

A. P. No. 1022-18-002-060 & 061 and
1022-19-001-007

When recorded mail to:

MODIFICATION AGREEMENT

THIS AGREEMENT, made this 22 day of Dec, 2017, by and between, LINDA LODATO BARTLETT and BRUCE BARTLETT, wife and husband as joint tenants, or order, First Party and, between KDM, NEVADA, LLC, a Nevada Limited Liability Company, Second Party

WITNESSETH:

WHEREAS, the Second Party is the owner of that certain real property described in the Deed of Trust dated January 27, 2005, executed by between KDM, NEVADA, LLC, a Nevada Limited Liability Company, as Trustor to STEWART TITLE OF DOUGLAS COUNTY, a Nevada corporation, as original Trustee, and XCHANGE SOLUTIONS, INC., a California corporation, as Beneficiary; which Deed of Trust was recorded January 31, 2005, as Document No. 0635680, Official Records of Douglas County, Nevada; which Deed of Trust was given as security for Promissory Note dated January 27, 2005, in the sum of \$2,195,000.00, executed by and between KDM, NEVADA, LLC, a Nevada Limited Liability Company, in favor of XCHANGE SOLUTIONS, INC., a California corporation; said Deed of Trust was assigned to LINDA LODATO BARTLETT, a married woman as her sole and separate property, on January 31, 2005, which assignment was recorded on September 7, 2005, as Document No. 0654500, Official Records of Douglas County, Nevada; said Deed of Trust was assigned to LINDA LODATO BARTLETT and BRUCE BARTLETT, wife and husband as joint tenants, on March 1, 2007, which assignment was recorded on March 28, 2007, as Document No. 0697915, Official Records of Douglas County, Nevada; Substitution of Trustee on June 9, 2008, replacing STEWART TITLE OF DOUGLAS COUNTY, a Nevada corporation, with WESTERN TITLE COMPANY, INC., a Nevada corporation, which substitution was recorded on June 10, 2008, as Document No. 724759, Official Records of Douglas County, Nevada, and; Substitution of Trustee on June 9, 2008, replacing STEWART TITLE OF DOUGLAS COUNTY, a Nevada corporation, with WESTERN TITLE COMPANY, INC., a Nevada corporation, which substitution was recorded on June 10, 2008, as Document No. 724771, Official Records of Douglas County, Nevada.

WHEREAS, the Second Party is desirous of modifying the terms of said Note and the First Party is willing to modify the terms of said Note;

NOW THEREFORE, in consideration of the promises and agreements hereinafter contained to be performed by the Second Party, the parties do hereby agree as follows:

Original Note secured to:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE APART HEREOF

shall be modified as follows:

The loan amount is now \$315,000.00. All late fees, penalties and back-owed interest incurred to date are waived. The interest rate shall be adjusted to 4.00% and the Note shall be extended for an additional five (5) years from the date of recording this Modification Agreement at which time the outstanding principal and any accrued interest shall all be due and payable. The first payment under this Modification Agreement shall be due thirty (30) days from the recording of this Agreement. The new monthly payment of principal and interest shall be \$1,503.86

The parties involved do hereby accept said Modification Agreement on its terms.

FURTHER, it is agreed by and between the parties that this Agreement is hereby incorporated into the said Promissory Note and Deed of Trust and made a part thereof; and that all other terms, conditions, provisions, and obligations of said Promissory Note and Deed of Trust not hereby modified are ratified and confirmed by the parties.

First Party:

LINDA LODATO BARTLETT

BRUCE BARTLETT

STATE OF NEVADA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on _____, 20____,
by LINDA LODATO BARTLETT and BRUCE BARTLETT.

Notary Public

Second Party:

KDM, NEVADA, LLC, a Nevada Limited Liability Company

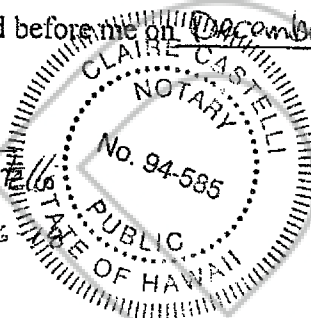
By: *[Signature]*
DAN BOLTON, Manager

Hawaii)
STATE OF NEVADA)
Hawaii) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on December 22, 2017,
by DAN BOLTON.

