

54855

DEED OF TRUST WITH ASSIGNMENT OF RENTS

THIS DEED OF TRUST, made and entered into this 9th day of August, 1971 by and between WILLIAM E. GERGEN and EFFIE M. GERGEN, husband and wife,

herein called TRUSTOR; whose address is 370 Parker Avenue, Ely, Nevada 89301 (Number and Street) (City) (State) FIRST AMERICAN TITLE COMPANY OF NEVADA herein called TRUSTEE, and JACK L. BAY and GENEVA R. BAY, husband and wife,

herein called BENEFICIARY; WITNESSETH: That Trustor grants to Trustee in trust, with power of sale, that property in the Town of Eureka County of Eureka State of NEVADA described as:

That part of Block 70 which is more particularly described as follows, to-wit: Beginning at the Southwest corner of Block 70; thence N. 81°27'W, a distance of 81.36 feet to the Southeast corner of Block 70, thence N. 8°33'W, along the East side line of Block 70, a distance of 75 feet to a point, thence S. 81°27'W, a distance of 13 feet to a point, thence N. 8°33'W, a distance of 15 feet to a point, thence S. 81°27'W, parallel with the south end line of Block 70, to a point on the West side line of Block 70, thence S. 2°30'W, a distance of 90 feet along the West side line of Block 70 to the Southwest Corner of Block 70, the Place of Beginning.

Together with the rents, issues and profits thereof, subject, however, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits. For the purpose of securing (1) payment of the sum of \$4,500.00 with interest thereon according to the terms of a promissory note or notes of even date herewith made by Trustor, payable in order of Beneficiary, and all extensions or renewals thereof; and (2) the performance of each agreement of Trustor incorporated herein by reference or contained hereinafter; (3) payment of additional sums and interest thereon which may hereafter be loaned to Trustor, or to his successors or assigns, when evidenced by a promissory note or notes reciting that they are secured by this Deed of Trust.

To protect the security of this Deed of Trust, and with respect to the property above described, Trustor expressly makes each and all of the agreements, and covenants and agrees to perform to be bound by each and all of the terms and provisions set forth in subdivision A, and it is mutually agreed that each and all of the terms and provisions set forth in subdivision B of the fictitious Deed of Trust recorded in the office of each County Recorder in the State of Nevada on January 30, 1958, in the book and at the page thereof, or under the document or file number, noted below opposite the name of such county, namely:

Table with columns: COUNTY, BOOK, PAGE, DOC. NO., COUNTY, BOOK, PAGE, DOC. No. Rows include Churchill, Clark, Douglas, Elko, Esmeralda, Eureka, Humboldt, Lander, Lincoln, Lyon, Mineral, Nye, Ormsby, Pershing, Storey, Washoe, and White Pine.

shall here to and bind the parties hereto, with respect to the property above described. Said agreements, terms and provisions contained in said subdivision A and B, (identical in all counties), and printed on the reverse side hereof are by the within reference thereto, incorporated herein and made a part of this Deed of Trust for all purposes as fully as if set forth at length herein, and Beneficiary may charge for a statement regarding the obligation secured hereby, provided the charge therefor does not exceed a reasonable amount.

The undersigned Trustor requests that a copy of any notice of default and any notice of sale hereunder be mailed to him at his address hereinbefore set forth.

STATE OF NEVADA COUNTY OF Esmeralda } On August 18, 1971 before me, a Notary Public, personally appeared WILLIAM E. GERGEN and EFFIE M. GERGEN, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

SIGNATURE OF TRUSTOR William E. Gergen Effie M. Gergen

Margaret Bay NOTARY PUBLIC

RECORDED AT THE REQUEST OF First American Title Co. of Nev on Aug. 23, 1971 at 16 min. past 8 A. M. of OFFICIAL RECORDS, page 150 RECORDS OF EUREKA COUNTY, NEVADA Ellis A. Mottler Recorder File No. 54855 Fee \$ 3.00

