

RECORDING REQUESTED BY:  
HENRY R. BUTLER  
WHEN RECORDED RETURN TO:  
HENRY R. BUTLER  
P. O. BOX 5367  
Stateline, Nevada 89449

**GRANT OF EASEMENT**

**Preamble**

This Agreement made this 16th day of June 1988, by and between The Henry R. Butler B Testamentary Trust, Henry R. Butler, Trustee, hereinafter referred to as "Grantor," and Kevin J. Sergott and Sondra L. Wright Sergott hereinafter referred to as "Grantee."

**Recitals**

WHEREAS, Grantor is the owner of certain real property commonly known as:

"Parcel 1-B as shown on the Parcel Map No. 1 for Henry R. Butler B Testamentary trust, Recorded May 21, 1984 in Book 584, Page 1791 as Document No. 101101 and by Certificate of Amendment Recorded September 7, 1984 in Book 984, Page 599, as Document No. 106406, of the Official Records of Douglas County, Nevada,"

hereinafter referred to as the "Servient Tenement," and

WHEREAS, Grantee is the owner of certain real property commonly known:

"Parcel 1-A as shown on the Parcel Map No. 1 for Henry R. Butler B Testamentary trust, Recorded May 21, 1984 in Book 584, Page 1791 as Document No. 101101 and by Certificate of Amendment Recorded September 7, 1984 in Book 984, Page 599, as Document No. 106406, of the Official Records of Douglas County, Nevada,"

hereinafter referred to as the "Dominant Tenement," and

WHEREAS, Grantee desires to acquire certain rights in the Servient Tenement;

NOW, THEREFORE, it is agreed as follows:

**Grant of Easement**

1. For valuable consideration, Grantor hereby grants to Grantee an easement as hereinafter described.

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## **Character of Easement**

2. The easement granted herein is appurtenant to the Dominant Tenement

## **Description of Easement**

3. The easement granted herein is a right to build, install and maintain an irrigation ditch and culvert. The ditch may be an open ditch of the type and size customary in the area for irrigation uses on a five acre parcel, except that the Westerly sixty (60) feet of the easement must be constructed with a culvert over which a road may be built to access the Servient Tenement

## **Location**

4. The easement granted herein is located as follows: a Seven and one-half (7.5) foot strip along the southern boundary of the Servient Tenement.

## **Use by Dominant Tenant**

5. The easement granted herein includes the following use of the Servient Tenement: Entry to install and maintain the ditch and culvert and to divert water to the Dominant Tenement, as necessary for irrigation. The servient tenement shall be at no expense in installing or maintaining the ditch and culvert in the easement.

The servient tenement shall be responsible for installing the culvert at its expense.

## **Exclusiveness of Easement**

6. The easement granted herein is exclusive, but the Servient Tenement may utilize the irrigation ditch for irrigation of the Servient Tenement.

## **Effect On Other Easements**

8. Nothing contained in this document shall abridge or in any way affect the rights other parcels of land may have in the servient tenement, or in any way affect abridge other easements in the servient tenement, or abridge the rights of the Servient Tenement in the Dominant Tenement.

## **Entire Agreement**

7. This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force and effect excepting a subsequent modification in writing, signed by the party to be charged.

## **Attorney's Fees**

8. In the event of any controversy, claim, or dispute relating to this instrument or the breach thereof, the prevailing party shall be entitled to recover from the losing party reasonable expenses, attorney's fees, and costs.

**Binding Effect**

9. This instrument shall bind and inure to the benefit of the respective heirs, personal representatives, successors, and assigns of the parties hereto

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

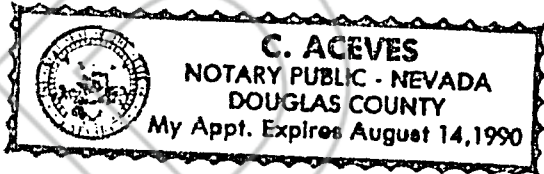
DATED 6/16/88 SIGNED Henry R. Butler  
Henry R. Butler B Testamentary Trust, Henry R. Butler, Trustee

**Acknowledgment**

State of Nevada  
County of Douglas: SS

C. Aceves On this 16 day of June in the year 1988, before me, a notary public, personally appeared Henry R. Butler, personally known to me to be the trustee of the above trust, and acknowledged that he executed it

signature C. Aceves  
Notary Public



REQUESTED BY  
**WESTERN TITLE COMPANY, INC.**  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

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RECORDER  
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