

DOC # 0660927
11/17/2005 12:46 PM Deputy: CF

OFFICIAL RECORD

Requested By:
STEWART TITLE OF DOUGLAS

COUNTY
Douglas County - NV
Werner Christen - Recorder

Page: 1 of 9 Fee: 22.00
BK-1105 PG- 7636 RPTT: 0.00



APN (portion) 1419-26-001-014, 015 & 016

Recording Requested By:

Stewart Title of Douglas County

1663 US Highway 395 N, Ste. 101

Minden, NV 89423

AGREEMENT CONCERNING GRANT OF EASEMENTS FOR
(Title of Document)

GOLF COURSE IRRIGATION AND FACILITIES

This document is being re-recorded to attach the referenced Exhibit "G"

This page added to provide additional information required by NRS 111.312 Sections 1-2.
(Additional recording fee applies)

This cover page must be typed.

OFFICIAL RECORD

Requested By:

STEWART TITLE OF DOUGLAS

COUNTY

Douglas County - NV
Werner Christen - Recorder

Page: 1 Of 7 Fee: 20.00

BK-1105 PG- 3163 RPTT: 0.00

APN 1419-26-001-014 & 1419-26-001- 016
R.P.T.T. #

Recorded at the request of, &
after recording please return to:

MDA Enterprises, Inc.
P.O. Box 350
Minden, Nevada 89411
Attention: Mario Antoci

Above Space Reserved for Recording Information

**AGREEMENT CONCERNING
GRANT OF EASEMENTS
FOR GOLF COURSE IRRIGATION AND FACILITIES**

For good and valuable consideration, receipt of which is hereby acknowledged, Genoa Land Investors, LLC, a Nevada limited liability company ("GLI"), hereby grants to MDA Enterprises, Inc., a Nevada corporation ("MDA"), easements in, on, under and over those portions (the "Easement Areas") only of the real property (the "Land") of GLI described as

Adjusted Remainder Parcel 1 and Adjusted Parcel 16 as set forth on that certain Record of Survey to Support a Boundary Line Adjustment for GENOA LAND INVESTORS, LLC, GENOA DEVELOPER ASSOCIATES, LLC, MDA ENTERPRISES, INC., AND INCOMPARABLE HOLDING CO., et al, filed for record in the office of the Douglas County Recorder on June 30, 2005, Book 0605, Page 14555, Document No. 0648319, Official Records.

The Easement Areas are described on Exhibits A through C hereto.

The easements hereby granted are for the purposes of operating, maintaining, repairing and replacing: (i) an existing valve vault and the existing pipeline which runs between the valve vault and the adjacent property of MDA, (ii) cart paths, (iii) pipelines, electrical and control lines, (iv) other facilities related to the golf course on the adjacent property of



MDA, and a fifteen foot wide public utility easement, together with rights of access to and from the Easement Areas to accomplish the aforesaid purposes.

The easements are to benefit and be appurtenant to the property of MDA (the "MDA Property") described on Exhibit G hereto.

MDA hereby covenants and agrees in favor of GLI that the easements granted hereby are made upon and subject to the express condition that MDA, as the owner of the MDA Property which is the dominant tenement to which the easements are appurtenant, shall, at MDA's exclusive expense, at all times be exclusively responsible for maintaining the facilities located in the Easement Areas in good, clean and safe operating condition and repair, and shall indemnify and hold the owner(s) of the property burdened by the easements safe and harmless from and against any and all claims, losses, damages, costs and liabilities (including attorneys fees and costs of litigation) of whatsoever sort which said owner(s) of the servient tenements may suffer or incur as a result of the existence of the easements and the use thereof by MDA, by the employees, agents, invitees and contractors of MDA, and by their respective successors and assigns. If MDA performs work in the Easement Areas, MDA shall restore the surface of the Easement Areas affected by the work to the condition which existed prior to commencement of the work. MDA further covenants and agrees that, so long as MDA maintains any facilities in the Easement Areas, MDA shall maintain in effect a policy of comprehensive liability insurance with a principal amount of coverage of at least Five Million Dollars (\$5,000,000) insuring the contractual obligations of MDA to perform the aforesaid indemnity obligation; if GLI requests, MDA shall deliver to GLI a certificate affirming that said insurance coverage is in effect and naming the owner(s) of the Easement Areas as additional insured parties.

