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Recording Requested by and  
When Recorded Return to:

Colonial Bank, N.A.  
✓ 2330 S. Virginia Street  
Reno, NV 89502  
Attention: Michelle McKinney

Douglas County - NV  
Werner Christen - Recorder  
Page: 1 Of 6 Fee: 19.00  
BK-0707 PG- 9823 RPTT: 0.00



USE RESTRICTIONS

These Use Restrictions (these "Restrictions"), are dated and effective as of July 25, 2007, is made by Colonial Bank, N.A. ("Fee Owner"), with respect to the following facts:

A. The Fee Owner is the owner of all right, title and interest in and to that certain real property (the "Property"), described as Douglas County Assessor's Parcel Numbers 1220-04-602-013 (legally described in Exhibit "A", and referenced herein as "Parcel A", and 1220-04-602-010, legally described in Exhibit "B" and referenced herein as "Parcel B").

B. The Fee Owner desires to establish certain use restrictions pursuant to these Restrictions.

Now, therefore, the Fee Owner declares as follows:

1. With respect to Parcel A and Parcel B, the Fee Owner acknowledges and agrees that Douglas County, Nevada, has declared it a policy to protect and encourage agricultural operations. Fee Owner further acknowledges that improvements on the Property may at some time be subject to inconvenience or discomfort arising from agricultural operations on other real property in the general area of the Property. If such agricultural operations are conducted in a manner consistent with proper and accepted standards, these inconveniences and discomforts do not constitute a nuisance for purposes of the Douglas County, Nevada, Code.

2. The Fee Owner may convey one or both of Parcel A and/or Parcel B. So long as the Fee Owner owns and/or leases any interest in either of the said parcels of the Property, the other parcel may not be used in any manner for any branch bank, credit union, mortgage company, lending company, pawn company, check cashing service, title loan service or company, pay-day loan service or company, or any other financial institution of any type manner or function, including, without limitation, automatic teller facilities, branch banking facilities, drive-up teller facilities or any other facility associated with our supporting any such company and/or financial institution. Notwithstanding the foregoing, the Fee Owner may use either Parcel A or Parcel B for any type of financial institution, branch bank, drive-up teller facility, banking operation or any other type of financial service and the Fee Owner is not subject to any such restriction.

3. The Property may not be used in any way for any type of adult book store, adult arcade, pawn shop, pay-day loan service or company, check cashing service, title loan company or service, bowling alley, bar, restaurant, tavern, nightclub, casino or gaming establishment.

Dated and effective as of the date first above written:

Colonial Bank, N.A.

By: 

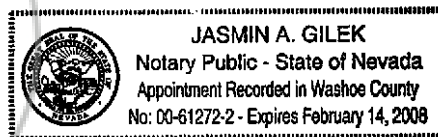
Name: Michelle McKinney

Title: Senior Vice President

STATE OF NEVADA        }  
                                  } ss  
COUNTY OF WASHOE    }

This instrument was acknowledged before me on July 25, 2007, by Michelle McKinney, as Senior Vice President of Colonial Bank, N.A.

  
NOTARY PUBLIC



**EXHIBIT "A"**

**EXPLANATION:** DESCRIPTION OF PARCEL A (APN: 1220-04-602-013).

**DESCRIPTION**

BEING PARCEL APN: 1220-04-602-013 OF LOT CONSOLIDATION DOCUMENT NUMBER 705826, BOOK 707, PAGE 7509 AS FILED FOR RECORD JULY 19, 2007 OF THE OFFICIAL RECORDS OF DOUGLAS COUNTY, NEVADA, LYING WITHIN THE EAST HALF (E1/2) OF SECTION 4, AND THE WEST HALF (W1/2) OF SECTION 3 OF TOWNSHIP 12 NORTH, RANGE 20 EAST, M.D.B.&M., DOUGLAS COUNTY, NEVADA, AND FURTHER DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE QUARTER (1/4) CORNER COMMON TO SAID SECTIONS 3 AND 4 AS SHOWN ON RECORD OF SURVEY DOCUMENT NUMBER 452854 RECORDED OCTOBER 28, 1998, DOUGLAS COUNTY, NEVADA.

