

APN: 1219-10-002-003
1219-10-002-004

Douglas County - NV
Karen Ellison - Recorder

Page: 1 Of 7 Fee: 20.00
BK-0609 PG-1359 RPTT: 0.00

The undersigned hereby affirms
that there is no
Social Security number
contained in this document.



WHEN RECORDED MAIL TO:
GEORGE M. KEELE, ESQ.
1692 County Road, #A
Minden, NV 89423

R.P.T.T. _____

RESCISSION OF RESTRICTIVE COVENANT ("RESCISSION")

On or about January 6, 2004, LEXIE WAYNE ADAMS and LYNN MARYA ADAMS, AS TRUSTEES OF THE JML FAMILY TRUST DATED FEBRUARY 26, 1996 (GRANTOR) and DANIEL R. GRAHAM and DEBORAH D. GRAHAM, HUSBAND AND WIFE AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP (GRANTEE), for good and valuable consideration paid by GRANTEE to GRANTOR, entered into an Indenture entitled GRANT, BARGAIN AND SALE DEED (the January 2004 Deed), which was recorded in the official records of Douglas County, Nevada, on January 7, 2004, in Book 0104 at Page 01707, as Document Number 0601413.

In the January 2004 Deed, GRANTOR conveyed to GRANTEE, subject to a restrictive covenant (the "Restrictive Covenant") reserved to GRANTOR in favor of GRANTOR's property described in Exhibit "B" attached to and incorporated in the January 2004 Deed, all that certain parcel of real property with improvements located thereon situated in Douglas County, State of Nevada, and more particularly described in Exhibit "A" ("Burdened Property") attached to the January 2004 Deed and incorporated therein by this reference. A copy of Exhibit "A" to the January 2004 Deed,

namely: the legal description of the Burdened Property, is attached to this Rescission as Exhibit "AA" and incorporated herein by this reference.

In its entirety, the Restrictive Covenant reads as follows:

SUBJECT to a restrictive covenant reserved to GRANTOR in favor of GRANTOR's property described in Exhibit "B," incorporated herein ("Benefitted Property"), which covenants shall run with the Burdened and Benefitted Property. Grantor reserves a restrictive covenant with the intention to preserve the views of Carson Valley in an eastwardly direction from the Benefitted Property, to provide a buffer area between said Benefitted Property and the Burdened Property, along the adjoining property line of these two parcels, and to cause the described restrictive areas to be landscaped in a manner which compliments [sic] the natural beauty of the pasture and open spaces.

To accomplish such purposes, construction on the Burdened Property shall be restricted as follows:

(A) No structure, or portion thereof, including but not limited to a residential building, including the roof, patio, patio pillars, privacy walls, retaining walls, out buildings, gazebo, fencing, driveways, swimming pool, tennis court, playground equipment or any structures or recreational amenities of any kind may be constructed or placed on this parcel:

(a) within 65 feet of the entire westerly most property line which adjoins the Benefitted Property, Except that a driveway only may be placed in this 65 foot setback area, provided that it is at least 45 feet from the westerly most property line which adjoins the Benefitted Property and does not extend into the restricted area described in paragraph (A)(b) below.

(b) within that portion of the burdened Property which lies south of the line starting at that point on the property line between the Benefitted Property and the Burdened Property which is 95 feet northerly of the south western corner of the Burdened Property (abutting the dedicated pasture), and running at a ninety degree angle from this point across the entirety of the Burdened Property to the eastern property line of the Burdened Property (the property line separating the Burdened Property and Lot #2 of Sierra Country Estates). An uncovered patio on grade may be constructed within the area described in this section (b).

(B) No trees, shrubs, earth or rock mounds or any other landscaping feature or material, which does or at maturity will exceed a height of

six feet above the original undisturbed grade and elevations of the Burdened property shall be planted or placed within the areas described in sections (a) and (b) above.

(C) Construction on the Burdened Property is limited to one single story residence, which shall be constructed so that the interior finished floor elevation shall not exceed an elevation of two feet above the original undisturbed ground elevation at the westernmost corner of the lot. The intention of this restriction is to cause the residence building to hug the land and not be elevated more than two feet above the original undisturbed grade of the lot at the westernmost corner of the lot to preserve the view and natural contours of the land.

A copy of Exhibit "B" to the January 2004 Deed, namely: the legal description of the Benefitted Property, is attached to this Rescission as Exhibit "BB" and incorporated herein by this reference.