The aforesaid covenants shall run with and be a burden upon the MDA Property as the servient tenement and shall benefit the owner(s) of the Easement Areas as the dominant tenement.

The provisions of this instrument shall inure to the benefit of and shall bind the successors and assigns of GLI and MDA.

Dated: October 26, 2005

GENOA LAND INVESTORS, LLC
a Nevada limited liability company

By: _____

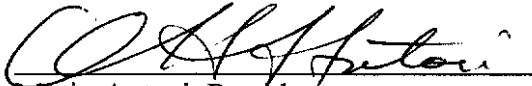
Chip L. Bowlby
Manager

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BK- 1105
PG- 7638

0660102 Page: 2 Of 7 11/07/2005
BK- 1105
PG- 3164

Accepted and agreed:

MDA Enterprises, Inc.,
a Nevada corporation

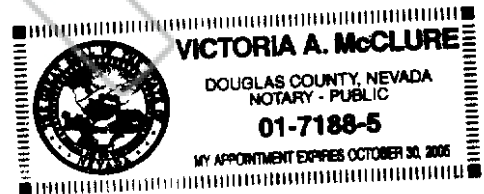

Mario Antoci, President

STATE OF NEVADA }

COUNTY OF DOUGLAS}

This instrument was acknowledged before me on Oct. 28, 2005
By Mario Antoci, President

