

**CLARIFICATION AFFIDAVIT
REGARDING NAME OF LIMITED PARTNERSHIP**

STATE OF NEVADA)
COUNTY OF ELKO)

Before the undersigned authorities, personally appeared JAMES L. GREGORY and HOLLY BORDERS GREGORY, who, after being first duly sworn, depose and say:

1). The undersigned are the general partners of a Nevada limited partnership formed under the name of **RUBY HILLS ASSOCIATES, LIMITED PARTNERSHIP, a Nevada limited partnership, and sometimes known as RUBY HILLS ASSOCIATES, A Nevada limited partnership.**

2). Said limited partnership is the borrower under that certain \$727,500.00 construction loan made by Midland Mortgage Investment Corporation, said loan being evidenced by a Note dated December 30, 1994, and secured in part by that certain Deed of Trust, Assignment of Rents and Security Agreement dated December 30, 1994 and recorded December 30, 1994 at Book 279, Page 316, and that certain Assignment of Rents, Leases and Profits, dated December 30, 1994 and recorded December 30, 1994 at Book 279, Page 331 and Financing Statement recorded December 30, 1994 at Book 279, Page 335, Official Records of Elko County, Nevada. Said documents encumber the real property described on Exhibit "A" attached hereto.

3). It is hereby acknowledged that any document, recorded or unrecorded, and including without limitation the above referenced Deed of Trust, Assignment, Financing Statement, Promissory Note and Loan Agreement between the limited partnership and Midland Mortgage Investment Corporation, or given to or held by Midland Mortgage Investment Corporation as part of said construction loan transaction, is intended, and shall, bind said limited partnership, whether said limited partnership is identified on any such document as **RUBY HILLS ASSOCIATES, LIMITED PARTNERSHIP, A Nevada limited partnership** or is identified as **RUBY HILLS ASSOCIATES, A Nevada limited partnership.**

Witnesses:

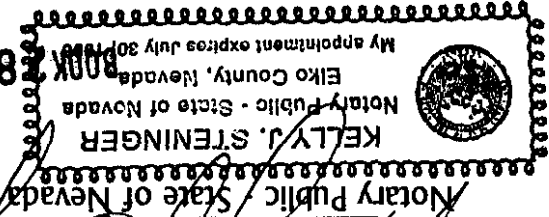
[Signatures of witnesses]
James L. Gregory
Holly Borders Gregory

STATE OF NEVADA)
COUNTY OF ELKO)

On this 27th day of January, 1995, personally appeared before me, JAMES L. GREGORY and HOLLY BORDERS GREGORY, personally known to me to be persons who acknowledged to me that they executed the foregoing instrument for the uses and purposes therein mentioned.

My Commission Expires: 7-30-96

Instrument prepared by Orin M. Gowen
of Orin M. Gowen, P.A.
601 Cleveland St., Suite 931
Clearwater, Florida 34613



157074

EUREKA COUNTY NEVADA
M.N. REBALANCE RECORDER
FILE NO. FEES \$8.00

BOOK 281 PAGE 011
OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
95 FEB - 3 PM 4:58

EXCEPTING FROM PARCELS 1, 2 and 3 all uranium, thorium or other material which is or may be peculiarly essential to the production of fissionable materials lying in and under said land as reserved by the United States of America, in Patent recorded December 9, 1947, in Book 23, Page 226, Deed Records, Eureka County, Nevada.

THAT PORTION OF SILVER STREET LYING BETWEEN ADAMS STREET AND MONROE STREET AND ADJACENT TO BLOCKS 43 AND 44 IN THE TOWN OF EUREKA, BOOK 275, PAGE 293, OFFICIAL RECORDS, EUREKA COUNTY, NEVADA.

PARCEL 3:
ALL OF BLOCK 44 AS SHOWN ON THE OFFICIAL MAP OR PLAT OF THE TOWNSHIP OF EUREKA, ON FILE IN THE OFFICE OF THE COUNTY RECORDER, EUREKA COUNTY, NEVADA.

PARCEL 2:
ALL OF BLOCK 43 AS SHOWN ON THE OFFICIAL MAP OR PLAT OF THE TOWNSHIP OF EUREKA ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF EUREKA COUNTY, NEVADA.

PARCEL 1:
EXHIBIT "A"