

DOUGLAS COUNTY, NV

2024-1009388

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\$40.00 Pgs=12

06/24/2024 02:02 PM

TICOR TITLE - GARDNERVILLE

SHAWNYNE GARREN, RECORDER

APN 1320-27-001-007, 009, 010 and 021
1320-27-002-004, 026, 1320-28-000-007
1320-21-000-014 and 015, 1320-20-000-016
1320-20-000-021 and 022

THIS DOCUMENT IS BEING RECORDED
AS AN ACCOMMODATION ONLY. NO
LIABILITY IS ASSUMED HEREBY.

When recorded mail to:

Ticor Title
1483 Hwy 395, #B
Gardnerville, NV 89410
1903498A-RT

SIGNED IN COUNTERPART

MODIFICATION AGREEMENT

THIS AGREEMENT, made this 3rd day of MAY, 2024, by and between, Michael C. Gilbert and Angel Kerr Gilbert, as to a ~~50%~~ interest; Kara E. Johnson, Trustee of the Crown Trust dated December 26, 2017 as to a 10% interest; Kelli K. Thomas, Trustee of the Thomas Family Trust dated August 17, 1995, as to a 16.67% interest; Sue Anker, as to a 16.67% interest and Ryan Rife and Danielle Rife, husband and wife as joint tenants as to a 6.66% interest, Second Party

WITNESSETH:

WHEREAS, the Second Party is the owner of that certain real property described in the Deed of Trust dated August 2, 2021, executed by Buckeye Industrial Park, LLC, a Nevada Limited Liability Company as Trustor to Ticor Title Company, as original Trustees, Michael C. Gilbert and Angel Kerr Gilbert, as to a 50% interest; Kara E. Johnson, Trustee of the Crown Trust dated December 26, 2017 as to a 10% interest; Kelli K. Thomas Trustee of the Thomas Family Trust dated August 17, 1995, as to a 16.67% interest; Sue Anker, as to a 16.67% interest and Ryan Rife and Danielle Rife, husband and wife as joint tenants as to a 6.66% interest, as Beneficiaries; which Deed of Trust was recorded August 3, 2021, as Document No. 2021-971930, Official Records of Douglas County, Nevada; which Deed of Trust was given as security for Promissory Note dated August 2021, in the sum of \$3,000,000.00, executed by and between Buckeye Industrial Park, LLC, a Nevada Limited Liability Company, in favor of Michael C. Gilbert and Angel Kerr Gilbert, as to a 50% interest; Kara E. Johnson, Trustee of the Crown Trust dated December 26, 2017 as to a 10% interest; Kelli K. Thomas Trustee of the Thomas Family Trust dated August 17, 1995, as to a 16.67% interest; Sue Anker, as to a 16.67% interest and Ryan Rife and Danielle Rife, husband and wife as joint tenants as to a 6.66% interest; and

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:

All that certain real property situate in the County of Douglas, State of Nevada, described as follows:

All that certain real property situate in the County of Douglas, State of Nevada, described as follows:

PARCEL 1:

Block B, Lot 2, as shown on Final Map No. 1013 of Bently Science Park as filed for record on December 12, 1995, as Document No. 376672, in the office of the Douglas County Recorder.

APN: 1320-27-001-007

PARCEL 2:

Block B, Lot 1, as shown on Final Map No. 1013 of Bently Science Park as filed for record on December 12, 1995, as Document No. 376672, in the office of the Douglas County Recorder.

APN: 1320-27-001-009

PARCEL 3:

Block C, as shown on Final Map No. 1013 of Bently Science Park as filed for record on December 12, 1995, as Document No. 376672, in the office of the Douglas County Recorder.

