

Filipponi + Santa Lucia 1997

CHICAGO TITLE COMPANY

RECORDATION REQUESTED BY:

(Santa Lucia Bank
P O Box 6047
7480 El Camino Real
Atascadero, CA 93423)

WHEN RECORDED MAIL TO:

Santa Lucia Bank
P O Box 6047
7480 El Camino Real
Atascadero, CA 93423

SEND TAX NOTICES TO:

Hotel Park Group
P.O. Box 1980
Atascadero, CA 93423

Doc No: 1997-032986

Rec No: 00043096

Official Records
San Luis Obispo Co.
Julie L. Rodewald
Recorder
Jun 27, 1997
Time: 08:00

RF 56.00

[15]

TOTAL 56.00

FOR RECORDER'S USE ONLY

239640NH

DEL

DEED OF TRUST

THIS DEED OF TRUST IS DATED JUNE 18, 1997, among Harvey D. Messer and Marjorie L. Messer, Husband and Wife, as Community Property, as to an undivided 22.5% interest; Douglas C. Filipponi and Kathleen R. Filipponi, Husband and Wife, as Community Property, as to an undivided 45% interest; Ned M. Thompson and Connie G. Thompson, Husband and Wife, as Community Property, as to an undivided 22.5% interest; Glen R. Lewis, as Trustee of the Glen R. Lewis Family Trust dated September 12, 1995, as to an undivided 10.0% interest, whose address is 3250 El Camino Real, Atascadero, CA 93422 (referred to below as "Trustor"); Santa Lucia Bank, whose address is P O Box 6047, 7480 El Camino Real, Atascadero, CA 93423 (referred to below sometimes as "Lender" and sometimes as "Beneficiary"); and Stinchfield Financial Services, Inc., whose address is 7350 El Camino Real-Suite 103, Atascadero, Ca. 93422 (referred to below as "Trustee").

CONVEYANCE AND GRANT. For valuable consideration, Trustor irrevocably grants, transfers and assigns to Trustee in trust, with power of sale, for the benefit of Lender as Beneficiary, all of Trustor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties, and profits relating to the real property, including without limitation all minerals, oil, gas, geothermal and similar matters, located in SAN LUIS OBISPO County, State of California (the "Real Property"):

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

THAT PORTION OF HOTEL PARK IN ATASCADERO, IN THE CITY OF ATASCADERO, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, BEING PARCEL 1 OF MAP NO. CO-74-289, FILED JULY 15, 1976 IN BOOK 17, PAGE 186 OF PARCEL MAPS, EXCEPT THEREFROM THAT PORTION OF MAGNOLIA AVENUE AS SHOWN ON THE MAP RECORDED IN BOOK 4 AT PAGE 79 OF MAPS.//////

The Real Property or its address is commonly known as 5855 Capistrano and 5905 Capistrano, ATASCADERO, CA 93422.

Trustor presently assigns to Lender (also known as Beneficiary in this Deed of Trust) all of Trustor's right, title, and interest in and to all present and future leases of the Property and all Rents from the Property. This is an absolute assignment of Rents made in connection with an obligation secured by real property pursuant to California Civil Code Section 2938. In addition, Trustor grants Lender a Uniform Commercial Code security interest in the Rents and the Personal Property defined below.

DEFINITIONS. The following words shall have the following meanings when used in this Deed of Trust. Terms not otherwise defined in this Deed of Trust shall have the meanings attributed to such terms in the Uniform Commercial Code. All references to dollar amounts shall mean amounts in lawful money of the United States of America.

Beneficiary. The word "Beneficiary" means Santa Lucia Bank, its successors and assigns. Santa Lucia Bank also is referred to as "Lender" in this Deed of Trust.

This deed of trust is second and subordinate to the deed of trust in favor of Santa Lucia Bank, dated June 18, 1997 in the amount of \$395,372.88, recording concurrently herewith.

1997-032986

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