

Lincoln County

SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS

THIS DEED OF TRUST, made this 12TH day of FEBRUARY 1997, between KARL R. VOLK, an unmarried man

whose mailing address is H.C. 34 BOX 5, CALIENTE, NEVADA 89008, herein called GRANTOR or TRUSTOR, (number and street) (city) (state) (zip code)

STEWART TITLE OF NEVADA, a Nevada Corporation, herein called TRUSTEE, and SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

WITNESSETH: THAT WHEREAS Trustor has borrowed and received from Beneficiary in lawful money of the United States the sum of THIRTY-TWO THOUSAND SEVEN HUNDRED AND NO/100*****DOLLARS

and has agreed to repay the same, with interest, to Beneficiary in lawful money of the United States according to the terms of a promissory note of even date herewith, executed and delivered therefor by Trustor;

NOW, THEREFORE for the purpose of securing each agreement of the Trustor herein contained including payment of the said promissory note and of any money with interest thereon that may be advanced by or otherwise become due to Trustee or Beneficiary under the provisions hereof and for the purpose of securing payment of such additional sums as may be hereafter advanced for the account of Trustor by Beneficiary with interest thereon, Trustor irrevocably GRANTS AND TRANSFERS TO TRUSTEE, IN TRUST WITH POWER OF SALE, all that property in Clark County, Nevada, described as:

BEING A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 11, TOWNSHIP 3 SOUTH, RANGE 67 EAST, M.D.B. 6M., MORE PARTICULARLY DESCRIBED AS

PARCEL 2 OF THAT CERTAIN PARCEL MAP RECORDED AUGUST 30, 1990 IN THE OFFICE OF THE COUNTY RECORDER OF LINCOLN COUNTY, NEVADA IN BOOK A OF PLATS, PAGE 319 AS FILE NO. 94852, LINCOLN COUNTY, NEVADA RECORDS. ASSOSSOR'S PARCEL NUMBER FOR 1996-1997: 13-050-69

Note secured by this Deed of Trust payable at 2381 RENAISSANCE DR. STE C LAS VEGAS, NEVADA TOGETHER WITH all appurtenances in which Trustor has any interest, including water rights benefiting said realty whether represented by shares of a company or otherwise; and

TRUSTOR ALSO ASSIGNS to Beneficiary all rents, issues, and profits of said realty, 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.

TO HAVE AND TO HOLD SAID PROPERTY UPON AND SUBJECT TO THE TRUSTS AND AGREEMENTS HEREIN set forth to-wit:

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 (17) inclusive of the Deed of Trust, recorded in Book 730, as Document No. 586593, of Official Records in the Office of the County Recorder of Clark County.

(WHICH PROVISIONS 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 17, the amount of fire insurance required by covenant 2 shall be \$ 32,700.00 and with respect to attorney's fees provided for by covenant 7 the percentage shall be _____%.

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.

Karl R. Volk (signature) KARL R. VOLK

STATE OF NEVADA, COUNTY OF Lincoln

On 2/18/97 before me, the undersigned, a Notary Public in and for said County and State, personally appeared Karl R. Volk

known to me to be the person 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.

Notary Public in and for Said County and State



FRANK L. APODACA Notary Public - Nevada Lincoln County My exp. exp. Apr. 27, 1998

ESCROW NO. } 96-05-0339 JD ORDER NO. } WHEN RECORDED MAIL TO: CONSOLIDATED MORTGAGE P.O. BOX 70057 LAS VEGAS, NEVADA 89170-0057

EXHIBIT A

AMERICAN BANK OF COMMERCE, CUSTODIAN OF THE FUNDS FOR JOHN E HIATT, IRA AS TO AN UNDIVIDED 5.9/32.70 INTEREST.

AMERICAN BANK OF COMMERCE, CUSTODIAN OF THE FUNDS FOR THOMAS J MOORE, IRA AS TO AN UNDIVIDED 6.8/32.70 INTEREST.

WILLIAM GEORGE MAYER REVOCABLE LIVING TRUST DATED FEBRUARY 23, 1990, WILLIAM GEORGE MAYER, TRUSTEE AS TO AN UNDIVIDED 3.0/32.70 INTEREST.

THOMAS J MOORE REVOCABLE LIVING TRUST DATED 5/10/90; THOMAS J MOORE, TRUSTEE AS TO AN UNDIVIDED 17.0/32.70 INTEREST.

SCHEDULE " B "

DUE ON SALE CLAUSE: SHOULD TRUSTOR HEREIN SELL, AGREE TO SELL, TRANSFER, CONVEY OR ASSIGN THE PROPERTY DESCRIBED HEREIN, OR ANY PORTION THEREOF, OR ANY INTEREST THEREIN, EITHER VOLUNTARILY OR INVOLUNTARILY, WITHOUT THE PRIOR WRITTEN CONSENT OF THE BENEFICIARY, THEN AND IN THAT EVENT ALL SUMS SECURED HEREBY, AT THE OPTION OF THE THEN BENEFICIARY, SHALL BECOME IMMEDIATELY DUE AND PAYABLE. CONSENT TO ONE SUCH TRANSACTION SHALL NOT CONSTITUTE A WAIVER OF THE RIGHT TO REQUIRE SUCH CONSENT TO FUTURE OR SUCCESSIVE TRANSACTIONS.

NO. 108282
Filed And Recorded At Request Of
Cow County Title
February 26, 1997
At 17 Minutes Past 12 O'Clock
P M In Book 126 Of Official Records
Page 163 Lincoln County Nevada.
Yuriko Setzer
County Recorder
by Leslie Bouchon
deputy