

1111-01

HOMESTEAD TRACT B, the parties agree that they may, at some time in the future, dedicate the frontage road to the county or city, whichever may be appropriate to accept the dedication. In the event the frontage road parallel to I-385 on the existing right-of-way is made or extended on government lands, then and in such event the easements affecting TRACT B will terminate and be of no further force and effect.

SECOND: OLD AIRPORT ROAD. The entire length of what was formerly known as Airport Road, bounded on the south by I-385 and on the north by Roper Mountain Road, shall remain accessible to both Lessor and Lessee. The center line of the existing road shall constitute the western boundary of PREMISES and generally the eastern boundary of PATE HOMESTEAD TRACT B from Roper Mountain Road to the point where the center line meets the western boundary of PATE HOMESTEAD TRACT A. Lessor and Lessee shall each grant to the other a non-exclusive easement and an irrevocable license coupled with an interest, respectively, to use the road on either side of this center line half the width of the existing road. The license coupled with an interest may ripen into a non-exclusive easement, at Lessor's election, should the PREMISES ever be conveyed to Lessee.

For that portion of Old Airport Road which lies between I-385 and the northwest corner of PATE HOMESTEAD TRACT A, the Lessor shall grant to Lessee a non-exclusive easement to use the entire width of the existing road. It is the intent of the parties that if any portion of the road must be widened for the beneficial use and enjoyment of either PREMISES or PATE HOMESTEAD TRACT A or PATE HOMESTEAD TRACT B, then the parties will grant to each other easements or irrevocable licenses, as the case may be, to permit the widening of the existing road. Lessee understands and irrevocably agrees that Lessor shall have the sole right to determine the area of PATE HOMESTEAD TRACT A, or PATE HOMESTEAD TRACT B (as the case may be) which shall be affected to effect such widening. If at some time in the future it should become desirable to dedicate the road to the county or city to insure that an overpass will be constructed over I-385 and thereby provide additional access to the PREMISES, PATE HOMESTEAD TRACT A, and PATE HOMESTEAD TRACT B, the parties shall cooperate in making such dedication. Such dedication is conditioned upon a firm commitment to construct such overpass.

0.63

4328 RV-2

M.E.
11/88