APN: 1320-27-001-010

PARCEL 4:

Adjusted Block "I" as shown on the Record of Survey to support a Boundary Line Adjustment for Bently Pressurized Bearing Company & Robert E. Honer Jr. & Julie A. Honer, according to the map thereof, filed in the office of the County Recorder of Douglas County, State of Nevada on April 26, 2006 in Book 0406, Page 8928, as File No. 673515, Official Records, being more particularly described as follows:

A parcel of land being a portion of Block "I" of Final Map No. 1013 of Bently Science Park, as filed for record on December 12, 1995, at Document No. 376672 in the office of the Douglas County Record, said parcel being all of that land shown as Adjusted Block "I" on the Record of Survey to Support a Boundary Line Adjustment, filed for record on April 26, 2006, at Document No. 673515 in said Douglas County records, lying entirely within Sections 27 and 28, Township 13 North, Range 20 East of the Mount Diablo Meridian, Douglas County, Nevada, and being more particularly described as follows:

BEGINNING at the Northwest corner of said Block "I" being marked by a rebar with tag bearing the PLS no. 3579;

Thence S 89°47'54"E along the North line of said Block "I" a distance of 2,282.25 feet;

Thence S 00°08'20"W a distance of 339.94 feet;

Thence N 89°16'45"W a distance of 260.00 feet;

Thence S 00°08'20"W a distance of 351.84 feet;

Thence along the Northerly and Westerly line of North Bently Parkway, a 60 foot wide public road, for the following four courses:

- 1.) N 89°16'45"W a distance of 911.48 feet;
- 2.) 677.60 feet along the arc of a curve to the left having a central angle of 90°17'16", a radius of 430.00 feet, and a chord which bears S 45°34'37"W 609.64 feet;
- 3.) S 00°25'59"W a distance of 488.08 feet;
- 4.) 31.44 feet along the arc of a curve to the right having a central angle of 90°04'18", a radius of 20.00 feet, and a chord which bears S 45°28'08"W 28.30 feet;

Thence N 89°29'43"W along the North line of Buckeye Road, a 100 foot wide public road, a distance of 660.57 feet;
Thence N 00°22'39"W along the West line of said Block "I" a distance of 1,613.92 feet to the POINT OF BEGINNING.

APN: 1320-27-001-021

Note: Document No. 2016-875199 is provided pursuant to the requirements of Section 6.NRS 111.312.

PARCEL 5:

Adjusted Block "K" as shown on the Record of Survey to support a Boundary Line Adjustment for Bently Nevada Corporation, according to the map thereof filed in the office of the County Recorder of Douglas County, State of Nevada on April 13, 1999 in Book 499, Page 2490, as File No. 465621, Official Records, being more particularly described as follows:

A parcel of land being all of Block "K" of Final Map No. 1013 of Bently Science Park, as filed for record on December 12, 1995, at Document No. 376672 in the office of the Douglas County Record, together with a portion of Block "F" and a portion of abandoned right-of-way of said Final Map No. 1013 of Bently Science Park, said parcel being all of that land shown as Adjusted Block "K" on the Record of Survey to Support a Boundary Line Adjustment, filed for record on April 13, 1999, at Document No. 465621 in said Douglas County records, lying entirely within the Southwest One-quarter of Section 27, Township 13 North, Range 20 East of the Mount Diablo Meridian, Douglas County, Nevada, and being more particularly described as follows:

Commencing at the SW corner of said Section 27;
Thence S 89°21'02"E along the South line of said Section 27 a distance of 1322.36 feet to the SW corner of said Block "K", being the POINT OF BEGINNING;

Thence along the Westerly boundary of said Block "K" for the following five courses:

- 1.) N 00°44'47"E a distance of 1,101.11 feet;
- 2.) N 10°09'15"W a distance of 71.40 feet;
- 3.) N 34°44'29"W a distance of 187.95 feet;
- 4.) N 34°44'30"W a distance of 202.33 feet;
- 5.) N 43°09'38"E a distance of 345.59 feet;

Thence along the Southeasterly line of Bently Parkway South, a 60 foot wide public road, for the following six courses:

- 1.) S 46°50'22"E a distance of 772.81 feet;
- 2.) 220.73 feet along the arc of a curve to the right having a central angle of 46°50'22", a radius of 270.00 feet, and a chord which bears S 23°25'11"E 214.63 feet;
- 3.) South a distance of 80.22 feet;