Signature: Victoria A. McClure
Notary Public



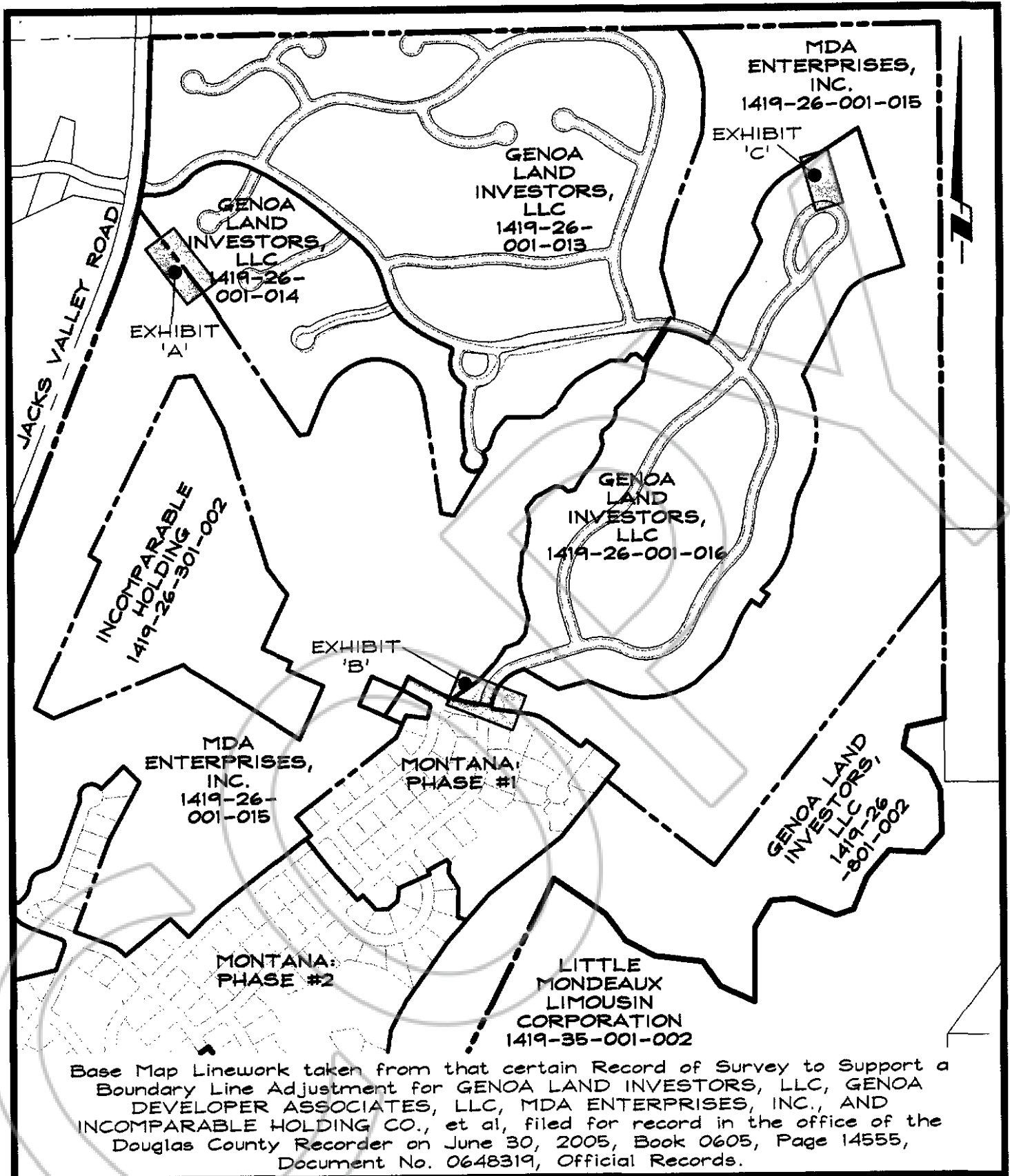
STATE OF NEVADA }

COUNTY OF DOUGLAS}

This instrument was acknowledged before me on Oct. 28, 2005
By Chip L. Bowlby, Manager

Signature: Kristy Nuzum
Notary Public





Base Map Linework taken from that certain Record of Survey to Support a Boundary Line Adjustment for GENOA LAND INVESTORS, LLC, GENOA DEVELOPER ASSOCIATES, LLC, MDA ENTERPRISES, INC., AND INCOMPARABLE HOLDING CO., et al, filed for record in the office of the Douglas County Recorder on June 30, 2005, Book 0605, Page 14555, Document No. 0648319, Official Records.

