

168477

~~166333~~

SUBSTITUTION OF TRUSTEE

WHEREAS MORGAN STANLEY MORTGAGE CAPITAL, INC., is/are the present owner(s) of a promissory note dated October 13th, 1995 executed by SILVER STATE LAND COMPANY LLC in the amount of \$12,000,000.00 secured by Deed of Trust executed by SILVER STATE LAND COMPANY LLC, wherein FIRST AMERICAN TITLE COMPANY OF NEVADA, a Nevada corporation is named as Trustee; recorded as Document No. ~~159628~~ against the following described real property :

SEE ATTACHED EXHIBIT "A"

\*\*THIS DOCUMENT IS BEING RE-RECORDED TO REFLECT THE

CORRECT DOCUMENT NUMBER, PAGE NUMBER AND BOOK NUMBER

FOR EUREKA COUNTY.

WHEREAS the said MORGAN STANLEY MORTGAGE CAPITAL, INC. as present Beneficiary(ies) of the Deed of Trust, desire to change the Trustee therein;

NOW, THEREFORE, the said present beneficiary(ies) do(es) hereby appoint UNITED TITLE OF NEVADA, a Nevada corporation as Trustee under the terms of said Deed of Trust in the place of FIRST AMERICAN TITLE COMPANY OF NEVADA, a Nevada corporation with authority to perform the powers therein created.

DATED THIS 19 day of February, 1997.

Morgan Stanley Mortgage Capital, Inc.

By: Ellen Brunsberg  
Ellen Brunsberg

STATE OF New York

COUNTY OF NY

On this 19<sup>th</sup> day of February, 1997, the undersigned Notary Public in and for said County and State, appeared Ellen Brunsberg, known to me to be, or proven to be on the basis of satisfactory evidence, the person(s) whose name(s) is/are subscribed to the within instrument, who acknowledged to me that he/she/they executed same for the purposes therein contained.

My commission exp.: \_\_\_\_\_

Notary Public

Escrow No.: ACCOMODATION ONLY

WHEN RECORDED, MAIL TO:

United Title of Nevada

201 W. Liberty Street

Reno, NV 89501

Attn: Darlene Spratt

JoAnn M. Rossi  
Notary Public State of New York  
NO. 01R05048010  
Qualified in Suffolk County  
Commission Expires 8/14/97

EXHIBIT "A"

EUREKA COUNTY, NEVADA

ALL THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF EUREKA, STATE OF NEVADA, AS CONVEYED TO THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY BY THE FOLLOWING DEEDS:

Date	Recorded:	Grantor:	Official Records	Instrument No.	Deed No.
February 25, 1991		Catellus Development Corporation	BK221 / Pg9	50778	
January 12, 1990		Santa Fe Pacific Realty Corporation	BK207 /Pg116	50898	
January 12, 1990		Santa Fe Pacific Realty Corporation	BK207 /Pg 109	50899	
February 4, 1992		Catellus Development Corporation	BK231 /Pg475	51093	

EXCEPT ALL THOSE CERTAIN PARCELS OF LAND LYING IN THE COUNTY OF EUREKA, STATE OF NEVADA, AS CONVEYED TO THE FOLLOWING BY THE DEEDS LISTED AS FOLLOWS:

Date	Recorded:	Grantor:	Official Records	Instrument No.	Deed No.
March 7, 1995		Santa Fe Pacific Gold Corporation	BK 281/Pg 248	52078	
May 19, 1995		Santa Fe Pacific Gold Corporation	BK 283/Pg 23	52167	

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ALSO EXCEPT A PARCEL OF LAND IN THE COUNTY OF EUREKA, STATE OF NEVADA LYING IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 32 NORTH, RANGE 51 EAST, MOUNT DIABLO MERIDIAN, BEING THAT PORTION OF LAND WITHIN SAID SECTION, NOW AND FOR MANY YEARS PAST OCCUPIED BY THE "PALSADE CEMETERY", AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER #1 OF SAID PARCEL, THE WESTERLY FENCE CORNER OF THE DESCRIBED CEMETERY SITE, FROM WHICH THE 1/4 SECTION CORNER COMMON TO SECTIONS 35 AND 36, OF SAID TOWNSHIP, BEARS A 08° 60' 44" East 147.7 FEET THENCE ALONG SAID FENCELINE N.341E, 161.5 FEET TO A FENCE CORNER AT THE NORTHERLY CORNER OF SAID CEMETERY SITE:  
 THENCE ALONG SAID FENCELINE NORTH 67° 38' 00" EAST 25.99 FEET TO A POINT ON THE EASTERLY SECTION LINE OF SAID SECTION 35;  
 THENCE ALONG SAID SECTION LINE SOUTH 0° 10' 00" EAST 190.17 FEET TO A POINT ON THE SOUTHWESTERLY FENCELINE OF SAID CEMETERY SITE:  
 THENCE ALONG SAID FENCELINE NORTH 58° 14' 00" WEST 134.67 FEET TO CORNER #1, THE POINT OF BEGINNING FOR THE PARCEL HEREIN DESCRIBED.

THE "CEMETERY SITE" CONTAINS AN AREA OF 0.296 OF AN ACRE. MORE OR LESS.

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 OFFICIAL RECORDS  
 RECORDED AT THE REQUEST OF  
*United Title Nevada*  
 97 SEP 10 PM 1:08  
 EUREKA COUNTY NEVADA  
 M.H. REBALCATTI, RECORDER  
 FILE NO. 168477  
 FEES \$9.00

BOOK 312 PAGE 55  
 OFFICIAL RECORDS  
 RECORDED AT THE REQUEST OF  
*United Title Nevada*  
 97 MAR 20 PM 1:32  
 EUREKA COUNTY NEVADA  
 M.H. REBALCATTI, RECORDER  
 FILE NO. 166333  
 FEES \$9.00