- 4.) 521.14 feet along the arc of a curve to the left having a central angle of $90^{\circ}28'56''$, a radius of 330.00 feet, and a chord which bears $S\ 45^{\circ}14'28''E$ 468.65 feet;
- 5.) $N\ 89^{\circ}31'04''E$ a distance of 264.63 feet;
- 6.) 31.42 feet along the arc of a curve to the right having a central angle of $90^{\circ}00'00''$, a radius of 20.00 feet, and a chord which bears $S\ 45^{\circ}28'56''E$ 28.28 feet;

Thence $S\ 00^{\circ}28'56''E$ along the Westerly line of Orchard Road, a public road, a distance of 588.81 feet;

Thence along the Southerly boundary of said Block "K" for the following three courses:

- 1.) $N\ 88^{\circ}26'47''W$ a distance of 1,263.30 feet;
- 2.) $S\ 01^{\circ}14'59''W$ a distance of 36.43 feet;
- 3.) $N\ 89^{\circ}21'02''W$ along said South line of Section 27 a distance of 23.67 feet to the POINT OF BEGINNING.

APN: 1320-27-002-004

Note: Document No. 2016-875199 is provided pursuant to the requirements of Section 6.NRS 111.312.

PARCEL 6:

All of Lot D-1 as shown on the Record of Survey for Bently Nevada Corporation, Document No. 545092 of the Douglas County Recorder's Office and that portion of the West one-half of the abandoned Vector Drive as recorded in Document No. 0581702 and further amended in Document No. 0604648 of the Douglas County Recorder's Office, and being a portion of the South one-half of Section 27, Township 13 North, Range 20 East, M.D.M., Douglas County, Nevada and a being more particularly described as follows.

BEGINNING at the Northeasterly corner of Lot D-1, thence along the prolongation of the Southerly right-of-way line of Buckeye Road, South $89^{\circ}29'35''$ East, 49.97 feet to a point on the centerline of said abandoned Vector Drive; thence along said centerline, South $00^{\circ}25'59''$ West, 565.56 feet; thence North $89^{\circ}59'54''$ West, 30.00 feet to a point the Easterly line of said Lot D-1; thence along said Easterly line, North $00^{\circ}25'59''$ East, 545.85 feet; thence along the Easterly line of said Lot D-1, 31.39 feet and the arc of a curve to the left having a central angle of $89^{\circ}55'34''$ and a radius of 20.00 feet and having a chord of North $44^{\circ}31'48''$ West, 28.27 feet to the POINT OF BEGINNING.

APN: 1320-27-002-026

Note: Document No. 2016-875199 is provided pursuant to the requirements of Section 6.NRS 111.312.

PARCEL 7:

A parcel of land located within portions of the Southwest 1/4 of Section 27 and the Southeast 1/4 of Section 28, Township 13 North, Range 20 East, MDM, Douglas County, Nevada, being more particularly described as follows:

BEGINNING a point on the Southerly right-of-way line of Buckeye Road which bears $S.\ 13^{\circ}56'22''\ E.$, 75.79 feet from the West 1/4 corner of said Section 27;

Thence along said right-of-way, $S.\ 89^{\circ}29'43''\ E.$, 590.47 feet;

Thence continuing along said right-of-way, 31.39 feet along the arc of a curve to the right, having a central angle of 89°55'41" and a radius of 20.00 feet, (chord bears S. 44°31'52" E., 28.27 feet) to a point on the Westerly right-of-way line of Bently Parkway South;
Thence along said Westerly right-of-way, S. 00°25'59" W., 129.75 feet;
Thence continuing along said right-of-way, 77.16 feet along the arc of a curve to the left, having a central angle of 34°00'32" and a radius of 130.00 feet, (chord bears S. 16°34'17" E., 76.04 feet);
Thence S. 55°36'01" W., 34.55 feet;
Thence S. 00°00'00" E., 332.09 feet to a point on the Northerly boundary line of Lot 1, Block "G", as shown on Final Map of Bently Science Park, Document No. 376672, of the Douglas County Recorder's Office;
Thence along the Northerly line of said Lot 1, S. 90°00'00" W., 221.36 feet to the Northwest corner thereof;
Thence along the West boundary line of said Lot 1, S. 00°00'00" W., 571.73 feet to the Southwest corner thereof;
Thence along the Southerly and Westerly boundary lines of said Block "G" the following four courses;

- 1.) S. 84°56'49" W., 285.33 feet;
- 2.) N. 86°35'25" W., 124.86 feet;
- 3.) N. 00°22'39" E., 1149.17 feet;
- 4.) 31.46 feet along the arc of a curve to the right, having a central angle of 90°07'38" and a radius of 20.00 feet, (chord bears N. 45°26'28" E., 28.32 feet) to the POINT OF BEGINNING.