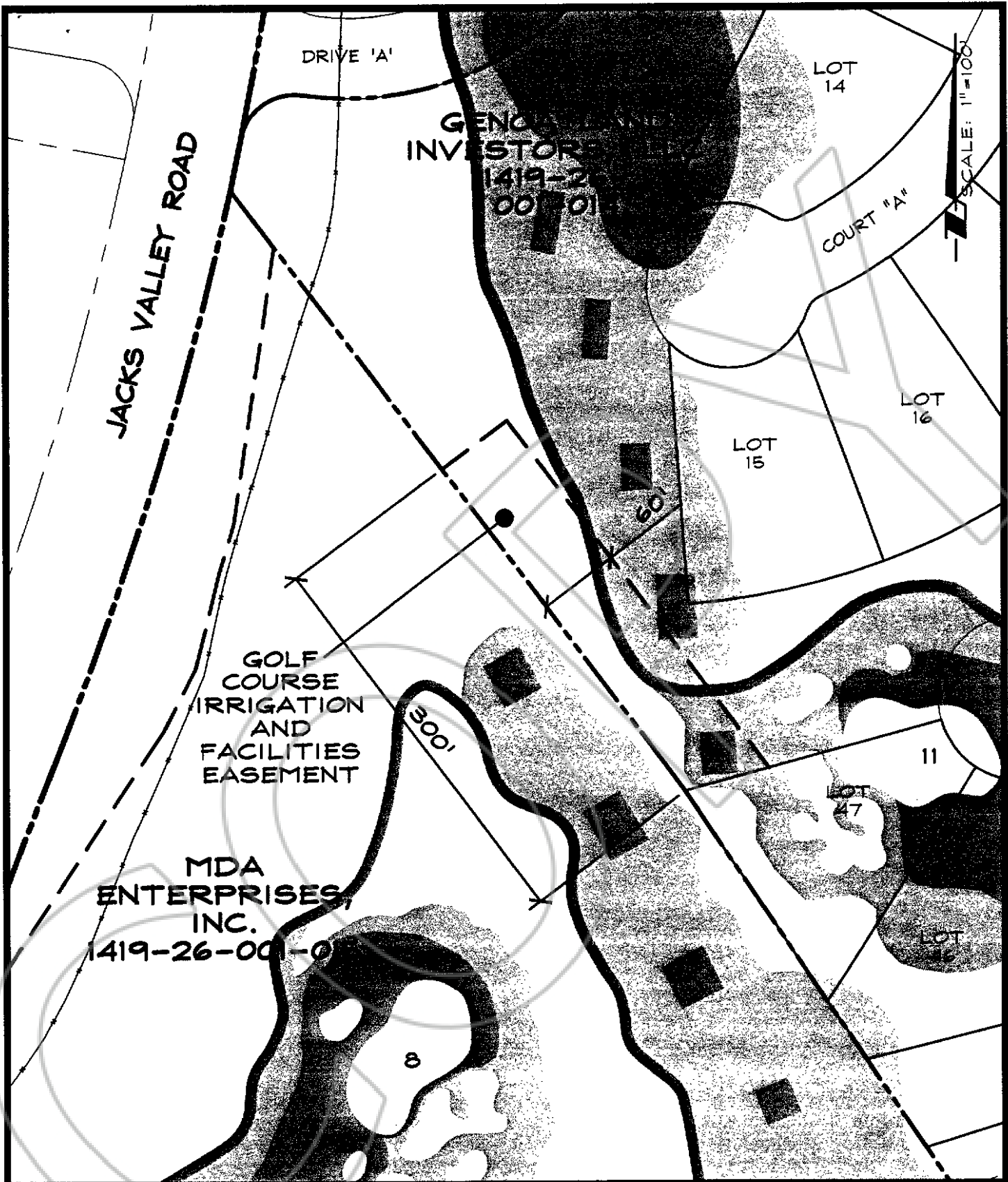


1603 ESERALDA AVENUE / POST OFFICE BOX 2229
 MINDEN, NEVADA 89423
 PHONE: (775) 782-2322 / FAX: (775) 782-7084
 WEB SITE: WWW.ROANDERSON.COM

GENOA LAND INVESTORS, LLC
MDA ENTERPRISES, INC.
GOLF COURSE IRRIGATION & FACILITIES

1163-001 EXHIBIT INDEX 11/04/05

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GENOA LAND INVESTORS, LLC
MDA ENTERPRISES, INC.
GOLF COURSE IRRIGATION & FACILITIES

1163-001

EXHIBIT 'A'

