

## 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  
whose address is 128 Rowan Drive, Caliente, Nevada 89008  
(number and street) (city) (state)

(name) (name)

Frontier Title Company, a Nevada corporation  
and

NEVADA BANK & TRUST COMPANY

Witnesseth: That Trustee IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE, the 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 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 nonpayment of such default authorizing Beneficiary to collect and enforce the same by any lawful means in the name of any party herein.

For the Purpose of Securing: 1. Performance of each agreement of Trustee 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 Trustee in favor of Beneficiary or order. 3. Payment of such additional sums as may hereafter be advanced for the account of Trustee or Assignee 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 encumbrance, that provisions (1) to (16) inclusive of the Deed of Trust recorded in the book and at the page, or document No. of Official Records in the Office of the county recorder of the county where said property is located, cited below opposite the name of such county, viz.:

COUNTY	DOCUMENT NO.	BOOK	PAGE	COUNTY	DOCUMENT NO.	BOOK	PAGE	COUNTY	DOCUMENT NO.	BOOK	PAGE
Clark	413967			Nye	114695	3	60	Nye	47157	47	103
Churchill	104120	34	map. 501	Lander	41372	3	700	Owyhee	37257	19	102
Douglas	34468	32	415	Lincoln	41392	0	map. 407	Pershing	37420	30	55
Euro	14831	45	343	Washoe	407300			Storey	58678	8	312
Esmeralda	34291	30	maps 126-141	Tonopah	59402	31	map. 409	White Pine	130126	561	341-344
Lincoln	29428	3	383	Mineola	70440	16	map. 520-527				

(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 references 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 16, the amount of fee 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 or his address hereinbefore set forth.

STATE OF NEVADA,  
COUNTY OF Lincoln  
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)  
Notary Public in and for said County and State

Signature of Trustee  
*Kevin J. Smith*

Kevin D. Smith

*Bruce P. Smith*

Ann P. Smith

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

Title Order No. \_\_\_\_\_

Escrow or Lease No. LV 222011 CP

SPACE BELOW THIS LINE FOR RECORDER'S USE

No. 83385

FILED AND RECORDED AT REQUEST OF

Dominick Belinghart

September 3, 1985

AT 45 MINUTES PAST 9 OCLOCK

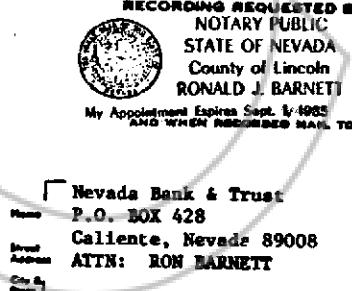
IN BOOK 67 OF OFFICIAL

RECORDS, PAGE 238 LINCOLN

COUNTY, NEVADA.

*James A. Belinghart*  
COUNTY RECORDER

BOOK 67 PAGE 238



Initial Address  
Date  
Signature