APN: 1320-27-002-033

Note: Document No. 2016-875199 is provided pursuant to the requirements of Section 6.NRS 111.312.

PARCEL 8:

Block H, as shown on Final Map No. 1013 of Bently Science Park as filed for record on December 12, 1995, as Document No. 376672, in the office of the Douglas County Recorder.

APN: 1320-28-000-007

shall be modified as follows:

The following beneficiaries shall be removed: Kara E. Johnson, Trustee of the Crown Trust dated December 26, 2017 and Kelli K. Thomas, Trustee of the Thomas Family Trust dated August 17, 1995

Pacific Premier Trust, Custodian, FBO Jeff J Rife IRA will add an additional sum of \$95,000.00 to the principal, Pacific Premier Trust, Custodian, FBO Darrel D. Rife Inherited IRA will add an additional sum of \$129,000.00 to the Principal Alton Anker, An unmarried Man will add an additional sum of \$576,000.00 to the principal:

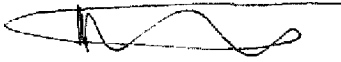
The Promissory Note presently has a due date of August 3, 2023. The parties agree that the Note shall be extended, and the new due date shall be February 3, 2025.

Legal description for APN 1320-27-002-033, 1320-27-001-007 and 1320-27-001-009 shall be removed as security.

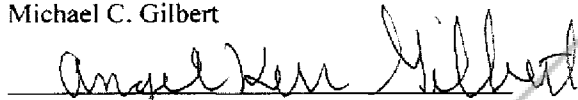
The parties involved do hereby accept said Modification Agreement on its terms.

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:

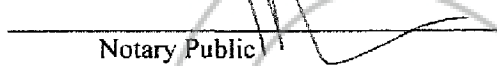



Michael C. Gilbert


Angel Kerr Gilbert

STATE OF NEVADA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on May 31st, 2024, by Michael C. Gilbert and Angel Kerr Gilbert.


Notary Public


RISHELLE L. THOMPSON
Notary Public - State of Nevada
Appointment recorded in Douglas County
99-54931-5 - Expires: April 10, 2027


Crown Trust Dated December 26, 2017

By: 
Kara E. Johnson, Trustee

STATE OF Arizona)
) ss
COUNTY OF Yavapai)

This instrument was acknowledged before me on June 21st, 2024, by Kara E. Johnson


Notary Public


Randi D Lyle
Notary Public
Yavapai County, Arizona
My Comm. Expires 11-27-27
Commission No. 660755

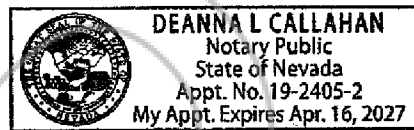
Thomas Family Trust, dated August 17, 1995

By: Kelli K Thomas
Kelli K. Thomas, Trustee

STATE OF Nevada)
COUNTY OF Washoe) ss

This instrument was acknowledged before me on June 6, 2024, by Kelli K. Thomas

Deanna Callahan
Notary Public



Sue Anker
Sue Anker

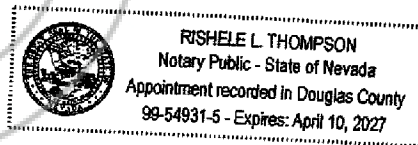
STATE OF NEVADA)
COUNTY OF DOUGLAS) ss

This instrument was acknowledged before me on June 13, 2024, by Sue Anker

[Signature]
Notary Public

SIGNED IN COUNTERPART
Ryan Rife

SIGNED IN COUNTERPART
Danielle Rife



STATE OF NEVADA)
COUNTY OF DOUGLAS) ss

This instrument was acknowledged before me on _____, 2024, by Ryan Rife and Danielle Rife.

