

REQUESTED BY
Stewart Title of Douglas County

IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2004 MAR 12 PM 1:54

WERNER CHRISTEN
RECORDER

\$47.00 PAID CF DEPUTY

ESCROW NO.: 040200135

WHEN RECORDED MAIL :

Mr kahabka
1346 Centerville Lane
Gardnerville, NV 89410
A.P.N. 1220-05-601-003

Private Road Maintenance Agreement

We, the undersigned, being the owners of that certain real property as set forth in Exhibit "A", the servient tenement and "B", the dominant tenement attached hereto and incorporated herein by reference, hereby agree as follows:

Witnesseth

Whereof, said real property described herein, as Exhibit "C" the easement description of the private road located over property known as Exhibit "A", the servient tenement.

Whereas, it is a mutual benefit to the parties hereto that said road be maintained in a proper condition for vehicular use and,

Whereas the parties there to desire to enter into a agreement to provide for the maintenance of said road.

Now therefore, it is hereby agreed as follows:

The parties hereby agree to maintain the private access easement road which said costs for such maintenance shall be borne 50/50 by the undersigned.

This agreement shall be binding upon the heirs, successors and assigns of the parties hereto, shall be recorded, and shall be deemed to be an obligation and benefit of the property described herein and shall run with the land.

This agreement shall terminate automatically upon the acceptance of dedication of said road by Douglas County, or any other government authority.

dated: 2/20/04

This document is being executed
in counterpart

Glenn C. Warren
Glenn C. Warren

Kris Kahabka
Kris Kahabka

Vicki J. Warren
Vicki J. Warren

Heather Kahabka
Heather Kahabka

0607086

BK0304PG05855

ESCROW NO.: 040200135

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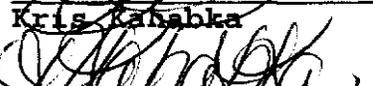
dated: 2/24/2004

Glenn C. Warren

Vicki J. Warren



Kris Kahabka



Heather Kahabka

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**EXHIBIT "A"
LEGAL DESCRIPTION**

The land referred to herein is situated in the State of Nevada, County of Douglas, described as follows:

A parcel of land situate, lying and being in the East half of Lots No. 1 and No. 2 of the Northeast Quarter (East 1/2 of the Northeast 1/4) of Section 5, Township 12 North, Range 20 East, M.D.B.&M., described as follows:

Beginning at a point near a fence corner on the Western right of way line for Nevada State Highway Route 756, which point is the Northeast corner of the parcel of land described in that certain deed dated February 10, 1896, recorded at Page 179, in Book M, records of Douglas County, Nevada; thence North 83°10' West along a fence and property line a distance of 285.00 feet to a fence corner; thence South 3°18' East, along a fence and property line a distance of 100.00 feet to a point, the Northernmost point described in that certain deed dated December 23, 1959, and recorded at Page 94, in Book 1, Official Records of Douglas County, Nevada; thence South 66°39'34" West, a distance of 269.11 feet (equals South 65°56' West, 260.00 feet) to a point in the channel bed of the East Fork of the Carson River; thence North 42°43' West, along said river bed a distance of 150.00 feet to a point; thence North 60°30'28" West along said river bed a distance of 149.93 feet to a point; thence North 17°54' East, a distance of 430.00 feet to a point; thence South 72°06' East, a distance of 640.00 feet to a point on the Western right of way line for Nevada State Highway 56; thence South 1°33'30" East, along said right of way line a distance of 228.00 feet to the POINT OF BEGINNING.

Excepting Therefrom: Any portion lying within the ordinary high water mark of the Carson River.

"IN COMPLIANCE WITH NEVADA REVISED STATUTE 111.312, THE HEREIN ABOVE LEGAL DESCRIPTION WAS TAKEN FROM INSTRUMENT RECORDED AUGUST 28, 1997, BOOK 897, PAGE 5301, AS FILE NO. 0420433, RECORDED IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY, STATE OF NEVADA."

EXCEPTING THEREFROM a portion of a 72' wide river channel
Continued on next page

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LEGAL DESCRIPTION - continued

east line of that certain parcel of land belonging to TCI Washington Associates, L.P. which bears North 01°30'09" West as shown on the Record of Survey for TCI Washington Associates, L.P., filed for record in Book 1295 at Page 4109, as Document No. 377629, Official Records of Douglas County, Nevada.

A portion of Assessors Parcel No. 1220-05-601-003

"IN COMPLIANCE WITH NEVADA REVISED STATUTE 111.312, THE HEREIN ABOVE LEGAL DESCRIPTION WAS TAKEN FROM INSTRUMENT RECORDED JUNE 17, 2002, BOOK 0602, PAGE 5028, AS FILE NO. 0544817, RECORDED IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY, STATE OF NEVADA."

