

DEED OF TRUST

*Just  
2.6.8*

THIS DEED OF TRUST, made and entered into as of the 2nd day of <sup>May</sup> ~~March~~, 1968, by and between JOSEPH W. TSCHESCHKE, of the County of Eureka, State of Nevada, First Party, herein after called the Grantor; TITLE INSURANCE AND TRUST COMPANY, a corporation, Second Party, hereinafter called the Trustee; and FRED F. FOOTE and NINA FOOTE, his wife, of the County of Eureka, State of Nevada, Third Parties, as joint tenants with right of survivorship, being hereinafter called the Beneficiaries; it being understood that the words used herein in any gender includes all other genders, the singular number includes the plural, and the plural the singular,

W I T N E S S E I H:

THAT WHEREAS, the said Grantor is indebted to the said Beneficiaries, FRED F. FOOTE and NINA FOOTE, his wife, in the sum of TWELVE THOUSAND EIGHT HUNDRED TWENTY-FIVE DOLLARS (\$12,825.00), lawful money of the United States, and have agreed to pay the same according to the terms and tenor of a certain Promissory Note of even date herewith, and made, executed and delivered by said Grantor to said Beneficiaries, which note is in the words and figures as follows, to-wit:

\_\_\_\_\_

\_\_\_\_\_

NOW, THEREFORE, the said Grantor, for the purpose of securing the payment of said Promissory Note, and also the payment of all monies herein agreed or provided to be paid by the said Grantor, or which may be paid out or advanced by the said Beneficiaries or Trustee under the provisions of this instrument, with interest in each case, do hereby grant, bargain, sell, convey and confirm unto the said Trustee all of the right, title and interest, claim and demand, as well in law as in equity, which the said Grantor may now have or may hereafter acquire of, in or to the following described real and personal property situate in the County of Eureka, State of Nevada, and being more particularly described as follows, to-wit:

Township 21 North, Range 53 East, M.D.B.&M.

Section 24: SW $\frac{1}{4}$ ; N $\frac{1}{2}$ SE $\frac{1}{4}$

TOGETHER WITH all improvements situate thereon, or which are placed thereon during the life of this Deed of Trust.

TOGETHER WITH all water rights, including Well Permit No. 19376, and all dams, ditches, canals and other means or devices used for the diversion or use of waters appurtenant to the said property or any part thereof.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TOGETHER WITH 2 motors, 1 pump and gearhead, and 1 brush beater.

TOGETHER WITH all substitutions and replacements of the above-described personal property.

TO HAVE AND TO HOLD the said premises, together with the appurtenances and personal property, unto the said Trustee, and to its successors and assigns, for the uses and purposes therein mentioned.

The following covenants, Nos. 1, 2 (\$12,000.00), 3, 4 (6%), 5, 6, 7 (5%), 8 and 9 of NRS 107.030, are hereby adopted and made a part of this Deed of Trust.

This Deed of Trust also secures payment for further sums and the promissory notes evidencing the same, as may hereafter be loaned or advanced by Beneficiaries to the Grantor.

Said Grantor, in consideration of the premises, hereby covenant and agree that neither the acceptance nor existence, now or hereafter, of other security for the indebtedness secured hereby, nor the release thereof, shall operate as a waiver of the security of this Deed of Trust, nor shall this Deed of Trust nor its satisfaction, nor a reconveyance made thereunder, operate as a waiver of any such other security now held or hereafter acquired.

The Beneficiaries are possessed of their rights and interests herein as joint tenants with right of survivorship and not as tenants in common.

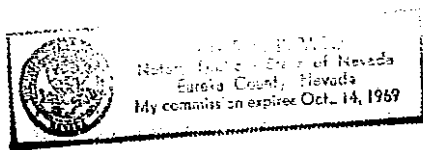
IN WITNESS WHEREOF, the said Grantor has hereunto set his hand as of the day and year first hereinabove written.

*Joseph W. Tscheschke*  
\_\_\_\_\_  
JOSEPH W. TSCHESCHKE

STATE OF NEVADA, }  
COUNTY OF Eureka } SS.

On ~~March~~ <sup>May</sup> 2nd, 1968, personally appeared before me, a Notary Public, JOSEPH W. TSCHESCHKE, who acknowledged that he executed the above instrument.

*Shelton A. DePaul*  
\_\_\_\_\_  
NOTARY PUBLIC.



RECORDED AT THE REQUEST OF  
Joseph W. Tscheschke  
on May 2 19 68  
at 51 mins. past 2 P. M.  
in Book 23 of OFFICIAL  
RECORDS, page 556-558  
OF EUREKA COUNTY, NEVADA.  
*Shelton A. DePaul*  
Records 46749 Fee 5.00  
File No. \_\_\_\_\_