

ESTOPPEL AFFIDAVIT

State of TENN)
County of SHELBY) ss

DAVID W. SMITH and DEBRA E. SMITH, being first duly sworn, each for himself and herself, deposes and says: That they are the identical parties who made, executed, and delivered that certain deed to HARICH TAHOE DEVELOPMENTS, a Nevada General Partnership, dated the 28th day of February 19 86, conveying the following described property to wit:

EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

That affiant(s) now is(are), and at all times herein mentioned, was(were) Husband and wife;

that the aforesaid deed is intended to be and is an absolute conveyance of the title to said premises to the grantee named therein, and was not and is not now intended as a mortgage, trust conveyance, or security of any kind; that it was the intention of affiants as grantors in said deed to convey, and by said deed these affiants did convey to the grantee therein all their right, title and interest absolutely in and to said premises; that possession of said premises has been surrendered to the grantee;

That in the execution and delivery of said deed affiants were not acting under any misapprehension as to the effect thereof, and acted freely and voluntarily and were not acting under coercion or duress;

That the consideration for said deed was and is payment to affiants of the sum of \$ 14,400.00 by grantee, and the full cancellation of all debts, obligations, costs, and charges secured by that certain deed of trust heretofore existing on said property executed by DAVID W. SMITH and DEBRA E. SMITH, husband and wife, Trustor, to STEWART TITLE OF NORTHERN NEVADA, Trustee, for HARICH TAHOE DEVELOPMENTS as Beneficiary, dated the 13th day of May, 19 85, and recorded in Book 585, of Official Records, page 2220, Douglas County, Nevada, and the reconveyance of said property under said Deed of Trust; that at the time of making said deed affiants believed and now believe that the aforesaid consideration therefore represents the fair value of the property so deeded;

This affidavit is made for the protection and benefit of the grantee in said deed, his successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described, and particularly for the benefit of Douglas County Title Co., Inc., a Nevada Corporation which is about to insure the title to said property in reliance thereon, and any other title company which may hereafter insure the title to said property;

That affiants, and each of them will testify, declare, depose, or certify before any competent tribunal, officer, or person, in any case now pending or which may hereafter be instituted, to the truth of the particular facts hereinabove set forth.

David W. Smith
DAVID W. SMITH

Debra E. Smith
DEBRA E. SMITH

Suscribed and sworn to before me this 19th day of July, 19 86, Notary Public in and for the County of Shelby, State of TN.

Marie M. Lewis
NOTARY PUBLIC

SEAL

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Notary Seal 11/8/87

11/8/87

EXHIBIT "A"

PARCEL ONE:

An undivided 1/51st interest in and to that certain condominium as follows:
(a) An undivided 1/20th interest, as tenants-in-common, in and to Lot 33 of Tahoe Village Unit No. 3, Fifth-Amended Map, recorded October 29, 1981, as Document No. 61612 as corrected by Certificate of Amendment recorded November 23, 1981 as Document No. 62661, all of Official Records Douglas County, State of Nevada. Except therefrom units 121 to 140 as shown and defined on that certain Condominium Plan recorded August 20, 1982, as Document No. 70305 of Official Records.
(b) Unit No. 136 as shown and defined on said Condominium Plan.

PARCEL TWO:

A non-exclusive right to use the real property known as Parcel "A" on the Official Map of Tahoe Village Unit No. 3, recorded January 22, 1973, as Document No. 63805, records of said county and state, for all those purposes provided for in the Declaration of Covenants, Conditions and Restrictions recorded January 11, 1973, as Document No. 63681, in Book 173, Page 229 of Official Records and in the modifications thereof recorded September 28, 1973 as Document No. 69063 in Book 973, Page 812 of Official Records and recorded July 2, 1976 as Document No. 1472 in Book 776, Page 87 of Official Records.

PARCEL THREE:

A non-exclusive easement for ingress and egress and recreational purposes and for use and enjoyment and incidental purposes over, on and through Lots 29, 39, 40 and 41 as shown on said Tahoe Village Unit No. 3, Fifth Amended Map and as corrected by said Certificate of Amendment.

PARCEL FOUR:

(a) A non-exclusive easement for roadway and public utility purposes as granted to Harich Tahoe Developments in deed re-recorded December 8, 1981 as Document No. 63026, being over a portion of Parcel 26-A (described in Document No. 01112 recorded June 17, 1976) in Section 30, Township 13 North, Range 19 East, M.D.M.,
(b) An easement for ingress, egress and public utility purposes, 32' wide, the centerline of which is shown and described on the 5th amended map of Tahoe Village No. 3, recorded October 29, 1981 as Document No. 61612 and amended by Certificate of Amendment recorded November 23, 1981 as Document No. 62661, Official Records, Douglas County, State of Nevada

PARCEL FIVE:

The exclusive right to use said UNIT and the non-exclusive right to use the real property referred to in subparagraph (a) of Parcel One and Parcels Two, Three and Four above during ONE "use week" within the Spring/Fall "use season", as said quoted terms are defined in the Declaration of Restrictions, recorded September 17, 1982, as Document No. 71000 of said Official Records. The above described exclusive and non-exclusive rights may be applied to any available unit in the project, during said use week within said season.

REQUESTED BY
DOUGLAS COUNTY TITLE
IN OFFICE OF RECORDS OF
DOUGLAS COUNTY, NEVADA

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SUZANNE BEAVER
RECORDER

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