

427372 to

Submitted for recordation by, and when recorded, return to:



Bank of America
National Trust and Savings Association

Branch CONSUMER LOAN SERVICING #1324

Address P O BOX 2240

City BREA

State CA

Zip 92622

Loan #: 20030604117449001

Reference # 010301-970651353050

166827

SHORT FORM DEED OF TRUST

Space above this line for Recorder's Use

This Deed of Trust is made on May 1, 1997 by ERIC R MITCHELL AND SHARON G MITCHELL, WHO ARE MARRIED TO EACH OTHER

(collectively and individually "Trustor"); Equitable Deed Company ("Trustee"); and the beneficiary, Bank of America NT&SA, a national banking association ("Bank"). Trustee is a subsidiary of Bank. Any non-titled holder signs below as Trustor solely for the purpose of subjecting any community property interest in the property described below to this Deed of Trust. The words "I," "me," and "my" in this Deed of Trust refer to the Trustor, whether one or more.

Bank and I agree:
1. **Property Security.** For the purpose of securing the obligations described below, I irrevocably grant, convey, transfer and assign to Trustee, in trust with power of sale, the property located in EUREKA County, Nevada described as follows:
SEE ATTACHED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

with the street address: 5058 TENABO AVE, CRESCENT VALLEY, NV 89821 and with Parcel No. 02-034-04 and including all improvements and fixtures now or later erected on the property, and all easements, rights, appurtenances and fixtures now or later a part of or related to the above described property (collectively the "Property").

This Deed of Trust secures (a) all of the obligations of the borrowers under the Disclosure and Loan Agreement dated 05/01/97 AND SHARON G MITCHELL, and naming ERIC R MITCHELL

as borrowers, in the original principal sum of \$ 30,757.87 with interest thereon, as well as any modifications, extensions and renewals thereof (collectively, the "Loan Agreement"), (b) the repayment of all other sums, with interest thereon, advanced in accordance with this Deed of Trust, and (c) the performance of each obligation in this Deed of Trust.

2. **Payment of Principal and Interest.** I will pay or cause to be paid all obligations evidenced by the Loan Agreement as provided therein.

To Protect the Security of this Deed of Trust, I Agree: By the execution and delivery of this Deed of Trust and the Loan Agreement secured hereby, that provisions (3) to (20), inclusive of the fictitious deed of trust recorded in

Instrument No. _____ in Book/Reel 304 _____ and at Page/Image 457 _____ of Official Records of _____ County _____, as _____ of that county, (which provisions, identical in all counties, are printed on the following pages) hereby are adopted and incorporated herein and made a part hereof as though set forth at length; and I will observe and perform such provisions; and that the reference to Property, obligations, and parties in such provisions shall be construed to refer to the Property, obligations, and parties set forth in this Deed of Trust.

Trustor requests that a copy of ANY NOTICE OF DEFAULT AND ANY NOTICE OF SALE under this Deed of Trust be mailed to Trustor at the Trustor's address shown below, or if no address is shown, then at the address of the Property.

Mailing Address for Notices:
Street _____
City and State _____

P.O. BOX 211078 CRESCENT VALLEY, NV 89821

Signature _____
ERIC R MITCHELL
SHAWN G MITCHELL

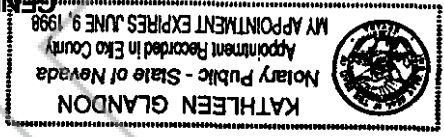
GENERAL ACKNOWLEDGMENT

State of Nevada
County of Clark
On this 3 day of March, 1997, personally appeared _____ before me, a Notary Public (or judge or other authorized person, as the case may be) in, and for said County and state, _____

known (or proved) to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that he/she/they executed the same freely and voluntarily and for the uses and purposes therein mentioned.