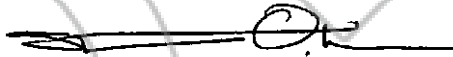
In the January 2004 Deed, the covenants within the Restrictive Covenant were made to "run with the Burdened and Benefitted Property." (January 2004 Deed, page 2, first paragraph)

In a Grant, Bargain, Sale Deed ("the November 2004 Deed") filed in the Douglas County, Nevada, Recorder's office on November 1, 2004, in Book 1104, Page 00156, as Document Number 0628084, GRANTOR sold and conveyed to Stephen O. Trackman ("TRACKMAN"), all right, title and interest of GRANTOR in the real property described in Exhibit "BB" hereto, including without limitation the Restrictive Covenant GRANTOR had reserved to itself in the January 2004 Deed.

GRANTEE and TRACKMAN now agree that the Restrictive Covenant in the January 2004 Deed no longer serves a useful purpose to GRANTEE or to TRACKMAN and that the rights reserved to GRANTOR in the Restrictive Covenant should be released to GRANTEE.

Therefore, in consideration of TEN DOLLARS (\$10) and other good and valuable consideration in hand paid to TRACKMAN by the GRANTEE, receipt of which is hereby acknowledged, TRACKMAN, as the sole and complete successor-in-interest to GRANTOR, hereby rescinds and expunges from the January 2004 Deed the language of the Restrictive Covenant and TRACKMAN further grants, bargains, sells, and conveys to GRANTEE all right, title and interest in the Burdened Property heretofore reserved to GRANTOR, originally, and, to TRACKMAN, as GRANTOR's successor-in-interest, the result being that fee simple title unencumbered by the reservation of the Restrictive Covenant by GRANTOR, and as a consequence, by TRACKMAN, as successor in interest all of GRANTOR's right, title and interest in the Benefitted Property, now vests in GRANTEE, and in GRANTEE's heirs, successors, and assigns, forever.

Witness my hand this 27th day of May, 2009.




STEPHEN O. TRACKMAN

STATE OF NEVADA)
 : ss.
COUNTY OF DOUGLAS)



This instrument was acknowledged before me on the 27th day of May, 2009, by STEPHEN O. TRACKMAN.


NOTARY PUBLIC
State of Nevada
County of Carson

ACCEPTANCE OF RESCISSION

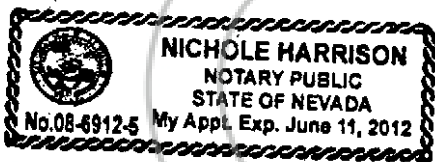
As Grantee above named, the undersigned, DANIEL R. GRAHAM and DEBORAH D. GRAHAM, HUSBAND AND WIFE AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP, hereby accept the within Rescission.

Daniel R. Graham
DANIEL R. GRAHAM

Deborah D. Graham
DEBORAH D. GRAHAM

STATE OF NEVADA)
 : ss.
COUNTY OF DOUGLAS)

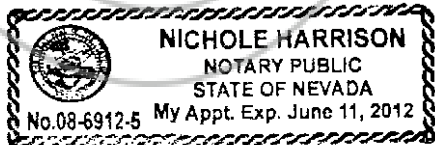
This instrument was acknowledged before me on the 3rd day of June, 2009, by DANIEL R. GRAHAM.



Nichole Harrison
NOTARY PUBLIC

STATE OF NEVADA)
 : ss.
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on the 3rd day of June, 2009, by DEBORAH D. GRAHAM.



Nichole Harrison
NOTARY PUBLIC

EXHIBIT "AA"
"Burdened Property"
Assessor's Parcel No. 1219-10-002-003

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

Lot 3 of SIERRA COUNTRY ESTATES PHASE 1 recorded March 28, 1996, Book 396, Page 4735, as Document No. 384282 of Official Records of Douglas County, State of Nevada.

Together with a 24 foot Private Access Easements set forth on map of SIERRA COUNTRY ESTATES PHASE 1.

EXHIBIT "BB"
"Benefitted Property"
Assessor's Parcel No. 1219-10-002-004

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

Lot 4, on Final Map of SIERRA COUNTRY ESTATES, PHASE 1, a Planned Unit Development, recorded March 28, 1996, Book 396, Page 4735, as Document No. 384282 of Official Records of Douglas County, State of Nevada.

Together with a 24 foot Private Access Easements set forth on map of SIERRA COUNTRY ESTATES PHASE 1.