Claire Castelli
Notary Public *Claire Castelli*

My commission expires: 10-06



Doc. Date: *Undated* # Pages: *6*
Name: Claire Castelli Third Circuit
Doc. Description: *Modification*
Agreement

Claire Castelli *12-22-17*
Notary Signature Date

NOTARY CERTIFICATION

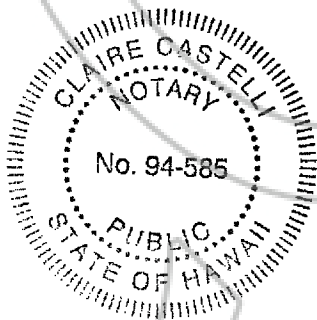


EXHIBIT "A"

The land referred to herein is situated in the State of Nevada, County of DOUGLAS described as follows:

A parcel of land located within a portion of Section 18, Township 10 North, Range 22 East, Mount Diablo Meridian, Douglas County, Nevada, described as follows:

PARCEL 1:

COMMENCING at the Southeast corner of Section 18, township 10 North, Range 22 East, M.D.M., at a U.S.G.L.O. Brass Cap as shown on the Plat of Holbrook Highlands as recorded in Book 378, at Page 1422, as Document No. 18825, Douglas County, Nevada, Recorder's Office;

thence along the South line of said Section 18 North $89^{\circ}38'07''$ West, 2,277.06 feet to the Southeast corner of Holbrook Highlands as recorded in Book 378, at Page 1422, as Document No. 18825, Douglas County, Nevada, Recorder's Office, the POINT OF BEGINNING;

thence along the Easterly line of Holbrook Highlands North $25^{\circ}04'00''$ West, 1,817.83 feet;

thence continuing on Holbrook Highlands South line North $62^{\circ}38'00''$ East, 250.00 feet;

thence North $89^{\circ}16'26''$ East, 200.58 feet;

thence North $00^{\circ}14'17''$ East, 340.00 feet to the Southerly right-of-way line of Highland Way per said Document No. 188251;

thence along said Southerly right-of-way line along the arc of a curve to the right, non-tangent to the preceding course, having a delta angle of $23^{\circ}54'47''$, radius of 675.00 feet, arc length of 281.72 feet and a chord bearing of South $54^{\circ}38'13''$ East, for a distance of 279.68 feet;

thence South $42^{\circ}40'49''$ East, 80.85 feet;

thence along the arc of a curve to the left having a delta angle of $59^{\circ}00'00''$, radius of 725.00 feet and arc length of 746.56 feet;

thence North $78^{\circ}19'11''$ East, 341.22 feet;

thence leaving said Southerly right-of-way line South $00^{\circ}48'05''$ West, 1,241.02 feet;

thence North $89^{\circ}39'35''$ West, 510.01 feet;

thence South $00^{\circ}48'05''$ West, 498.19 feet to the South line of said Section 18;

thence along said South line North $89^{\circ}38'07''$ West, 415.51 feet to the POINT OF BEGINNING.

The Basis of Bearing of this description is the Easterly line of Holbrook Highlands North $25^{\circ}04'00''$ West, per that Plat of Holbrook Highlands, Book 378, at Page 1422, as Document No 18825.

Reference is made to Record of Survey to Support. a Boundary Line Adjustment for LINDA LODATO BARTLETT filed for record with the Douglas County Recorder on February 25, 2004 in Book 0204, at Page 10634, as Document No. 0605566, Official Records of Douglas County, Nevada.

ASSESSOR'S PARCEL NO. 1022-18-002-060

"IN COMPLIANCE WITH NEVADA REVISED STATUTE 111.312, THE HEREIN ABOVE LEGAL DESCRIPTION WAS TAKEN FROM INSTRUMENT RECORDED FEBRUARY 25, 2004, BOOK 0204, PAGE 10628, AS RILE NO. 0605565, RECORDED IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY, STATE OF NEVADA."

