

20, 2003.

D. In 1997, in *University of Alaska vs. Alaska Pacific University* Case No. 97-7779 Civ., the parties litigated the issue of the scope of the restrictions imposed under the Patents and the 1972 Agreement. By *Agreement of the Parties and Final Judgment* ordered and entered by the court on September 24, 1998 and recorded at Book 3329 Page 443 as well as Book 3329 Page 447, Anchorage Recording District, Third Judicial District State of Alaska, (the “Final Judgment”) the parties described the 1972 Agreement as Alaska Pacific’s dedication “in perpetuity the above referenced land and existing and future buildings to nonprofit education, health, recreation and conservation or related public purposes.”⁶ 0.72 13 cs 026a/tties and Fin-6]TJ 0.0

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| Agreement has been arrived at as a result of their mutual discussions. Accordingly, no provision of this Rescission Agreement shall not be construed against a particular party or in favor of another party merely because of whicha