10/27/05

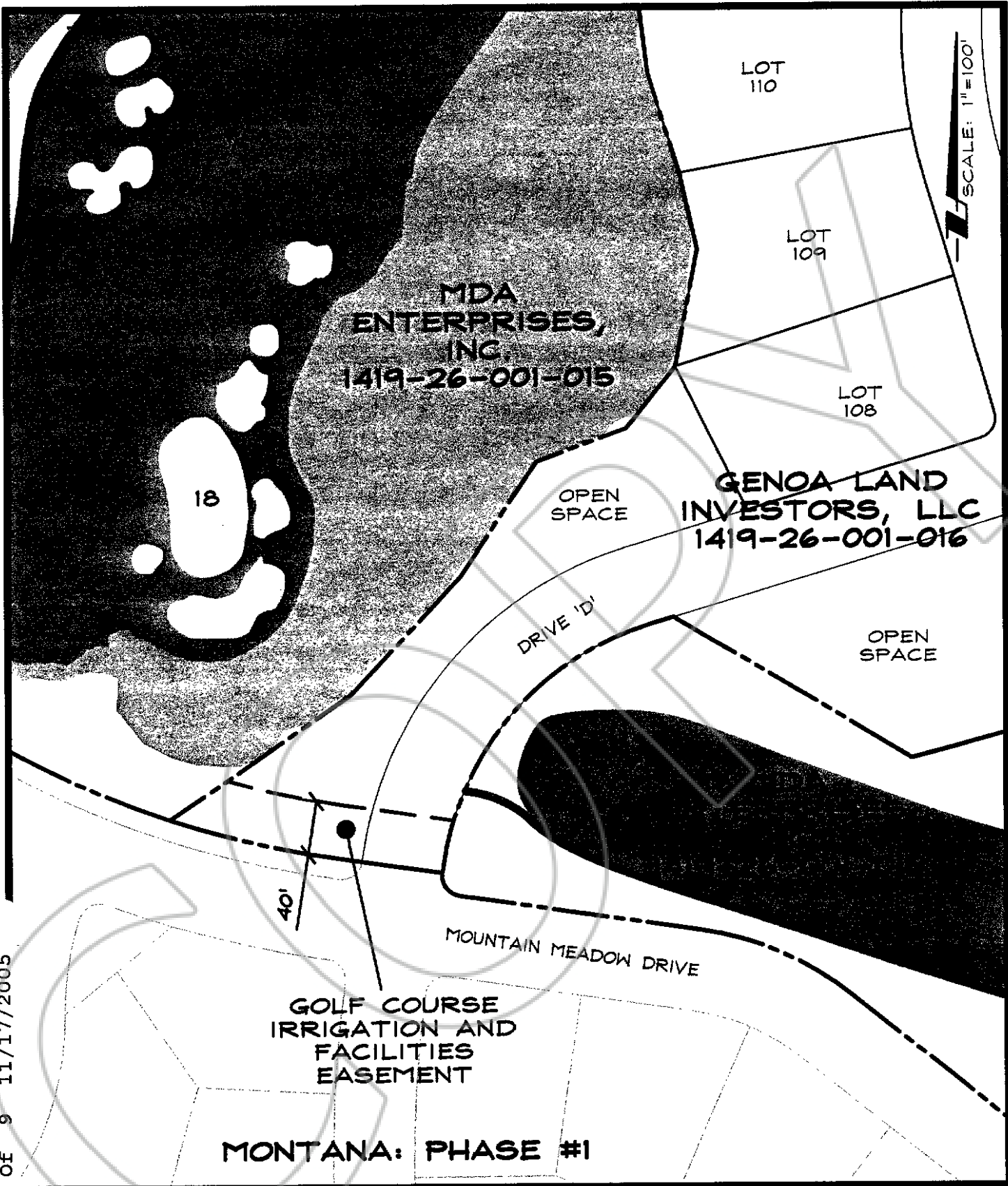
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 PG- 7641



