

APL 01-100-37

February 24, 2000

Recorded at the Request of
Uppaway Estates, Inc.

When Recorded Mail To:
Richard Emerson
Gager & Peterson
P.O. Box 2480
Waterbury, CT 06722

THIS INSTRUMENT IS BEING RECORDED AS AN ACCOMMODATION ONLY. NO LIABILITY, EXPRESS OR IMPLIED, IS ASSUMED AS TO ITS REGULARITY OR SUFFICIENCY NOR AS TO ITS AFFECT, IF ANY, UPON TITLE TO ANY REAL PROPERTY DESCRIBED THEREIN. FIRST AMERICAN TITLE COMPANY OF NEVADA

Declaration

Uppaway Estates, Inc. does hereby grant and agree that the Notice of Reservation of Easement, document # 231164, Recorded 27 July, 1990 at Book 790, and Page 4072-4076 is hereby rescinded, and that there is no further claim of right, title, or interest on the part of the Uppaway Estates, Inc., over the lands described in the above referenced document.

Attached as Exhibit A, is a copy of the subject document which is hereby rescinded.

Mary Jackson, President
Mary Jackson, President
Uppaway Estates, Inc.

Date: *February 28, 2000*

State of Nevada

County of Douglas

On this 28 day of February, 2000, before me, personally appeared Mary Jackson personally known to me, or proved to me to be, on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon their behalf of which the person(s) acted executed the instrument.

Karen Pawloski
Notary Public



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DOUGLAS COUNTY

NOTICE OF RESERVATION OF EASEMENT

THIS AGREEMENT made the 27th day of July, 1990, by and between UPPAWAY ESTATES, INC., a Nevada corporation, hereinafter called "Owner", and the same UPPAWAY ESTATES, INC., a Nevada corporation, on behalf of all owners of lots within UPPAWAY ESTATES SUBDIVISION, as that subdivision is more fully defined hereinafter, hereinafter called "Grantee".

WHEREAS, Owner is the owner of certain real property commonly known as the common area of UPPAWAY ESTATES SUBDIVISION, more particularly described in the Official Records of Douglas County, Nevada, recorded May 21, 1976, as Document No. 00394, in Book 576, at Page 917; and

WHEREAS, Owner is occasionally called upon, pursuant to the Articles of Incorporation of UPPAWAY ESTATES, INC., and specifically article II paragraph (b) 4. thereof, to grant to certain owners of lots within UPPAWAY the exclusive use or exclusive easement of an area up to 150 feet around the owner's building site, and to grant other easements from time to time; and

WHEREAS, Grantor desires to confirm to itself in behalf of all owners of lots within UPPAWAY a perpetual, exclusive easement in an historic portion of the common area consisting of the Community Facility commonly known as the lookout platform and the path and stairway leading to it and to protect this area from the encroachment of any other owner's easement or lot; and

WHEREAS, Owner's board of directors, by unanimous vote at a duly noticed meeting of the board held March 6, 1990, at #25 Lakefront Drive, Uppaway Estates, Douglas County, Nevada, approved the execution of this Notice of Reservation of Easement by its president,

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231164

BOOK 790 PAGE 1072

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DOUGLAS COUNTY

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. For valuable consideration, Owner hereby grants to Grantee an exclusive, perpetual easement to the land described in EXHIBIT "A", a two-page document attached hereto and incorporated herein by this reference as though set forth at length herein.
2. The easement confirmed, reserved and granted herein is appurtenant to Lots 1 through 38, excepting Lot 23, of Uppaway Subdivision, Douglas County, Nevada.
3. Grantee shall be entitled to use the easement in any way not inconsistent with and subject to the limitations set forth in that certain Declaration of Covenants, Conditions and Restrictions, recorded as Document No. 00510 of the Official Records of Douglas County, Nevada, on May 21, 1976, and appearing at Page 1054, et seq., of Book 576, as the same may have been amended by document recorded July 1, 1977, in Book 777, Page 5 of the Official Records of Douglas County, Nevada.
4. Grantee shall be responsible for maintenance of the easement in accordance with standards applicable to all such easements granted within the UPPAWAY ESTATES SUBDIVISION, as currently adopted or as lawfully revised from time to time by Owner.
5. This instrument contains the entire agreement between the parties relating to the rights herein granted or confirmed or reserved and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force and effect, excepting a subsequent modification in writing, signed by the parties hereto.

DOUGLAS COUNTY

6. This instrument shall bind and inure to the benefit of the respective heirs, personal representatives, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first written above.

GRANTEE:

UPPAWAY ESTATES, INC.
a Nevada Corporation

[Signature]
WILLIAM C. CAHILL
President

OWNER

UPPAWAY ESTATES, INC.,
a Nevada Corporation

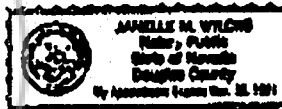
By *[Signature]*
WILLIAM C. CAHILL
President

STATE OF NEVADA)
) : ss
COUNTY OF DOUGLAS)

On the 27th day of July, 1990, personally appeared before me, a Notary Public in and for said county and state, WILLIAM C. CAHILL, who acknowledged to me that he was authorized to and did sign the within instrument, consisting of three pages including this page.

WITNESS my hand and seal.

