

Return to:
Land Title of Nevada
P.O. Box 26239
Las Vegas NV 89126

126189

THIS DEED OF TRUST, made this 28th day of December, 1988
between KELLY W. FLANIGAN, a single man

herein called GRANTOR or TRUSTOR,
whose mailing address is RR #3 1421 Todd, Platte City, MO. 64079

LAND TITLE OF NEVADA INC. a NEVADA corporation, herein called Trustee, and
JOHN R. PRESTON, an unmarried man

herein called BENEFICIARY,
WITNESSETH THAT WHEREAS Trustor has borrowed and received from Beneficiary in lawful money of the United States the sum of \$11,000.00
ELEVEN THOUSAND 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 heretofore by Trustor;

NOW, THEREFORE, for the purpose of securing such 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 collected by the Trustee or Beneficiary under the provisions hereof and for the purpose of securing payment of such additional sums as may hereafter be 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 Eureka County, Nevada, described as:

Per Exhibit "A" attached and by reference made a part hereof.

The note secured by this Deed of Trust is given as part of the purchase price for the above described property.

TOGETHER WITH all appurtenances to 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 to the extent of any party hereto.

TO HAVE AND TO HOLD said property upon and subject to the terms and covenants herein set forth and incorporated herein by reference, the following covenants, Nos. 1, 2, 3, 4, 5, 6, 7, 8 and 9 of RES 107,030 are hereby accepted and made a part of this deed of trust, EXCEPT ONLY that the amounts agreed upon by the parties to this instrument with respect to covenants Nos. 3, 4 and 7 incorporated by reference of such trusts and agreements is respectively as follows: Covenant No. 3, ; Covenant No. 4, ; Covenant No. 7, . Each provision so incorporated shall have the same force and effect as though specifically set forth and incorporated verbatim in this deed of trust.

THE UNDERSIGNED TRUSTOR REQUESTS that a copy of any notice of default and any notice of sale hereunder be mailed to him at the address hereinafter set forth.

IN WITNESS WHEREOF, Grantor has executed this instrument.

Signature of Trustor

Kelly W. Flanigan
KELLY W. FLANIGAN

STATE OF NORTH CAROLINA
MECKLENBURG COUNTY

On this 5 day of JANUARY, 1989
personally appeared before me, a Notary Public in and for said
County, KELLY W. FLANIGAN

knows 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 herein mentioned.
WITNESS my hand and official seal.

John M. Jones II
Notary Public in and for said County and State.

(if executed by a corporation, the corporate form of acknowledgment must be used.)

(NOTARIAL SEAL) My Commission's expires 8-14-92

SEAL
Affixed

FORM NO 011
24 SEPT INSTANT PRINT

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OC 981

SPAR 12

88 82844 MC

EXHIBIT "A"

Parcel 1:

Lots 27, 28, 33, 40 and 43 as shown on that certain map for Novelco Inc., filed in the Office of the County Recorder of Eureka County, Nevada as File Number 35161.

Excepting therefrom, all petroleum, oil, natural gas, and products derived therefrom lying in and under said land as reserved by Southern Pacific Land Company in deed recorded September 24, 1951, in Book 24 Page 168, Deed records, Eureka County, Nevada.

PARCEL 2

Lots 10, 11 and 12, Block Z; Lot 9, Block M; Lots 1 and 2, Block L, Lots 3, 4, 5 and 6 Block U; Lots 4, 5 and 6, Block CC; of Novelco Inc. Unit Number 2, - according to the Official Map thereof, filed in the Office of the County Recorder of Eureka County, State of Nevada, on October 5, 1961, as File Number 35633.

Excepting therefrom, all petroleum, oil, natural gas, and products derived therefrom lying in and under said land as reserved by Southern Pacific Land Company in Deed recorded September 24, 1951, in Book 24, Page 168, Deed records, Eureka County, Nevada.

RECORDED AT THE REQUEST OF

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Frontier Title

'89 JAN 18 AM 15

OFFICIAL RECORDS
EUREKA COUNTY, NEVADA
H.M. REBALFATI, RECORDER

FILE NO. FILE # 600

126189

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