THENCE NORTH 89°33'00" WEST, 187.26 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF HIGHWAY U.S. 395;

THENCE ALONG SAID RIGHT-OF-WAY FROM A TANGENT BEARING NORTH 40°56'25" WEST, CURVING TO THE LEFT ALONG THE ARC OF A 5,060.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 01°13'35", WITH AN ARC LENGTH OF 108.29 FEET TO A POINT ON A CURVE;

THENCE FROM A TANGENT BEARING NORTH 42°09'59" WEST, CURVING TO THE RIGHT ALONG THE ARC OF A 60.00 FOOT RADIUS CURVE, CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF 103°17'32" WITH AN ARC LENGTH OF 108.17 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF STODICK PARKWAY.

THENCE ALONG SAID RIGHT-OF-WAY NORTH 61°07'36" EAST, 331.78 FEET;

THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 00°21'36" WEST, 378.35 FEET;

THENCE CURVING TO THE RIGHT ALONG THE ARC OF A 150.00 FOOT RADIUS CURVE, CONCAVE WESTERLY, THROUGH A CENTRAL ANGLE OF 37°26'52" WITH AN ARC LENGTH OF 98.04 FEET;

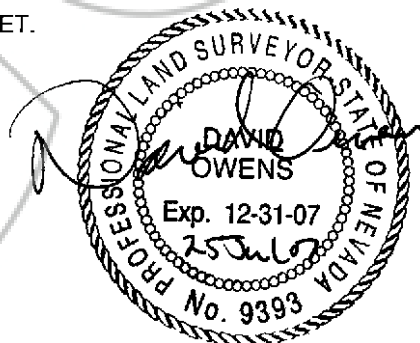
THENCE SOUTH 37°48'28" WEST, 24.22 FEET;

THENCE NORTH 00°39'29" EAST, 152.96 FEET TO THE **POINT OF BEGINNING**.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS SOUTH 43°41'42" WEST BEING THE CENTERLINE CHORD BEARING BETWEEN THE PC OF STODICK PARKWAY AND CENTERLINE INTERSECT OF STODICK PARKWAY/SCARLET OAK DRIVE AS SHOWN ON PARCEL MAP RECORDED IN BOOK 999, PAGE 2558 OF OFFICIAL RECORDS, AS DOCUMENT NO. 476559, DOUGLAS COUNTY RECORDER'S OFFICE, NEVADA.

CONTAINING 79,467 ± SQUARE FEET.

END OF DESCRIPTION.



DAVID OWENS PLS, 9393  
10509 PROFESSIONAL CIRCLE – SUITE 102  
RENO, NEVADA 89521  
775-785-4400



# EXHIBIT A-1

LYING WITHIN THE EAST HALF (E 1/2) OF SECTION 4 OF  
TOWNSHIP 12 NORTH, RANGE 20 EAST, M.D.B. & M.,  
DOUGLAS COUNTY, NEVADA

STODICK PARKWAY  
S61°07'36"W 331.78'

PARCEL 3  
PARCEL MAP 476559  
APN: 1220-03-202-001

PARCEL A  
APN: 1220-04-602-013  
COLONIAL BANK  
79,467 ± S.F.

L=108.17  
R=60.00  
Δ=103°17'32"

N47°50'01"E  
(R)

QUARTER (1/4) CORNER SECTIONS 3 AND 4 PER RECORD OF  
SURVEY FILE NUMBER 682867, RECORDED AUGUST 23, 2006,  
DOUGLAS COUNTY RECORDERS OFFICE, NEVADA

Δ=111°13'35"  
R=5060.00  
L=108.29

N49°03'35"E  
(R)

N89°33'00"W 187.26'

PARCEL B  
APN: 1220-04-602-010  
COLONIAL BANK  
15,895 ± S.F.

SECTION LINE

POINT OF BEGINNING

S00°21'36"W 378.35'

APN: 1220-03-301-001  
HERBIC  
ENTERPRISE

N00°39'29"E 152.96'

Δ=37°26'52"  
R=150.00  
L=98.04

N37°48'28"E  
24.22'



SCALE: 1" = 60'

U.S. 395



**EXHIBIT "B"**

**EXPLANATION:** DESCRIPTION OF PARCEL B (APN: 1220-04-602-010).

**DESCRIPTION**

BEING PARCEL APN: 1220-04-602-010 OF LOT CONSOLIDATION DOCUMENT NUMBER 705826, BOOK 707, PAGE 7509 AS FILED FOR RECORD JULY 19, 2007 OF THE OFFICIAL RECORDS OF DOUGLAS COUNTY, NEVADA, LYING WITHIN THE EAST HALF (E1/2) OF SECTION 4, AND THE WEST HALF (W1/2) OF SECTION 3 OF TOWNSHIP 12 NORTH, RANGE 20 EAST, M.D.B.&M., DOUGLAS COUNTY, NEVADA, AND FURTHER DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE QUARTER (1/4) CORNER COMMON TO SAID SECTIONS 3 AND 4 AS SHOWN ON RECORD OF SURVEY DOCUMENT NUMBER 452854 RECORDED OCTOBER 28, 1998, DOUGLAS COUNTY, NEVADA.