[Signature]
Notary Public



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DOUGLAS COUNTY

**DESCRIPTION
for
Easement**

Situate in the County of Douglas, State of Nevada, as follows,
to-wit:

All that real property, being a portion of Section 15, T14N.,
R18E., M.D.B.&M., more particularly described as follows:

Beginning at the Southeast corner of Lot 37, Uppaway Subdivision,
as shown on that map recorded in Document No. 00394, on May 21,
1976; thence S 76°45'00" W 50.00 feet; thence N 71°00'00" W
50.00 feet; thence S 19°00'00" W 14.00 feet; thence S 71°00'00" E
40.00 feet; thence N 19°00'00" E 8.00 feet; thence S 71°00'00" E
11.73 feet; thence N 76°45'00" E 54.02 feet; thence N 35°00'00" E
12.29 feet; thence N 55°00'00" W 6.00 feet; thence S 35°00'00" W
10.00 feet to the Point of Beginning of this description.



Prepared by
Kenneth F. Barrow, PLS

6-12-90

EXHIBIT A
Page 1

See attached map (p. 2)

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DOUGLAS COUNTY

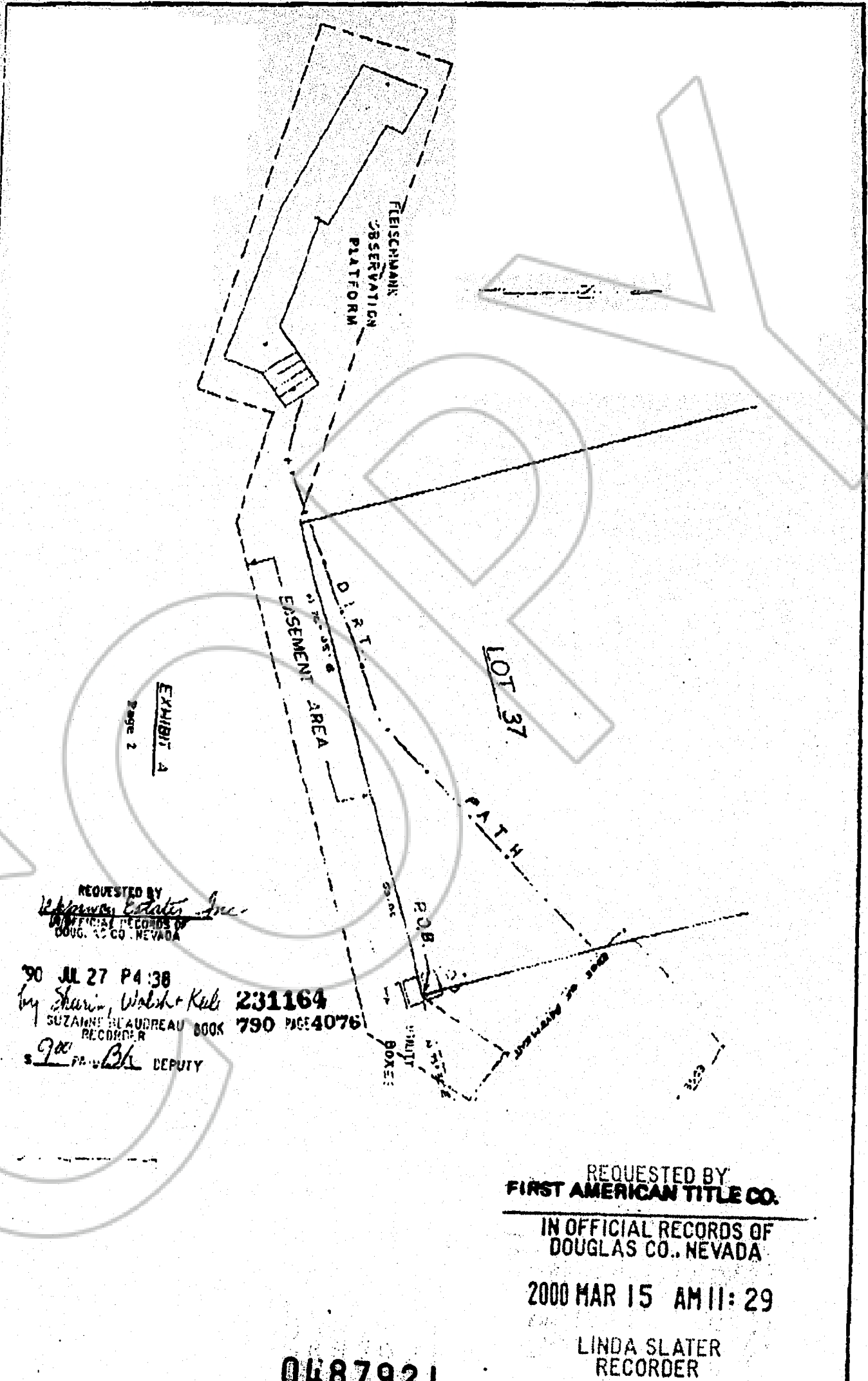


EXHIBIT A
Page 2

REQUESTED BY
McFarlane Estates, Inc.
IN OFFICIAL RECORDS OF
DOUG. CO. NEVADA

90 JUL 27 P4:38
by *Sharon Walsh + Keli* 231164
SUZANNE BLAUGREAU BOOK 790 PAGE 4076
RECORDER
PAID DEPUTY

REQUESTED BY
FIRST AMERICAN TITLE CO.

IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2000 MAR 15 AM 11:29

LINDA SLATER
RECORDER

\$12.00 PAID *AS* DEPUTY

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