

Lee Olinger and)
Blanche Olinger,)
husband and wife,)
)
 to) AGREEMENT
)
Joseph Tognetti.)

A G R E E M E N T

THIS AGREEMENT, made and entered into this 5th day of December, 1955, by and between LEE OLINGER and BLANCHE OLINGER, husband and wife, of Eureka, county of Eureka, state of Nevada, parties of the first part, and JOSEPH TOGNETTI, of the same place, party of the second part,

W I T N E S S E T H:

The parties of the first part and the party of the second part in consideration of the promises, covenants to be kept and performed by both parties, and the mutual benefits to be derived by both parties, hereby covenant and agree with each other as follows, to-wit:

The party of the second part covenants and agrees with the parties of the first part, to make, execute and deliver to the parties of the first part, a good and sufficient deed

conveying title to that certain portion and parcel of land naming the Lincoln Hotel Sewer System, as Grantee; said portion and parcel of land now being owned by the party of the second part in the town of Eureka, Nevada, where the present sewer disposal unit for the Lincoln Hotel Sewer System is now situated and said portion and parcel of land so conveyed is hereinafter bounded and described as follows, to-wit:

A portion and parcel of land at Eureka, Nevada, approximately one hundred (100) feet square, and located at the south end of that certain property now owned by Joe Tognetti, where the Lincoln Hotel Sewer Disposal plant is now located and being located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, NE $\frac{1}{4}$ NE $\frac{1}{4}$ S 14 T. 19, Range 53 E, which is the description of the said Joe Tognetti property at Eureka, Nevada.

It is Agreed and Understood between the parties that said portion and parcel of land so conveyed shall be used exclusively for sewage disposal, and for no other purposes.

It is further Agreed and Understood that in consideration of the party of the second part conveying said portion and parcel of land unto the parties of the first part, that the said parties hereby covenant and agree as follows, to-wit:

It is Agreed and Understood between the parties that in the event of a sale of the Lincoln Hotel Sewer System, by parties of the first part, then, and in that event, the parties of the first part will pay to the party of the second part, the sum of Ten (10%) percent of the purchase price monies received from the sale of said Sewer System.

It is further Agreed and Understood that after the parties of the first part have received back those sums of money expended in constructing said Lincoln Hotel Sewer System, then, and in that event, the said party of the second part shall be entitled to and receive Ten (10%) percent interest of all Net Profit Monies received from the operation of the said Lincoln Hotel Sewer System, which shall be paid in consideration of said party of the second part doing maintenance and repair work on said sewer system.

It is further Agreed and Understood that so long as parties of the first part exercise control and operation of said Sewer System that the said party of the second part shall have the right and privilege, so long as he is willing and able, to make connections for business houses and individual citizens desiring to keep up with said Sewer System, at a hourly or daily wage acceptable under the plumbing code.

This Agreement shall be binding upon and inure to the benefit of the heirs, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year in this instrument first above written.

Lee Olinger
Blanche Olinger
Parties of the First Part.

Joe Tognetti
Party of the Second Part.

STATE OF NEVADA)
: ss
County of Eureka)

On this 5th day of December, 1955, personally appeared before me, LEE OLINGER and BLANCHE OLINGER, husband and wife, and JOE TOGNETTI, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above in this certificate written.

(Official Seal) Ed Delaney
County Clerk.

Recorded at the Request of Lee Olinger Dec. 5 A.D., 1955 At 24 minutes past 1 P.M.

E. B. Crane--Recorder.
By Angela Evans--Deputy.