Notary Public

Kathleen Glandon



GENERAL ACKNOWLEDGMENT

State of Nevada
County of _____
On this _____ day of _____, personally appeared _____ before me, a Notary Public (or judge or other authorized person, as the case may be) in, and for said County and state, _____

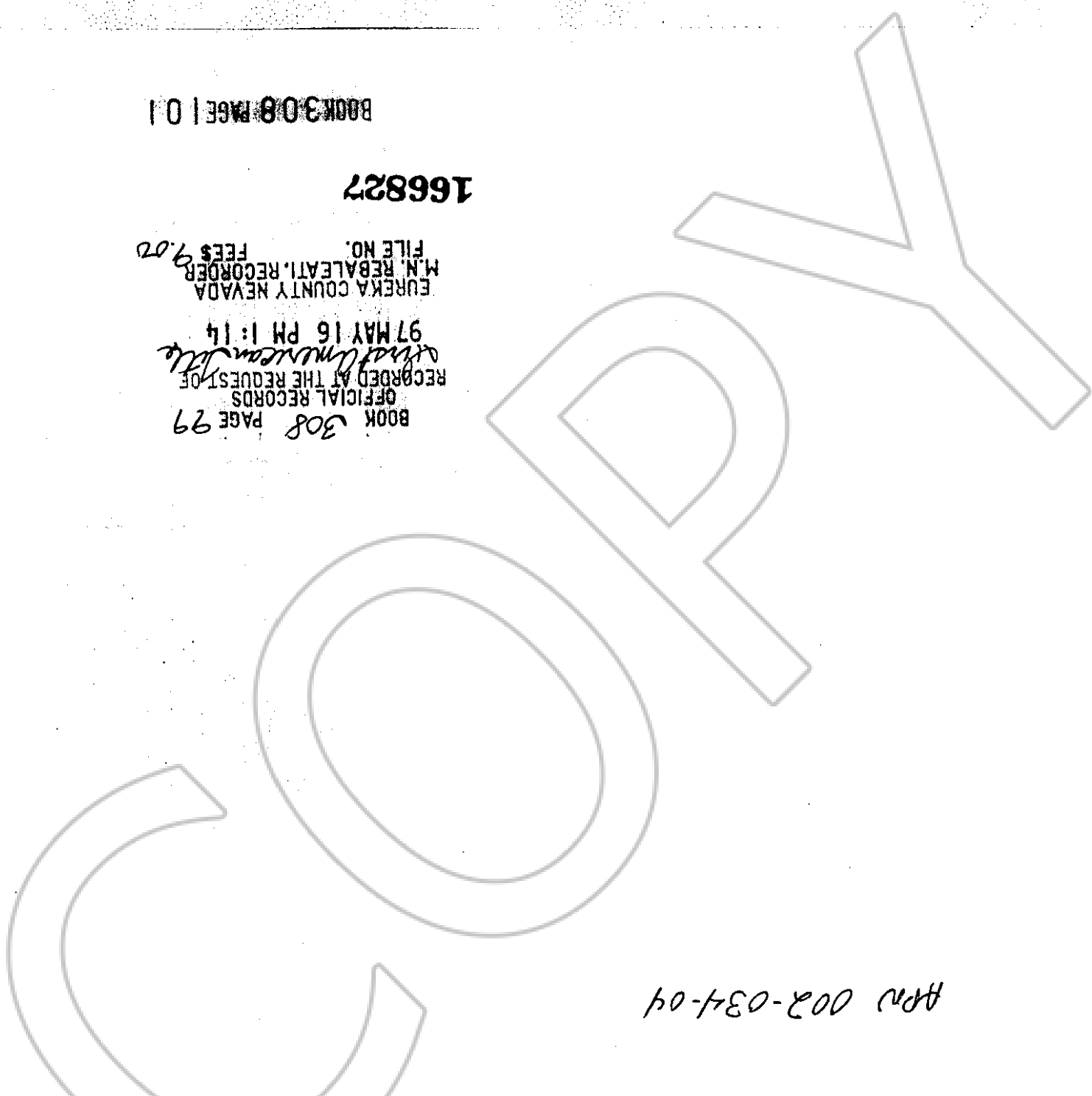
known (or proved) to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that he/she/they executed the same freely and voluntarily and for the uses and purposes therein mentioned.

Notary Public

Lot 10, Block 16, of CRESCENT VALLEY RANCH AND FARMS, INC., UNIT NO. 1, according to the official map thereof, filed in the office of the County Recorder of Eureka County on April 6, 1959, as File No. 34081.

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 in Book 24, Page 168, Deed Records, Eureka County, Nevada.

Apr 002-034-04



BOOK 308 PAGE 29

OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Shirley Ann... Co
97 MAY 16 PM 1:14

EUREKA COUNTY NEVADA
M.N. REBAL. RECORDED
FILE NO. FEES \$9.02

166827

BOOK 308 PAGE 01