

AGREEMENT

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4 THIS AGREEMENT, made and entered into this 21st day of
5 December, 1988, by and between STEPHEN H. BOURNE, as owner of
6 that certain part and parcel of real property more particularly
7 described as Parcel "A" on that certain Record of Survey Map
8 recorded in the Official Records of Douglas County, Nevada, as
9 Document No. 91003, Book 1183, Page 1520 and JAMES TORESON, as
10 owner of that certain of real property more particularly
11 described as Parcel "B" as shown on the aforementioned Map,

12 W I T N E S S E T H:

13 WHEREAS, the parties hereto are owners of adjacent parcels
14 of real property; and

15 WHEREAS, the parties hereto previously executed Reciprocal
16 Covenants, Conditions and Restrictions, recorded on the 29th day
17 of December, 1983, in the Official Records of Douglas County,
18 Nevada, as Document No. 093571, Book 1283, commencing at Page
19 3362; and

20 WHEREAS, the parties wish to abandon Parcel "A's" right to
21 use a certain road over and across Parcel "B" in consideration
22 for the creation of a new ingress and egress easement for the
23 benefit of Parcel "A" over and across Parcel "B".

24 WHEREAS, the relocation of the easement was previously
25 contemplated by Section III of the aforesaid Reciprocal Covenant,
26 Conditions & Restrictions.

27 NOW THEREFORE, in consideration of the mutual covenants and
28 agreements herein contained, and other good and valuable

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1 consideration receipt whereof is hereby acknowledged, the parties
2 hereto do hereby agree as follows:

3 I

4 ABANDONMENT OF EASEMENT

5 STEPHEN H. BOURNE, as owner of Parcel "A" hereby abandons,
6 quit claims and surrenders all rights of ingress and egress over
7 and across a portion of Exhibit "B" more particularly described
8 as follows:

9 All that portion of the 50 foot wide roadway easement
10 over Parcel B as shown on the Record of Survey for
11 Stephen H. Bourne and the Estate of Alberta M. Bourne
12 as recorded in Book 1183, at Page 1520 of Official
13 Records, Document No. 91003 of said County, more
14 particularly described as follows:

15 Beginning at a point on the centerline of said easement
16 which bears North 57.19'38" East 100.00 feet from the
17 Northwesterly corner of Parcel B; thence South
18 36°07'35" East 333 feet to the end of this description.

19 II

20 GRANT OF INGRESS AND EGRESS EASEMENT

21 JAMES TORESON, as owner of Parcel "B" does hereby grant to
22 STEPHEN H. BOURNE, as owner of Parcel "A" an exclusive surface
23 easement for ingress and egress over and across Parcel "B" more
24 particularly described as follows:

25 Commencing at a point on the Westerly right-of-way of
26 U.S. Highway 50, said point also being the Southeast
27 corner of Parcel "A" of said Record of Survey; thence
28 Northerly along said right-of-way 99.91 feet through an
angle of 5°57'46" along a curve concave to the West,
having a radius of 960.00 feet, said curve having a
chord bearing of North 9°35'28" East and a chord length
of 99.86 feet; thence leaving said right-of-way South
78°40' West 86.85 feet; thence South 69°42'04" West
321.07 feet; thence South 63°19'54" West 338.28 feet to
a point on the most Easterly property line of Parcel
"B" of said Record of Survey and the Point of
Beginning; thence South 62°52'29" West 12.00 feet;
thence North 27°07'31" west 222.58 feet; thence North

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ATTORNEYS AT LAW

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1 72°07'31" West 329.01 feet; thence South 60°55'42" West
2 79.41 feet; thence South 57°19'38" West 69.62 feet;
3 thence North 32°40'22" West 12.00 feet; thence North
4 57°19'38" East 70.00 feet; thence North 60°55'42" East
5 85.00 feet; thence South 72°07'31" East 339.19 feet;
6 thence South 27°07'31" 227.55 feet to the Point of
7 Beginning.


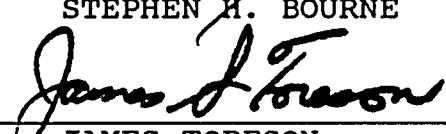
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9
10 STEPHEN H. BOURNE, as owner of Parcel "A" shall be solely
11 responsible for the maintenance and repair of said traveled
12 roadway lying within the aforescribed easement.

13 III

14 REAFFIRMATION

15 The parties hereto specifically acknowledge that the
16 execution and recording of this instrument satisfies the
17 contemplated relocation of easement as set forth in the
18 Reciprocal Covenants, Conditions and Restrictions, recorded on
19 the 29th day of December, 1983, in the Official Records of
20 Douglas County, Nevada, as Document No. 093571, Book 1283,
21 commencing at Page 3362 and where not inconsistent herewith the
22 parties hereto reaffirm the rights and obligations of each of the
23 properties as set forth therein.

24 IN WITNESS WHEREOF, the parties hereto have hereunto set
25 their hands the day and year first above written.

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28

RONALD D. ALLING, ESQ.
Attorney-in-Fact for
STEPHEN H. BOURNE

JAMES TORESON

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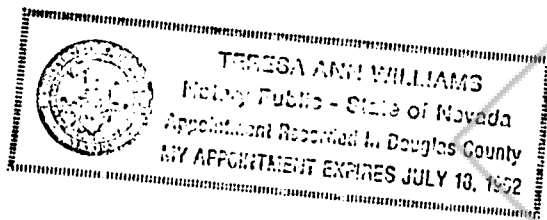
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1 STATE OF NEVADA)
2 : ss.
3 County of Douglas)

4 On this 21st day of December, 1988, personally
5 appeared before me, the undersigned Notary Public in and for the
6 County and State aforesaid, STEPHEN H. BOURNE, by and through
7 RONALD D. ALLING, ESQ., this attorney-in-fact, known to me to be
8 the person described in and who executed the foregoing
9 instrument, who acknowledged to me that he executed the same
10 freely and voluntarily and for the uses and purposes therein
11 mentioned.

12 IN WITNESS WHEREOF, I have hereunto set my hand and affixed
13 my official seal the day and year in this certificate first above
14 written.

Teresa Ann Williams
NOTARY PUBLIC



15 STATE OF NEVADA)
16 : ss.
17 County of Douglas)

18 On this 21st day of September, 1988, personally
19 appeared before me, the undersigned Notary Public in and for the
20 County and State aforesaid, JAMES A. TORESON, known to me to be
21 the person described in and who executed the foregoing
22 instrument, who acknowledged to me that he executed the same
23 freely and voluntarily and for the uses and purposes therein
24 mentioned.

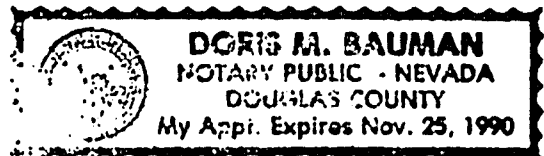
25 IN WITNESS WHEREOF, I have hereunto set my hand and affixed
26 my official seal the day and year in this certificate first above
27 written.

Doris M. Bauman
NOTARY PUBLIC

28 REQUESTED BY
WESTERN TITLE COMPANY, INC.

IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

'88 DEC 22 P3:33



SUZANNE BEAUDREAU
RECORDER

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\$ 8.00 FAULTY DEPUTY ⁴ BOOK 1288 PAGE 3109