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EXHIBIT "B"

A Parcel of land located in the Northeast 1/4 of Section 5, Township 12 North, Range 20 East, M.D.B.&M., lying south and West of the centerline of the East Carson River, in Douglas County, Nevada, more particularly described as follows:

BEGINNING at a fence corner which is located in the center of said Section 5, and which is located South $00^{\circ}26'22''$ East, a distance of 2,581.00 feet from the North 1/4 corner of said Section 5, Township 12 North, Range 20 East; thence along the fence marking the 1/4 line North $89^{\circ}50'00''$ East, a distance of 2,490.00 feet to the approximate centerline of the East Carson River; thence along the approximate centerline of the river North $25^{\circ}48'32''$ West, a distance of 393.09 feet; thence North $36^{\circ}32'00''$ West, a distance of 366.00 feet; thence North $42^{\circ}43'00''$ West, a distance of 150.00 feet; thence North $60^{\circ}30'28''$ West, a distance of 149.93 feet; thence North $69^{\circ}14'14''$ West, a distance of 612.24 feet, thence Northerly and Westerly along the centerline of the River to a point which bears South $00^{\circ}26'22''$ East a distance of 700 feet, more or less, from the North 1/4 Section corner of Section 5, Township 12 North, Range 20 East, M.D.B.&M.; thence South $00^{\circ}26'22''$ East, a distance of 1,881.00 feet to the POINT OF BEGINNING.

Excepting therefrom any portion of said land lying within the ordinary or high water mark of the Carson River.

ASSESSOR'S PARCEL NO. 1220-05-601-001

"IN COMPLIANCE WITH NEVADA REVISED STATUTE 111.312, THE HEREIN ABOVE LEGAL DESCRIPTION WAS TAKEN FROM INSTRUMENT RECORDED AUGUST 25, 1989, BOOK 889, PAGE 3716, AS FILE NO. 209468, RECORDED IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY, STATE OF NEVADA."

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(EXHIBIT C)
LEGAL DESCRIPTION
PRIVATE ACCESS EASEMENT

All that certain real property situate in the E1/2 NW1/4, of Section 5, Township 12 North, Range 20 East, M.D.M., and having an Assessed Parcel Number of 1220-05-601-003 and being more particularly described as follows:

Commencing at the Northeast corner of said parcel also being the Southeast corner of land owned by Aspen Park LLC ATAL., APN 1220-05-501-002 and lying on the West Right-of-Way line of State Highway 756, and the East line of Section 5 of said Township & Range:

THENCE S.01°14'02"E., along the East line of APN 1220-05-601-003 and running with the North-South section line of section 5, and the West R-O-W line of said Highway 756 a distance of 201.97', to the Northeast corner of said access easement and the **TRUE POINT OF BEGINNING**.

THENCE S.01°14'02"E., along the East line of APN 1220-05-601-003 and running with the North-South section line of section 5, and the West R-O-W line of said Highway 756 a distance of 24.27', to the Southeast corner of said access easement;

THENCE leaving said East line of APN 1220-05-601-003, N.82°42'51" W., 404.90 feet to the beginning of a tangent curve concave to the Southeast;

THENCE 83.52 feet along the arc of said curve and having a radius of 73.00 feet, through a central angle of 65°33'15" to a point;

THENCE S.31°43'54"W. a distance of 169.77' to a point lying on the common boundary of the South line of said APN 1220-05-601-003 and the North Line of APN 1220-05-601-001;

THENCE N.36°56'49"W., along said common boundary line a distance of 25.76' to a point ;

THENCE leaving said South line of APN 1220-05-601-003, N.31°43'54"E., 160.40 feet to the beginning of a tangent curve concave to the Southeast;

THENCE 110.98 feet along the arc of said curve and having a radius of 97.00 feet, through a central angle of 65°33'15" to a point;

THENCE S.82°42'51"E., a distance of 401.31' to THE TRUE POINT OF BEGINNING.

Containing 15,971 sq. ft. more or less.

BASIS OF BEARINGS for this description is the East line of that certain parcel of land as shown on Record of Survey for TCI Washington Associates, L.P., BK. 1295, PG. 4109, Document No. 377629, Official Records of Douglas County, Nevada, I.E. the bearing N.01°30'09W., between found monuments.