BK- 1105
 PG- 3167



BK- 1105
PG- 7642
11/17/2005

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MONTANA: PHASE #1



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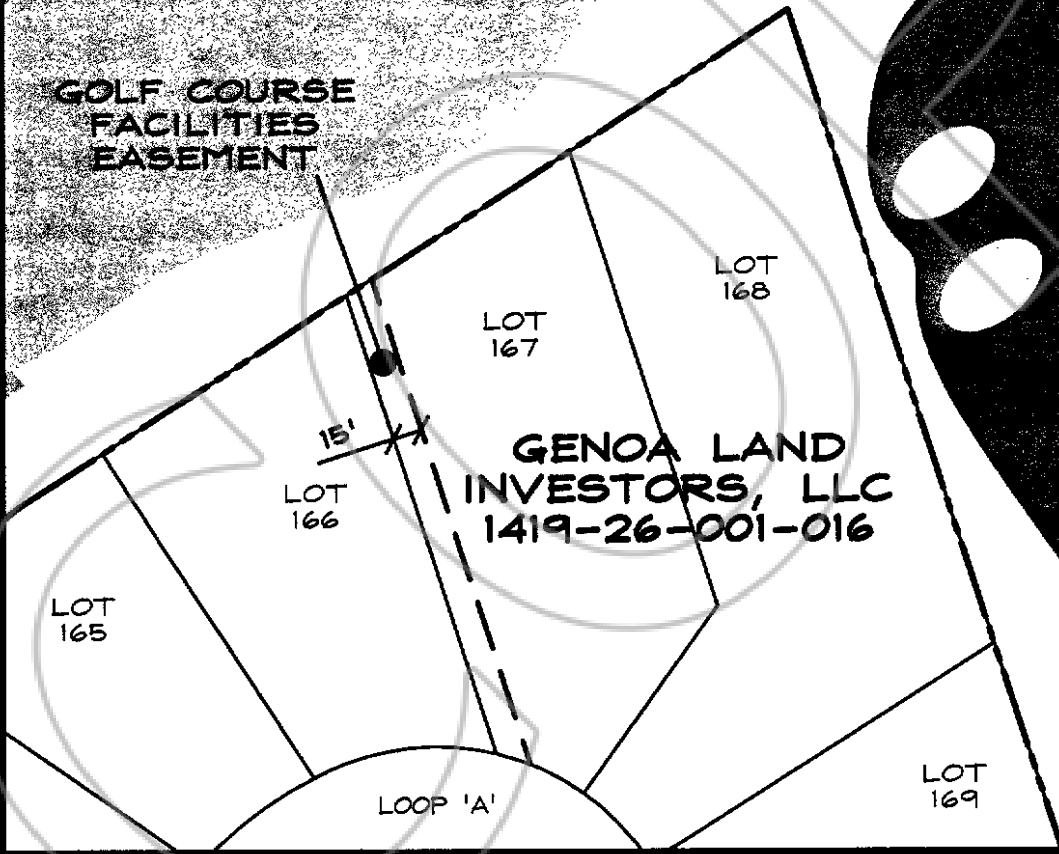
**GENOA LAND INVESTORS, LLC
MDA ENTERPRISES, INC.
GOLF COURSE IRRIGATION & FACILITIES**

1163-001 **EXHIBIT 'B'** 10/27/05

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**MDA
ENTERPRISES,
INC.
1419-26-001-015**

**GOLF COURSE
FACILITIES
EASEMENT**



LOT 167

LOT 168

LOT 166

**GENOA LAND
INVESTORS, LLC
1419-26-001-016**

LOT 165

LOOP 'A'

LOT 169



1603 ESMERALDA AVENUE / POST OFFICE BOX 2229
MINDEN, NEVADA 89423
PHONE: (775) 782-2322 / FAX: (775) 782-7084
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**GENOA LAND INVESTORS, LLC
MDA ENTERPRISES, INC.
GOLF COURSE IRRIGATION & FACILITIES**

1163-001

EXHIBIT 'C'

10/27/05

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EXHIBIT "G"

Adjusted Parcel 13 as set forth on that certain Record of Survey to Support a Boundary Line Adjustment for GENOA LAND INVESTORS, LLC, GENOA DEVELOPER ASSOCIATES, LLC, MDA ENTERPRISES, INC., AND INCOMPARABLE HOLDING CO., et al, filed for record in the office of the Douglas County Recorder on June 30, 2005, Book 0605, Page 14555, Document No. 0648319, Official Records.

APN 1419-26-001-015

COPY