Notary Public

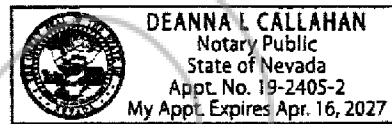
Thomas Family Trust, dated August 17, 1995

By: Kelli K Thomas
Kelli K. Thomas, Trustee

STATE OF Nevada)
COUNTY OF Washoe) ss

This instrument was acknowledged before me on June 6, 2024, by Kelli K. Thomas

Deanna Callahan
Notary Public



SIGNED IN COUNTERPART

Sue Anker

STATE OF NEVADA)
COUNTY OF DOUGLAS) ss

This instrument was acknowledged before me on _____, 2024, by Sue Anker

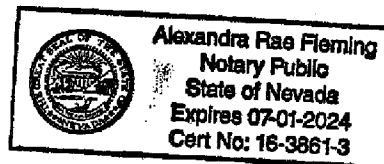
Notary Public


✓ Ryan Rife
Ryan Rife
✓ Danielle Rife
Danielle Rife

STATE OF NEVADA)
COUNTY OF DOUGLAS) ss

This instrument was acknowledged before me on June 14, 2024, by Ryan Rife and Danielle Rife.

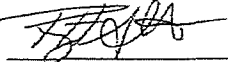
Alexandra Rae Fleming
Notary Public

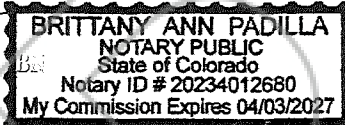




 Pacific Premier Trust, Custodian, FBO Jeff J Rife IRA
 by Greg Wade
 STATE OF COLORADO)
) ss
 COUNTY OF DENVER)

Pacific Premier Trust
 A Division of Pacific Premier Bank
 By: **Greg Wade**
 It's: Authorized Signatory

This instrument was acknowledged before me on MAY 31ST, 2024, by GREG WADE
BRITTANY PADILLA


 Notary Public

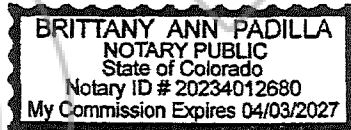



 Pacific Premier Trust, Custodian, FBO Darrel D. Rife IRA
 by Greg Wade
 STATE OF COLORADO)
) ss
 COUNTY OF DENVER)

Pacific Premier Trust
 A Division of Pacific Premier Bank
 By: **Greg Wade**
 It's: Authorized Signatory

This instrument was acknowledged before me on MAY 31, 2024, by GREG WADE
BRITTANY PADILLA


 Notary Public



✓ SIGNED IN COUNTERPART

Alton Anker

 STATE OF NEVADA)
) ss
 COUNTY OF DOUGLAS)

This instrument was acknowledged before me on _____, 2024 by Alton Anker

SIGNED IN COUNTERPART

Pacific Premier Trust, Custodian, FBO Jeff J Rife IRA

STATE OF _____)
) ss
COUNTY OF _____)

This instrument was acknowledged before me on _____, 2024, by _____

Notary Public

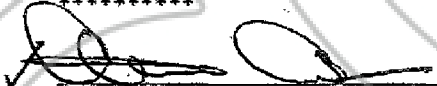
SIGNED IN COUNTERPART

Pacific Premier Trust, Custodian, FBO Darrel D. Rife IRA

STATE OF _____)
) ss
COUNTY OF _____)

This instrument was acknowledged before me on _____, 2024, by _____


Notary Public


Alton Anker

STATE OF NEVADA)
) ss
COUNTY OF DOUGLAS)

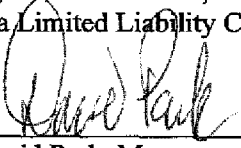
This instrument was acknowledged before me on June 11, 2024 by Alton Anker

Leslie A West
Debra A West
Notary Public

 Leslie A. West
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 97-2681-12
My Appt. Expires August 23, 2025

Second Party:

Buckeye Industrial Park, LLC, A
Nevada Limited Liability Company

By: 
David Park, Manager

STATE OF NEVADA)
) ss:
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on 10-14, 2024, by
David Park


Notary Public

