

RELEASE OF ASSIGNMENT OF LEASES AND RENTS

For good and valuable consideration, receipt of which is hereby acknowledged, the undersigned hereby releases, remises and forever quitsclaims any and all right, title or interest in and to the property fully described on Exhibit A attached hereto and made a part hereof and more particularly releases and disclaims any lien or claim of lien arising or resulting from that certain Assignment of Leases and Rents dated October 13, 1995 and recorded in Book 288 at Page 178 as Instrument No. 159629 in the official records of Eureka County, Nevada.

Executed this 21 day of April, 1997.

MORGAN STANLEY MORTGAGE CAPITAL, INC.,
a corporation

By: [Signature]
Its: Vice President

STATE OF NEW YORK)
COUNTY OF NEW YORK)

This instrument was acknowledged before me on April 21, 1997 by Silen Binsberg

[Signature]
Notary Public

Johann M. Rossi
Notary Public State of New York
NO. 01R05048010
David J. Lowery, Esq. Qualified in Suffolk County
Jones, Day, Reavis & Partners Commission Expires 8/14/97
P. O. Box 660623
Dallas, Texas 75266-0623

Recorded at the Request of
and when recorded mail to:

(Seal)

CHMAIN02 Doc: 183074-1

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EUREKA COUNTY, NEVADA

EXHIBIT

ALL THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF EUREKA, STATE OF NEVADA, AS CONVEYED TO THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY BY THE FOLLOWING DEEDS:

Date Recorded:	Grantor:	Official Records Book / Page:	Deed No.:
February 25, 1991	Catalus Development Corporation	BK 221 / Pg. 9	50778
January 12, 1980	Santa Fe Pacific Realty Corporation	BK 207 / Pg. 116	50898
January 12, 1980	Santa Fe Pacific Realty Corporation	BK 207 / Pg. 109	50899
February 4, 1982	Catalus Development Corporation	BK 231 / Pg. 475	51093

EXCEPT ALL THOSE CERTAIN PARCELS OF LAND LYING IN THE COUNTY OF EUREKA STATE OF NEVADA, AS CONVEYED TO THE FOLLOWING BY THE DEEDS LISTED AS FOLLOWS:

Date Recorded:	Grantee:	Official Records Book / Page:	Deed No.:
March 7, 1995	Santa Fe Pacific Gold Corporation	BK 281 / Pg 248	52078
May 19, 1995	Santa Fe Pacific Gold Corporation	BK 283 / Pg. 23	52167

ALSO EXCEPT A PARCEL OF LAND IN THE COUNTY OF EUREKA, STATE OF NEVADA, LYING IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 32 NORTH, RANGE 51 EAST, MOUNT DIABLO MERIDIAN, BEING THAT PORTION OF LAND WITHIN SAID SECTION, NOW AND FOR MANY YEARS PAST, OCCUPIED BY THE "PALISADE CEMETERY", AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER # 1 OF SAID PARCEL, THE WESTERLY FENCE CORNER OF THE DESCRIBED CEMETERY SITE, FROM WHICH THE X-SECTION CORNER COMMON TO SECTIONS 35 AND 36, OF SAID TOWNSHIP, BEARS S.50°44'E, 147.7 FEET; THENCE ALONG SAID FENCELINE N.34°51'E, 161.5 FEET TO A FENCE CORNER AT THE NORTHERLY CORNER OF SAID CEMETERY SITE; THENCE ALONG SAID FENCELINE N.67°38'E, 25.39 FEET TO A POINT ON THE EASTERLY SECTION LINE OF SAID SECTION 35; THENCE ALONG SAID SECTION LINE S.0°10'E, 180.17 FEET TO A POINT ON THE SOUTHWESTERLY FENCELINE OF SAID CEMETERY SITE; THENCE ALONG SAID FENCELINE N.58°04'W, 134.67 FEET TO CORNER #1, THE POINT OF BEGINNING FOR THE PARCEL HEREIN DESCRIBED.

THE "CEMETERY SITE" CONTAINS AN AREA OF 0.296 OF AN ACRE, MORE OR LESS.

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OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
United Title & Nevada
MAY 15 PM 2:11
EUREKA COUNTY NEVADA
M.N. REBAL EATL. RECORDER
FILE NO. FEES 9.00