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DEED OF TRUST

THIS DEED OF TRUST, made and entered into this 17th day of August, 1971, by and between CHARLES F. JANACEK and MAE JANACEK, his wife of Murphy's Hot Springs, Rogerson, Idaho hereinafter called "Grantor", and FIRST AMERICAN TITLE COMPANY OF NEVADA Trustee, and MARIAN H. MATHEWS, a married woman, formerly known as MARIAN HENLEY HERLIHY of Monterey County, California hereinafter called "Beneficiary",

WHEREAS, the Grantor is indebted to the Beneficiary in the sum of FIVE THOUSAND ONE HUNDRED THIRTY-SIX and 33/one hundredths DOLLARS lawful money of the United States, and has agreed to pay the same according to the tenor and terms of a certain Promissory Note bearing even date herewith, and made, executed and delivered by the Grantor to the said Beneficiary, a copy of which Note is attached hereto as Exhibit "A" and made a part hereof.

NOW, THEREFORE, the said Grantor, for the purpose of securing the payment of the said Promissory Note, and the principal and interest, and all other amounts therein set forth, or therein provided to be paid, and also the payment of all other moneys herein agreed or provided to be paid by the said Grantor, or which may be paid out or advanced by the Beneficiary or Trustee, if such payments or advancements are made under the provisions of this instrument, with the interest in each case, hereby grants, bargains, sells, conveys and confirms unto the said Trustee all the right, title, estate, interest, homestead or other claim or demand, as well in law as in equity, which the said Grantor now has or may hereafter acquire of, in or to the property, improvements and appurtenances, situate in the County of Eureka, State of Nevada, and more particularly described as follows, to-wit:

Township 30 North, Range 48 East, M.D.B. & M.

Section 29: N $\frac{1}{2}$ NW $\frac{1}{4}$

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216

PAGE

EXCEPTING therefrom all petroleum, oil, natural gas and products derived therefrom, reserved by Southern Pacific Land Company by deed recorded September 24, 1951 in Book 24 of Deeds, Page 168, Eureka County, Nevada, records.

RESERVING THEREFROM an easement of 40 feet along all boundaries for ingress and egress with power to dedicate.

Together with all buildings and improvements situate thereon.

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.

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

The following covenants of N.R.S. 107.030 are hereby adopted and made a part of this Deed of Trust: Nos. 1; 2 (\$5,136.33); 3; 4 (7%); 5; 6; 7 (reasonable); 8; and 9.

Said Grantor, in consideration of the premises, hereby covenants and agrees that neither the acceptance nor existence, now or hereafter, of other security for the indebtedness secured hereby, or 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.

This Deed of Trust shall inure to the benefit of and be binding upon the Grantor as indicated in the first paragraph of this Deed of Trust and his respective heirs, executors, administrators and assigns accordingly, and the Beneficiary, as indicated in the first paragraph of this Deed of Trust and his respective heirs, executors, administrators and assigns accordingly.

The word "Grantor" and the word "Beneficiary", and the language of this instrument, shall, where there is more than one Grantor or more than one Beneficiary, be construed as plural, and shall be binding jointly and severally on all Grantors and

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on all Beneficiaries; and upon their respective heirs, executors, administrators and assigns.

The Grantor covenants and agrees to properly care for, protect and keep the property and all buildings and improvements thereon in at least the state and condition of repair it is on the date of the execution of this Deed of Trust, and not to remove, damage or demolish any buildings or other improvements on the property.

IN WITNESS WHEREOF, the Grantor has executed these presents the day and year first above written.

Charles F. Janacek
CHARLES F. JANACEK

Mae Janacek
MAE JANACEK

STATE OF NEVADA)
COUNTY OF EUREKA) SS.

On August 17, 1971, 1971, personally appeared before me, a Notary Public, CHARLES F. JANACEK and MAE JANACEK who acknowledged that they executed the above instrument.



Robert E. Penner
NOTARY PUBLIC

RECORDED AT THE REQUEST OF First American Title Co. of Nevada
on Sept. 3 1971 at 06 11 A. M. in
Book 40 of OFFICIAL RECORDS, page 294-296 RECORDS OF
EUREKA COUNTY, NEVADA. *William B. Stewart* Recorder.
FEE \$ 5.00

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