

Lincoln County

SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS

This Deed of Trust, made this nineteenth day of August 1985, between

Kevin D. Smith and Ann P. Smith, husband and wife, herein called TRUSTOR,
 whose address is 128 Rowan Drive, Caliente, Nevada 89008 (number and street) (city) (state) (state)

Frontier Title Company, a Nevada corporation, herein called TRUSTEE,
 and

NEVADA BANK & TRUST COMPANY, herein called BENEFICIARY.

Witnesseth: That Trustor IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS to Trustee in Trust, WITH POWER OF SALE, that property in Lincoln County, Nevada, described as:

Lot twenty-eight (28) in Rowan Subdivision, amended plat, in the City of Caliente, Nevada.

Excepting all mineral and ^{mineral} all rights of every kind and character now known to exist or hereinafter discovered including without limiting the generality of the foregoing oil and gas rights thereto, together with the sole, exclusive and perpetual right to explore for, remove and dispose of said minerals by any means or methods suitable but without entering upon or using the surface of the lands hereby conveyed and in such manner as not to damage the surface of said lands or to interfere with the use thereof.

TOGETHER WITH the rents, issues and profits thereof, reserving the right to collect and use the same except during continuance of some default hereunder and during continuance of such default authorizing Beneficiary to collect and enforce the same by any lawful means in the name of any party hereto.

For the Purpose of Securing: 1. Performance of each agreement of Trustor incorporated by reference or contained herein. 2. Payment of the indebtedness evidenced by one promissory note of even date herewith, and any extension or renewal thereof, in the principal sum of \$25,500.00 executed by Trustor in favor of Beneficiary or order. 3. Payment of such additional sums as may hereafter be advanced for the account of Trustor or Assigns by Beneficiary with interest thereon.

To Protect the Security of This Deed of Trust, Trustor Agrees: By the execution and delivery of this Deed of Trust and the note secured hereby, that provisions (1) to (18) inclusive of the Deed of Trust recorded in the Book and of the page, or document No. of Official Records in the Office of the county recorder of the county where said property is located, noted below opposite the name of such county, viz.:

COUNTY	DOCUMENT No.	BOOK	PAGE	COUNTY	DOCUMENT No.	BOOK	PAGE	COUNTY	DOCUMENT No.	BOOK	PAGE
Clark	413907			Humboldt	116986	3	60	Nye	47157	67	100
Churchill	104120	34	489A	Lincoln	41173	3	730	Ormsby	72157	19	100
Douglas	30498	22	415	Lincoln	41390	0	487	Parshing	57488	20	88
Ely	14831	43	343	Washoe	48790			Silver	50579	0	112
Henderson	34291	201	128-141	Lyon	00405	24	409	White Pine	128126	261	241-244
Storey	29428	3	283	Mineral	70440	16	629-637				

(which provisions, identical in all counties, are printed on the reverse hereof) hereby are adopted and incorporated herein and made a part hereof as fully as though set forth herein at length; that he will observe and perform said provisions; and that the reference to property, obligations, and parties in said provisions shall be construed to refer to the property, obligations, and parties set forth in this Deed of Trust.

The parties agree that with respect to provision 1b, the amount of fire insurance required by covenant 2 shall be \$38,000.00 and with respect to attorneys' fees provided for by covenant 7 the percentage shall be 20.0%.

The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at his address hereinbefore set forth.

STATE OF NEVADA, }
 COUNTY OF Lincoln } ss.

On August 19, 1985 before me, the undersigned, a Notary Public in and for said County and State, personally appeared Kevin D. Smith and Ann P. Smith

known to me to be the persons described in and who executed the foregoing instrument, who acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal (Seal)
 Signature: Ronald J. Barnett
 Name (Typed or Printed): Ronald J. Barnett
 Notary Public in and for said County and State

Signature of Trustor
Kevin D. Smith
 Kevin D. Smith
Ann P. Smith
 Ann P. Smith

If executed by a Corporation the Corporation Form of Acknowledgment must be used.

Title Order No. _____

Escrow or Lien No. LV 222011 CP

SPACE BELOW THIS LINE FOR RECORDER'S USE

RECORDING REQUESTED BY
 NOTARY PUBLIC
 STATE OF NEVADA
 County of Lincoln
 RONALD J. BARNETT
 My Appointment Expires Sept. 1, 1985
 AND WHEN RECORDED MAIL TO

Nevada Bank & Trust
 P.O. BOX 428
 Caliente, Nevada 89008
 ATTN: RON BARNETT

No. 83385
 FILED AND RECORDED AT REQUEST OF
Dominick Balinghari
 September 3, 1985
 AT 45 MINUTES PAST 9 O'CLOCK
 A.M. IN BOOK 67 OF OFFICIAL
 RECORDS, PAGE 238 LINCOLN
 COUNTY, NEVADA

Spencer
 COUNTY RECORDER

BOOK 67 PAGE 238