PARCEL 2:

COMMENCING at the Southeast corner of Section 18, Township 10 North, Range 22 East, M.D.M., at a U.S.G.L.O. Brass Cap as shown on the Plat of Holbrook Highlands as recorded in Book 378, at Page 1422, as Document No. 18825, Douglas County, Nevada, Recorder's Office;

thence along the South line of said Section 18 North $89^{\circ}39'21''$ West, 1,861.48 feet;
thence North $00^{\circ}48'05''$ East, 498.19 feet;
thence South $89^{\circ}39'35''$ East, 510.81 feet to THE POINT OF BEGINNING;
thence North $00^{\circ}48'05''$ East, 1,241.02 feet to the Southerly right-of-way line of Highland Way as shown on said Plat of Holbrook Highlands as Document No. 18825;
thence along said right-of-way line North $78^{\circ}19'11''$ East, 338.66 feet;
thence along the arc of a curve to the right having a delta angle of $90^{\circ}16'19''$, radius of 20.00 feet and an arc length of 31.51 feet to the Westerly right-of-way line of U.S. Highway 395;
thence along said right-of-way line along the arc of a curve to the right having a delta angle of $06^{\circ}56'38''$, radius of 9,900.00 feet and an arc length of 1,199.80 feet;
thence South $04^{\circ}27'53''$ East, 81.29 feet;
thence North $85^{\circ}32'07''$ East, 25.00 feet;
thence South $04^{\circ}27'53''$ East, 427.71 feet;
thence along the arc of a curve to the right having a delta angle of $93^{\circ}25'28''$ radius of 20.00 feet and an arc length of 32.61 feet to the Northerly right-of-way line of Fairchild Court as shown on the Plat of Holbrook Business Park, as recorded in Book 1079, at Page 1240, as Document No. 37740;
thence along said Northerly right-of-way line South $88^{\circ}57'35''$ West, 433.24 feet;
thence along the arc of a curve to the left, non-tangent to the preceding course, having a delta angle of $142^{\circ}22'03''$, radius of 50.00 feet arc length of 124.24 feet and a chord bearing of South $77^{\circ}46'33''$ West for a distance of 94.66 feet;
thence leaving said right-of-way line North $83^{\circ}50'20''$ West, 64.06 feet;
thence North $00^{\circ}48'05''$ East, 441.89 feet to TRUE POINT OF BEGINNING.

ASSESSOR'S PARCEL NO. 1022-18-002-061

"IN COMPLIANCE WITH NEVADA REVISED STATUTE 111.312, THE
HEREIN ABOVE LEGAL DESCRIPTION WAS TAKEN FROM INSTRUMENT
RECORDED FEBRUARY 25, 2004, BOOK 0204, PAGE 10628, AS FILE NO. 605565,
RECORDED IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY, STATE OF
NEVADA."

Parcel K, as shown on the map of Holbrook Business Park, filed in the office of
the County Recorder of Douglas County, Nevada on October 16, 1979, as Document No.
37740.

ASSESSOR'S PARCEL NO. 1022-19-001-007

WATER RIGHTS:

Together with all water rights, surface or ground, permitted, certificated, adjudicated, or
vested, as well as all seeps, springs, and other rights to water, of any nature whatsoever,
appurtenant to or historically used on the property, including, but not limited to, 72.36
acre feet more specifically defined in Permit Nos. 21948 and 21949 and 42.98 acre feet
more specifically defined in Permit No. 34906.

A. P. No. 1022-18-002-060 & 061 and
1022-19-001-007

When recorded mail to:

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WHEREAS, the Second Party is desirous of modifying the terms of said Note and the First Party is willing to modify the terms of said Note;

Second Party:

KDM, NEVADA, LLC, a Nevada Limited Liability Company

By: _____
DAN BOLTON, Manager

STATE OF NEVADA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on _____, 20____,
by DAN BOLTON.

Notary Public

EXHIBIT "A"

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thence along the South line of said Section 18 North $89^{\circ}38'07''$ West, 2,277.06 feet to the Southeast corner of Holbrook Highlands as recorded in Book 378, at Page 1422, as Document No. 18825, Douglas County, Nevada, Recorder's Office, the POINT OF BEGINNING;

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ASSESSOR'S PARCEL NO. 1022-18-002-060

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