

Submitted for recordation by, and when recorded, return to:

Bank of America
National Trust and Savings Association
Branch CONSUMER LOAN SERVICE CENTER
Address P.O. BOX 2240
City BREAS
State CA
Zip 92822

Loan #: 20030605186059001

Reference # 010313-982311015170

Space above this line for Recorder's Use

SHORT FORM DEED OF TRUST

This Deed of Trust is made on October 1, 1998 by FRANK R. CHEENEY AND LORI A. CHEENEY, WHO ARE MARRIED TO EACH OTHER

4366500X

collectively and individually "Trustor"); Equitable Deed Company ("Trustee"); and the beneficiary, Bank of America NT&SA, a national banking association ("Bank"). Trustee is a subsidiary of Bank. Any non-titleholder signs below as Trustor solely for the purpose of subjecting any community property interest in the property described below to this Deed of Trust. The words "I," "me," and "my" in this Deed of Trust refer to the Trustor, whether one or more.

Bank and I agree:

1. **Property Security.** For the purpose of securing the obligations described below, I irrevocably grant, convey, transfer and assign to Trustee, in trust with power of sale, the property located in LINCOLN County, Nevada described as follows:

PARCEL NO. 2 D AS SHOWN ON PARCEL MAP FOR ~~FRANK R. CHEENEY AND LORI A. CHEENEY~~ VAUGHN and DONNA PHILLIPS, FILED IN THE OFFICE OF THE COUNTY RECORDER OF LINCOLN COUNTY ON FEBRUARY 23, 1994, AS FILE NO. 101568, LOCATED IN A PORTION OF SW1/4 OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 67 EAST, MDB&M and as shown in BOOK A of Plats, Page 408.

with the street address: 3 WIDEAWAKE ROAD, PIOCHE, NV 89043 and with Parcel No. 001-191-36 and including all improvements and fixtures now or later erected on the property, and all easements, rights, appurtenances and fixtures now or later a part of or related to the above described property (collectively the "Property").

This Deed of Trust secures (a) all of the obligations of the borrowers under the Disclosure and Loan Agreement dated 10/01/98, and naming LORI A. CHEENEY

AND FRANK R. CHEENEY as borrowers, in the original principal sum of \$ 52,000.00 with interest thereon, as well as any modifications, extensions and renewals thereof (collectively, the "Loan Agreement"), (b) the repayment of all other sums, with interest thereon, advanced in accordance with this Deed of Trust, and (c) the performance of each obligation in this Deed of Trust.

2. **Payment of Principal and Interest.** I will pay or cause to be paid all obligations evidenced by the Loan Agreement as provided therein.

To Protect the Security of this Deed of Trust, I Agree: By the execution and delivery of this Deed of Trust and the Loan Agreement secured hereby, that provisions (3) to (20), inclusive of the fictitious deed of trust recorded in LINCOLN County 12/23/96, as Instrument No. 106633 in Book/Reel 123 and at Page/Image 52 of Official Records of County Recorder of that county, (which provisions, identical in all counties, are printed on the following pages) hereby are adopted and incorporated herein and made a part hereof as though set forth at length; and I will observe and perform such provisions; and that the reference to Property, obligations, and parties in such provisions shall be construed to refer to the Property, obligations, and parties set forth in this Deed of Trust.

Truster requests that a copy of ANY NOTICE OF DEFAULT AND ANY NOTICE OF SALE under this Deed of Trust be mailed to Truster at the Truster's address shown below, or if no address is shown, then at the address of the Property.

Signature

Mailing Address for Notices:

Street City and State

Frank R. Cheaney
FRANK R. CHEANEY

P.O. BOX 702 PICCHE, NV 89043

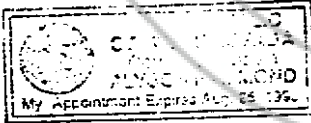
4316091134

GENERAL ACKNOWLEDGMENT

State of Nevada
County of Lincoln

On this 2 day of October, 1996, personally appeared before me, a Notary Public for judge or other authorized person, as the case may be in, and for said County and state, Frank R. Cheaney

known (or proved) to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that he/she/they executed the same freely and voluntarily and for the uses and purposes therein mentioned.



Debra Haun
Notary Public

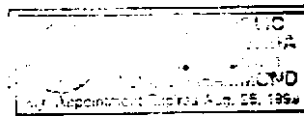
GENERAL ACKNOWLEDGMENT

State of Nevada
County of Lincoln

On this 2 day of October, 1996, personally appeared before me, a Notary Public for judge or other authorized person, as the case may be in, and for said County and state, Frank R. Cheaney

known (or proved) to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that he/she/they executed the same freely and voluntarily and for the uses and purposes therein mentioned.

Debra Haun
Notary Public



COPY

NO. **111794**

FILED AND RECORDED AT REQUEST OF
FIRST AMERICAN TITLE
OCTOBER 27, 1998

AT **00** MINUTES PAST **11** O'CLOCK
AM IN BOOK **138** OF OFFICIAL

RECORDS PAGE **55** LINCOLN
COUNTY, NEVADA

YURIKO SETZER
BY *Julie Bruchus* DEPUTY

BOOK **138** PAGE **57**