THENCE SOUTH 00°39'29" WEST, 43.79 FEET;

THENCE CURVING TO THE RIGHT ALONG THE ARC OF A 100.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 60°37'00", AN ARC LENGTH OF 105.80 FEET TO A POINT OF COMPOUND CURVATURE TO WHICH A RADIAL LINE BEARS NORTH 28°43'31" WEST;

THENCE CURVING TO THE RIGHT ALONG THE ARC OF A 47.50 FOOT RADIUS CURVE, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 24°57'45", AN ARC LENGTH OF 20.69 FEET;

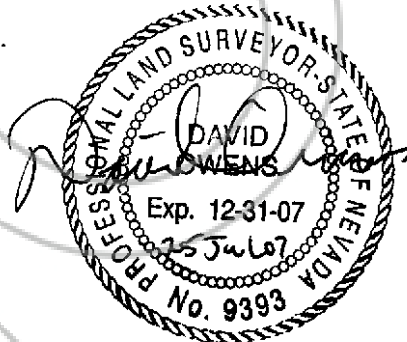
THENCE FROM A TANGENT BEARING NORTH 38°54'33" WEST, CURVING TO THE LEFT ALONG THE ARC OF A 5,060.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 02°01'51", AN ARC LENGTH OF 179.36 FEET;

THENCE SOUTH 89°33'00" EAST, 187.26 FEET TO THE POINT OF BEGINNING..

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS SOUTH 43°41'42" WEST BEING THE CENTERLINE CHORD BEARING BETWEEN THE PC OF STODICK PARKWAY AND CENTERLINE INTERSECT OF STODICK PARKWAY/SCARLET OAK DRIVE AS SHOWN ON PARCEL MAP RECORDED IN BOOK 999, PAGE 2558 OF OFFICIAL RECORDS, AS DOCUMENT NO. 476559, DOUGLAS COUNTY RECORDER'S OFFICE, NEVADA.

CONTAINING 15,895 ± SQUARE FEET.

END OF DESCRIPTION.



DAVID OWENS PLS, 9393  
10509 PROFESSIONAL CIRCLE - SUITE 102  
RENO, NEVADA 89521  
775-785-4400



# EXHIBIT B-1

LYING WITHIN THE EAST HALF (E 1/2) OF SECTION 4 OF  
TOWNSHIP 12 NORTH, RANGE 20 EAST, M.D.B. & M.,  
DOUGLAS COUNTY, NEVADA

STODICK PARKWAY

PARCEL 3  
PARCEL MAP 476559  
APN: 1220-03-202-001

PARCEL A  
APN: 1220-04-602-013  
COLONIAL BANK  
79,467 ± S.F.

QUARTER (1/4) CORNER SECTIONS 3 AND 4 PER RECORD OF  
SURVEY FILE NUMBER 682867, RECORDED AUGUST 23, 2006,  
DOUGLAS COUNTY RECORDERS OFFICE, NEVADA

SECTION LINE

POINT OF BEGINNING

APN: 1220-03-301-001  
HERBIG  
ENTERPRISE

N89°33'00"W 187.26'

PARCEL B  
APN: 1220-04-602-010  
COLONIAL BANK  
15,895 ± S.F.

S00°39'29"W  
43.79'

L=105.80'  
R=100.00'  
Δ=60°37'00"

N49°03'35"  
(R)

U.S. 395

L=2.07'51" R=5060.00' L=179.36'  
N51°05'27"E (R)

S28°43'31"E  
(R)

L=20.69'  
R=47.50'  
Δ=24°57'45"



SCALE: 1" = 60'



G.C. WALLACE, INC.  
Engineers/Planners/Surveyors

10509 PROFESSIONAL CIRCLE, #102/RENO, NV 89521

S:\200\205-001\dwg\ALTA\PARCEL-AREAS.dwg

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