

WF  
EFFPD  
David Drew

FILED

90-075

AMENDMENT TO "RELEASE AND COVENANT NOT TO SUE" DATED 1/11/90  
BETWEEN EAST FORK FIRE PROTECTION DISTRICT  
AND CARSON VALLEY DISCOUNT TIRE INC.

'90 SEP 13 09:11

BY Shirley DEPUTY

The parties agree to extend the dates of the agreement to October 15, 1990 to allow for training in the small structures.

This agreement will also include the Northern Nevada Fire Marshal's Association who will be conducting training on the structures.

The training that will take place in the small structures will not result in the demolition of these structures by fire. However there will be significant structural damage to these structures.

DATED: <sup>Sept.</sup> August 4, 1990.

CARSON VALLEY DISCOUNT TIRE, INC.

BY Gary Lee Allen  
GARY LEE ALLEN

DATED: <sup>Sept.</sup> August 4, 1990.

Henry J. Byers  
HENRY BYERS

DATED: August 30, 1990.

EAST FORK FIRE PROTECTION DISTRICT

F. William Driscoll  
F. WILLIAM DRISCOLL

234407

RELEASE AND COVENANT NOT TO SUE

Carson Valley Discount Tire, Inc., and Henry Byers (collectively the "Owners") own certain adjacent parcels of real property at or near 1469 U.S. Highway 395, Gardnerville, Nevada. One or both of these parcels has two old structures which the Owners wish to have demolished. The Owners warrant that there are no liens or encumbrances against these structures which would prevent their demolition. Accordingly, the Owner's grant to the East Fork Fire Protection District ("East Fork") permission to conduct fire training exercises on January 13 and 14, 1990, within the structures. The Owners also grant to East Fork permission to conduct fire training exercises through June 1, 1990, in the smaller structure. The Owners understand that these fire training exercises will result in the demolition by fire of the structures.

In consideration of the foregoing, the Owners agree to indemnify and hold harmless East Fork, Douglas County, and the members of the volunteer fire departments participating in these fire training exercises, and all their agents, heirs, and assigns, from any claims made by third parties, as a result of any liens upon the structures, whether recorded or not, and for any other claims for damage of whatever nature, which may be raised against the parties as a result of the loss of the structures as a consequence of the fire training exercise.

The Owners further understand that these fire training exercises will involve the use of fire, fire training equipment, and large quantities of water and other fire suppressants. Finally, the Owners hold East Fork, Douglas County, and the members of the volunteer fire departments and their agents, heirs, and assigns harmless for any damage which may result to the property from these fire training exercise.

East Fork hereby indemnifies and holds harmless Owners from any claims of damage made by surrounding property owners which arise as a result of the negligence of East Fork in conducting the fire training exercises.

DATED: January 11, 1990.

CARSON VALLEY DISCOUNT TIRE, INC.

By

Gerry Lee Allen  
GERRY LEE ALLEN

DATED: January 11, 1990.

Henry F Byers  
HENRY BYERS

DATED: January 1, 1990.

EAST FORK FIRE PROTECTION DISTRICT

Bill Driscoll  
BILL DRISCOLL

234407

COPY

REQUESTED BY  
**DOUGLAS COUNTY**  
IN OFFICIAL RECORDS OF  
DOUGLAS CO. NEVADA

**CERTIFIED COPY**

The document to which this certificate is attached is a full, true and correct copy of the original on file and on record in my office.

**SEAC**

DATE: September 13, 1990  
Bertha J. Reed Clerk of the 9th Judicial District Court  
of the State of Nevada, in and for the County of Douglas.

By Stanley Albin Deputy

'90 SEP 13 A9:51

SUZANNE BEAUDREAU  
RECORDER **234407**

\$ 0 PAID K12 DEPUTY  
BOOK **990** PAGE **1381**