

Recording requested by and
when recorded return to:
AMRESKO Commercial Finance, LLC
Attn: Jackie Cox
412 E. ParkCenter Blvd, Suite 300
Boise, Idaho 83706
ESCROW NO. 139056PAH/89554-99
APN NO. 1022-29-402-001,002 &003

REGISTERED BY
WESTERN TITLE COMPANY, INC.
OFFICIAL RECORDS OF
DOUGLAS COUNTY, NEVADA

2004 MAR 30 PM 3:05

WERNER CHRISTEN
RECORDER

1960 PAID KJ DEPUTY

TERMINATION OF TENANCY-IN-COMMON AGREEMENT

This Termination of Tenancy-in-Common Agreement ("Termination") is dated effective the 26th day of MARCH, 2004, between ROGER H. ELTON, as Trustee of THE RHE TRUST dated May 1, 1990 ("RHE Trust"), and TOPAZ LODGE, INC., a Nevada corporation ("Topaz Lodge").

WHEREAS, RHE Trust and Topaz Lodge each own an undivided fifty percent (50%) interest in the real property situated in Douglas County, Nevada, which real property is more particularly described in **Exhibit A** attached hereto and incorporated herein by this reference (the "Property");

WHEREAS, RHE Trust and Topaz Lodge entered into a Tenancy-in-Common Agreement (the "Tenancy-in-Common Agreement") dated January 31, 2003. RHE Trust and Topaz Lodge memorialized the Tenancy-in-Common Agreement by entering into that certain Memorandum of Tenancy-in-Common Agreement (the "Memorandum") dated January 31, 2003, recorded January 31, 2003 as Document No. 0565941, Official Records of Douglas County, Nevada;

WHEREAS, in connection with the sale by RHE Trust of its undivided 50% interest in the Property to William M. Pelter, M.D. and Andrea G. Pelter, as Co-Trustees of The Pelter Family Trust under the Trust Agreement dated June 29, 1998 (the "Pelter Trust"), RHE Trust and Pelter Trust executed that certain Assignment of Memorandum of Tenancy-in-Common Agreement dated February 28, 2003, recorded March 3, 2003 as Document No. 568719 at Book 0303, Page 516, Official Records of Douglas County, Nevada;

WHEREAS, in connection with the sale by Pelter Trust of its undivided 50% interest in the Property to RHE Trust, Pelter Trust and RHE Trust executed that certain Assignment of Memorandum of Tenancy-in-Common Agreement dated December 1, 2003, recorded December 1, 2003 as Document No. 598312, Official Records of Douglas County, Nevada;

WHEREAS, pursuant to Section 46 of that certain Ground Lease dated March 31, 2001, by and between RHE Trust, as landlord, and Topaz Lodge, as tenant, Topaz Lodge has exercised its option to purchase from RHE Trust the RHE Trust's undivided 50% tenant-in-common interest in the Property, resulting in Topaz Lodge being the 100% vested fee simple owner of the Property;

NOW, THEREFORE, the parties hereto, and each of them, hereby agree that the Tenancy-in-Common Agreement is hereby terminated as of the effective date of this Termination and is of no further force and effect.

RHE TRUST:

RHE Trust dated May 1, 1990

By: [Signature]
Roger H. Elton, Trustee

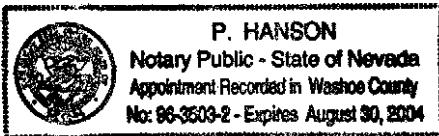
TOPAZ LODGE:

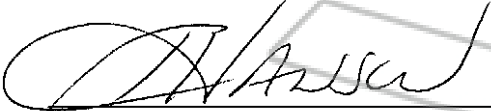
Topaz Lodge, Inc.,
a Nevada corporation

By: [Signature]
Robert A. Cashell, Jr., President

STATE OF NEVADA)
) ss.
COUNTY OF WASHOE)

On this 26th day of March, 2004, personally appeared before me, a Notary Public, Roger H. Elton, personally known (or proved) to me to be the person whose name is subscribed to the foregoing instrument who acknowledged that he executed the instrument in his capacity and within his authority as Trustee of RHE Trust dated May 1, 1990.

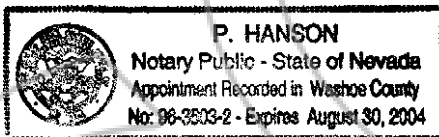




Notary Public
My commission expires: 8/30/04

STATE OF NEVADA)
) ss.
COUNTY OF WASHOE)

On this 26th day of March, 2004, personally appeared before me, a Notary Public, Robert A. Cashell, Jr., personally known (or proved) to me to be the person whose name is subscribed to the foregoing instrument who acknowledged that he executed the instrument in his capacity and within his authority as President of Topaz Lodge, Inc.





Notary Public
My commission expires: 8/30/04

EXHIBIT A

Property

PARCEL 1

All that property situate in the County of Douglas, State of Nevada, described as follows:

Lots 120, 121, 122, 123, 152, 153 and 154, of TOPAZ SUBDIVISION, according to the map thereof, filed in the office of the County Recorder of Douglas County, State of Nevada, on August 10, 1954, as File No. 9774.

TOGETHER WITH that real property lying and being in Section 29, Township 10 North, Range 22 East, M.D.B. & M., Douglas County, State of Nevada, and more particularly described as follows:

Commencing at a point on the Northwest corner of Lot 123 of the Topaz Subdivision as recorded August 10, 1954, in the Official Records of Douglas County, Nevada; said point being the TRUE POINT OF BEGINNING;

Thence West, a distance of 60.00 feet;

Thence South 00° 04' West, a distance of 420.00 feet;

Thence East, a distance of 60.00 feet to the Southwest corner of Lot 120 of aforesaid subdivision;

Thence North 00° 04' East, a distance of 420.00 feet to the TRUE POINT OF BEGINNING.

