

42370

161287

SUBSTITUTION OF TRUSTEE

Order No. 95091096

WHEREAS, WILLIAM C. CUMMINGS, is/are the present owner of a promissory

note dated March 30, 1992 executed by DANIEL H. RUSSELL AND ROBERTA A.

RUSSELL in the amount of \$1,766,589.29 secured by deed of trust executed by makers of

said note wherein FIRST AMERICAN TITLE OF NEVADA is named as Trustee, recorded

APRIL 27, 1992 Document No. 140734, in Book No. 234, Page No. 147 of Official Records

in the Office of the Recorder of EUREKA COUNTY, NEVADA on the following described

real property in EUREKA COUNTY, NEVADA.

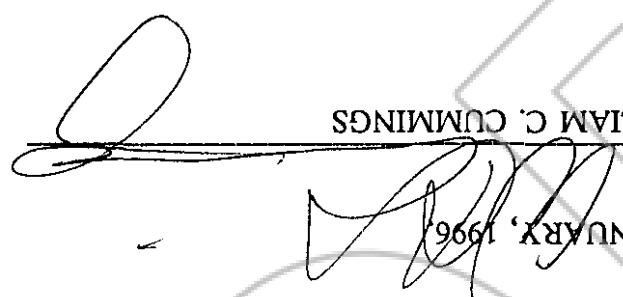
SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF BY

REFERENCE.

WHEREAS the said WILLIAM C. CUMMINGS as present beneficiary of the deed of trust desire to change the Trustee therein;

NOW, THEREFORE, the said WILLIAM C. CUMMINGS does hereby appoint WILLIAM C. CUMMINGS, as Trustee under the terms of said deed of trust in the place of FIRST AMERICAN TITLE OF NEVADA, with power to perform the trusts therein imposed.

DATED THIS 21<sup>th</sup> day of JANUARY, 1996

  
WILLIAM C. CUMMINGS

(Attach proper Notary Acknowledgment)

SPACE BELOW THIS LINE FOR RECORDERS USE  
Recording Requested By

EXHIBIT "A"

DESCRIPTION

All that certain lot, piece or parcel of land situate in the county of Eureka, State of Nevada, described as follows:

TOWNSHIP 21 NORTH, RANGE 53 EAST, MDB&M  
Section 20: W $\frac{1}{2}$

EXCEPTING THEREFROM that portion thereof conveyed to CORPORATION OF SAINTS, a Utah corporation, in deed recorded September 7, 1984, in Book 127, Page 467, Official Records, Eureka County, Nevada.

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

TOWNSHIP 21 NORTH, RANGE 53 EAST, MDB&M

Section 20: E $\frac{1}{2}$

EXCEPTING THEREFROM all potassium, oil and gas as reserved by THE UNITED STATES OF AMERICA in patent recorded May 3, 1963, in Book 26, Page 426, Deed Records, Eureka County, Nevada.

TOWNSHIP 21 NORTH, RANGE 53 EAST, MDB&M

Section 22: E $\frac{1}{2}$   
Section 27: E $\frac{1}{2}$

EXCEPTING THEREFROM all the oil, gas, potash and sodium as reserved by THE UNITED STATES OF AMERICA in patents recorded April 9, 1964, in Book 3, Page 555, Official Records, Eureka County, Nevada, and recorded December 30, 1964, in Book 6, Page 348, Eureka County, Nevada.

TOWNSHIP 21 NORTH, RANGE 53 EAST, MDB&M  
Section 28: All

EXCEPTING THEREFROM all the oil and gas as reserved by THE UNITED STATES OF AMERICA in deed recorded December 30, 1964, in Book 6, Pages 349 and 350, Official Records, Eureka County, Nevada.

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EUREKA COUNTY NEVADA  
M.N. REBALANCE, RECORDER  
FILE NO.  
FEES \$9.00

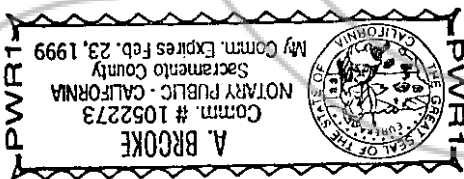
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RECORDED AT THE REQUEST OF  
OFFICIAL RECORDS  
BOOK 293  
PAGE 268

(Notary Public)

*A. Brooke*

WITNESS my hand and official seal.



On this 24th day of January, 1996, before me, A. Brooke, a Notary Public in and for the State of California, personally appeared WILLIAM C. CUMMINGS, personally known to me (or proved on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

STATE OF CALIFORNIA )  
COUNTY OF SACRAMENTO )  
ss. )