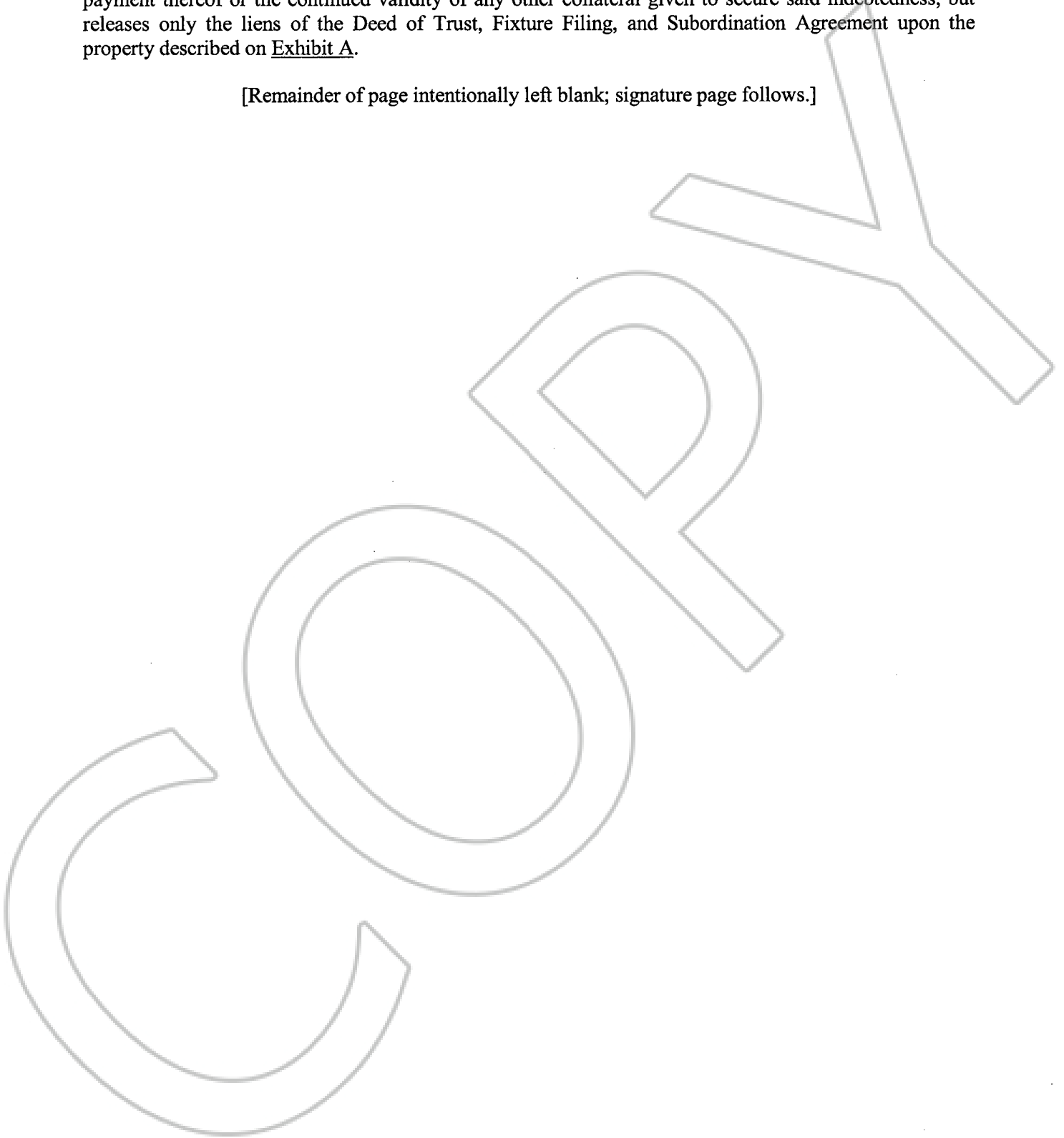
WHEREAS, Beneficiary desires to substitute a new trustee under said Deed of Trust, Fixture Filing, and Subordination Agreement in place of Trustee.