ALSO TOGETHER WITH all that certain piece or parcel of land situated in the Southwest Quarter of Section 29, Township 10 North, Range 22 East, M.D.B. & M., Douglas County, State of Nevada, and more particularly described as follows:

Beginning at the intersection of the West line of Genoa Street and the South line of Topaz Subdivision, as shown on the map thereof, filed in the office of the County Recorder of Douglas County, Nevada, on August 10, 1954;

Thence North 0° 04' East along said West line of Genoa Street, a distance of 154.86 feet to the TRUE POINT OF BEGINNING;

Thence continuing North 0° 04' East 265.14 feet to the South line of Kit Carson Avenue, as shown on the map of Topaz Subdivision;

Thence West 385.87 feet to a point on the Easterly right of way curve of U.S. Highway 395 as described in the conveyance to the State of Nevada, recorded August 31, 1948, in Book Y of Deeds, Page 474, Douglas County, Nevada, records;

Thence Southeasterly along a curve having a radius of 4,575 feet subtending a central angle of 3° 28' 38" an arc distance of 277.71 feet to a point;

Thence leaving said right of way line East, a distance of 303.29 feet to the TRUE POINT OF BEGINNING.

All that certain piece or parcel situate in the Southwest Quarter of Section 29, Township 10 North, Range 22, East, M.D.B. & M., described as follows:

Beginning at a 7/8 inch iron bar at the intersection of the West line of Genoa Street and the South line of TOPAZ SUBDIVISION, according to the map thereof, filed in the office of the County Recorder of Douglas County, Nevada, on August 10, 1954, under Document No. 9774, Douglas County, Nevada Records;

Thence from the POINT OF BEGINNING North 0° 04' East along the West line of Genoa Street a distance of 154.86 feet to a 7/8 inch iron bar;

Thence West 303.29 feet, to a point in the Easterly right of way line of U.S. Highway 395, as described in the conveyance to the State of Nevada, recorded August 31, 1948, in Book Y of Deeds, Page 473, Douglas County, Nevada Records;

Thence West along the Southerly right of way line of Kit Carson Avenue to the Southwest corner at the intersection of Kit Carson Avenue with Genoa Street;

Thence North 00° 04' East along the Westerly right of way of Genoa Street to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM a general Public Utility Easement being a strip of land, 10 feet in width, (measured at right angles) lying 5 feet on both sides of the following described centerline being in portions of the former Kit Carson Avenue right of way as shown on the TOPAZ SUBDIVISION, recorded August 10, 1954 and being more particularly described as follows:

Section 1

Beginning at the Northeast corner of Lot 123 of said TOPAZ SUBDIVISION;

Thence North 0° 04' 00" East, 5.00 feet to the TRUE POINT OF BEGINNING;

Thence 89° 59' 04" West, 524.00 feet to an angle point in said centerline;

Thence South 55° 14' 05" West, 5 feet to the end thereof.

Section 2

Beginning at the angle point in the above described Section 1;

Thence North 89° 59' 04" West, 22.00 feet to the end thereof.

A.P.N. 39-121-08

PARCEL 2

A parcel of land on the East side of U.S. Highway 395 in the South ½ of the Southwest ¼ of Section 29, Township 10 North, Range 22 East, M.D.B. & M. in Douglas County, Nevada, more fully described as follows:

BEGINNING at a point which the ¼ corner of the South boundary of said Section 29 lies East 1,070.00 feet and South 225 feet;

Thence West parallel to the South line of Section 29, 416.84 feet to a point on the East right of way line of Highway 395;

Thence following the said right of way line Northerly on a curve to the left with a radius of 4,575 feet from a tangent bearing to the left with a radius of 4,575 feet from a tangent bearing North 5° 23' 40" West, a distance of 608.90 feet,

Thence East 519.13 feet

Thence South 600 feet to the POINT OF BEGINNING.

A.P.N. 39-142-11

PARCEL 3

All that certain property situate in the County of Douglas, State of Nevada, located in the South ½ of the Southwest ¼ of Section 29, Township 10 North, Range 22, East, M.D.B. & M., in Douglas County, Nevada, more particularly described as follows:

BEGINNING at a point on the South line of said Section 29, from which the South ¼ corner thereof bears East, 1,076.30 feet;

Thence along the said Section line West 394.00 feet to the Easterly right of way line of U.S. Highway 395;

Thence Northerly along said right of way line following a curve to the left with a radius of 4,575 feet, through an angle of 2° 49' 35" from a tangent bearing of 2° 56' 44" length of 225.69 feet;

Thence East 411.24 feet;

Thence South 225.00 feet to the TRUE POINT OF BEGINNING.

A.P.N. 39-142-03

NOTE (NRS 111.312): The above metes and bounds description appeared previously in that certain *Grant Deed*, recorded in the office of the County Recorder of *Douglas* County, Nevada on *Dec. 1, 2003*, in Book *1203*, Page *549* as Document No. *598311*, of Official Records.

ADDITIONAL PARCEL

All that real property situate in the County of Douglas, State of Nevada, described as follows:
Lots 18, 24 and 38, as shown on the Amended Map of TOPAZ LODGE SUBDIVISION, FIRST AND SECOND SECTIONS, filed in the office of the County Recorder of Douglas County, State of Nevada, on September 16, 1958, in Book 3 of Maps, Page 3, as File No. 13594.

A.P.N. 39-143-02 (Lot 18)

A.P.N. 39-143-07 (Lot 24)

A.P.N. 39-151-01 (Lot 38)

1979 U.S. Highway 395 S.
Gardnerville, Nevada
Unit Topaz Lodge