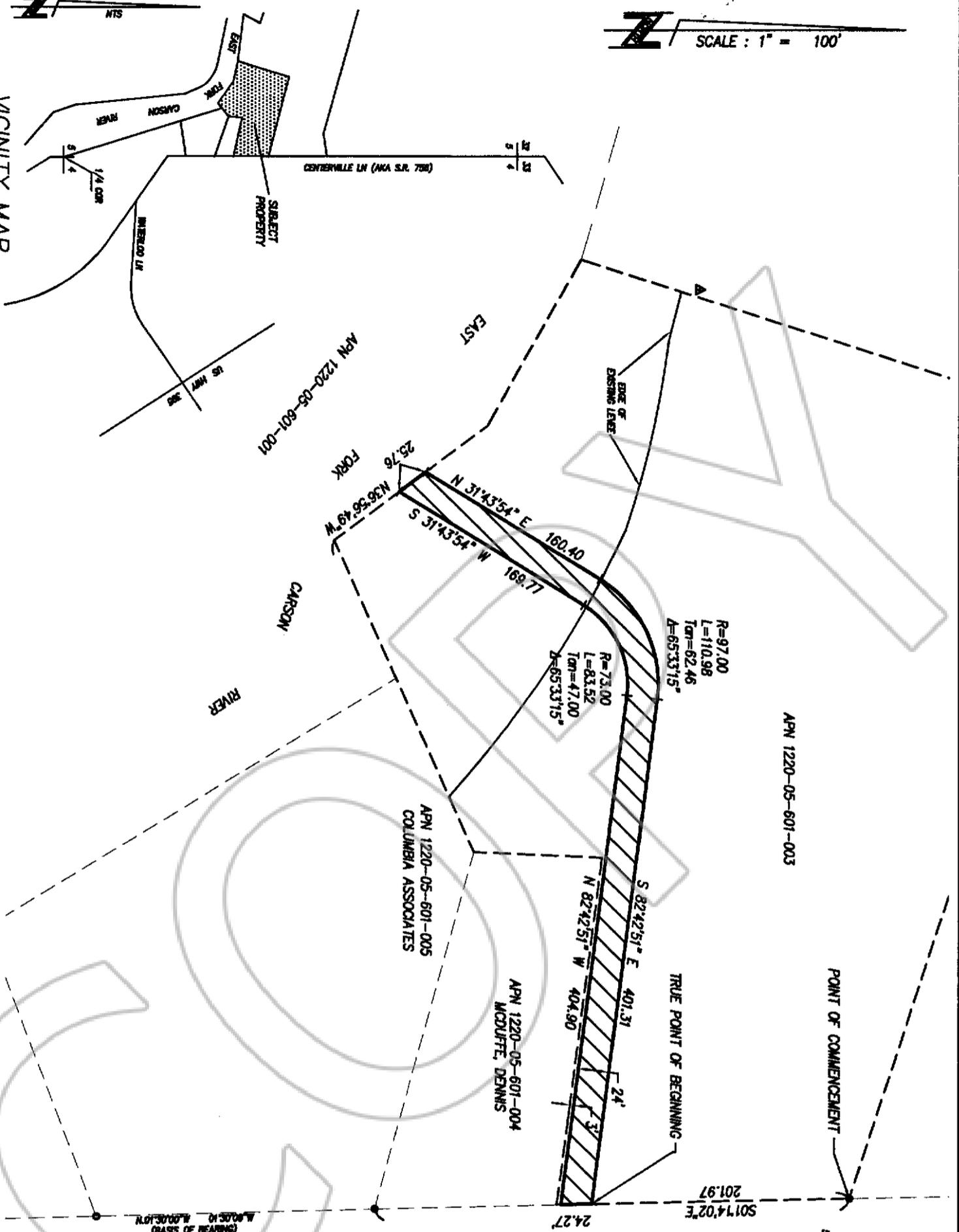


Prepared by
RANDAL L. BRIGGS
LUMOS & ASSOC.
800 E. College Pkwy.
Carson City, NV 89706

SCALE: 1" = 100'



VICINITY MAP
NTS



CENTERVILLE LANE (aka STATE HIGHWAY 756)

(BASIS OF BEARING)
MAGNETIC N. 80026.10'

Prepared For:
 GLEN C. WARREN
 1346 CENTERVILLE LANE
 GARDNERVILLE, NEVADA 89423
 775/884-1866

Prepared By:
 LUMOS & ASSOCIATES, INC.
 800 E. College Parkway
 Carson City, Nevada 89706
 775/883-7077

SURVEYORS CERTIFICATE
 PREPARED UNDER THE SUPERVISION OF

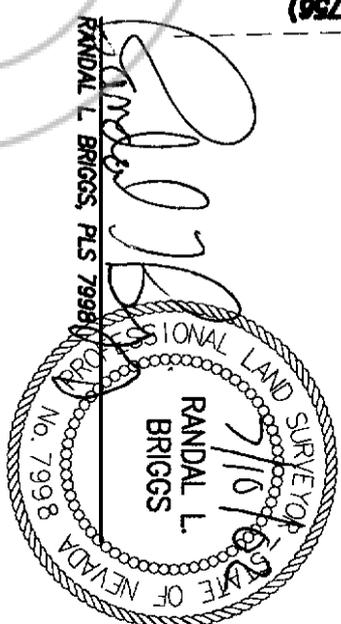


EXHIBIT B
PRIVATE ACCESS EASEMENT
 A PORTION OF APN # 1220-05-601-003

A PORTION OF THE E 1/2 NE 1/4 OF SECTION 5, T. 12 N.,
 R. 20 E, M.D.M. DOUGLAS COUNTY, NEVADA
 JOB NO. 4779.002

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