NOW THEREFORE, the undersigned hereby substitutes itself as trustee under said Deed of Trust, Fixture Filing, and Subordination Agreement ("**Successor Trustee**") and does hereby RECONVEY, without warranty, to the person or persons legally entitled thereto, the estate now held by it thereunder.

This Substitution of Trustee and Deed of Reconveyance does not release the right, title, interest and estate held by Beneficiary in any other property encumbered by any other deeds of trusts, mortgages or deeds to secure debt or assignments of rents and leases executed by Grantor in favor of Beneficiary,

and does not affect in any way the indebtedness secured thereby nor the liability of any party for the payment thereof or the continued validity of any other collateral given to secure said indebtedness, but releases only the liens of the Deed of Trust, Fixture Filing, and Subordination Agreement upon the property described on Exhibit A.

[Remainder of page intentionally left blank; signature page follows.]



IN WITNESS WHEREOF the Beneficiary and holder above named, and Successor Trustee, have caused this instrument to be executed, each in its respective interest.

BENEFICIARY/SUCCESSOR TRUSTEE:

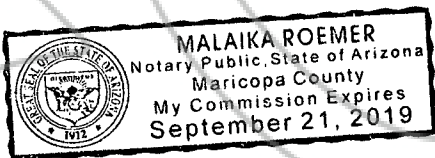
GE BUSINESS FINANCIAL SERVICES INC., a Delaware corporation, (f/k/a Merrill Lynch Business Financial Services Inc.)

By: *Carolyn Craft Martin*
Name: Carolyn Craft Martin
Its: Authorized Signatory

STATE OF Arizona)
) ss
COUNTY OF Maricopa)

Personally appeared before me, Malaika Roemer, a Notary Public, Carolyn Craft Martin, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), who, upon oath, acknowledged that he/she executed the within instrument for the purposes therein contained, and who further acknowledged that he/she is Authorized Signatory **BUSINESS FINANCIAL SERVICES INC.**, a Delaware corporation, (f/k/a Merrill Lynch Business Financial Services Inc.), and is authorized to execute this instrument on behalf of said corporation.

WITNESS my hand, at office, this 13 day of December, 2016.



Malaika Roemer
Notary Public, State of Arizona
My Commission Expires: Sept. 21, 2019

[Signature page of Substitution of Trustee and Deed of Reconveyance]

EXHIBIT A

LEGAL DESCRIPTION

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

A parcel of land located within a portion of the Northwest one-quarter of the Northwest one-quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 4, Township 12 North, Range 20 East, Mount Diablo Meridian, Douglas County, Nevada, described as follows:

Commencing at centerline Station "A" 370+44.51 of U.S. Highway 395 per found Nevada Department of Transportation Highway right-of-way Brass Cap Monuments;

thence along said centerline South 51°04'00" East, per Document No. 28058, 1403.69 feet;

thence North 38°56'00" East, a right angle to the preceding course a distance of 40.00 feet to a point on the Northeasterly right-of-way line of U.S. 395, said point further described as the Southwesterly most corner of the property conveyed to Wayne C. Matley et ux recorded May 19, 1971 in Book 87 of Official Records at page 109, in Douglas County, Nevada;

thence along said right-of-way line South 51°04'00" East, 50.00 feet to THE POINT OF BEGINNING.

thence North 38°54'53" East, 190.00 feet;
thence South 51°04'00" East, 166.85 feet;
thence South 38°54'53" West, 190.00 feet, to the Northeasterly right-of-way line of U.S. Highway 395;

thence along said right-of-way line North 51°04'00" West, 166.85 feet to THE POINT OF BEGINNING.

The Basis of Bearing of this description is the centerline of U.S. Highway 395 per the Record of Survey of the Lampe Ranch recorded May 7, 1965 as Document No. 28058.

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Street Address: 1345 Highway 395, Gardenville, Nevada

The above legal descriptions were taken from Document No. 604977