

GRANT OF STORM DRAIN AND UTILITY EASEMENT

MULREANY ASSOCIATES, a partnership, in consideration of TEN DOLLARS (\$10.00), receipt of which is hereby acknowledged, and the prospective benefits to be derived by reason of the locating, establishing, constructing and maintaining of a certain 20-foot-wide storm drain and utility easement under the supervision of the unincorporated Town of Minden, County of Douglas, State of Nevada, as hereafter described, do hereby convey and release to the unincorporated Town of Minden, County of Douglas, State of Nevada, an easement and right-of-way for the location, establishment, construction and maintenance of a 20-foot-wide storm drain and utility easement under lands owned by Mulreany Associates, a partnership, situated in the County of Douglas, State of Nevada, as reflected on EXHIBITS A and B attached, which exhibits are incorporated herein as if set forth in full, verbatim.

The easement and right-of-way hereby conveyed and released is for the sole purpose of locating, establishing, constructing and maintaining a 20-foot-wide storm drainage and utilities easement under the herein-described lands.

This conveyance is based upon the attached description and shall be deemed to include the extreme width as shown in the survey hereof, a true and correct copy of which is attached hereto, marked EXHIBITS A and B, and incorporated herein as if set forth in full, verbatim.

We also grant and convey to the unincorporated Town of Minden, County of Douglas, State of Nevada, an easement in such lands for the uses and purposes of entry thereupon, passage over, deposit of excavated earth, and storage of material and equipment upon such area as may be necessary or useful for the construction, maintenance, cleaning out and repair of such 20-foot-wide storm drain and utilities easement. Upon request made by the unincorporated Town of Minden, County of Douglas, State of Nevada, Mulreany Associates agrees to bear sole responsibility for excavating and exposing any pipe located within the storm drain and utilities easement for the purpose of routine or emergency maintenance.

By acceptance of this grant of storm drain and utility easement the unincorporated Town of Minden, County of Douglas, State of Nevada, agrees that it shall properly back-fill any trench made by it on the subject easement and shall repair any and all damage to the subject easement, restoring the disturbed surface area to its present condition as near as practical. Further, the unincorporated Town of Minden, County of Douglas, State of Nevada, agrees to indemnify the aforesaid Mulreany Associates, a partnership, its heirs, successors and assigns, against any loss and or damage which shall be caused by the exercise of this easement or by any wrongful or negligent act or omission to act of its agents or employees in the course of their employment.

When Recorded Mail to:
Sheerin, Walsh & Keele
P. O. Box 1327
Gardnerville, NV 89410

Mulreany Associates reserves all rights in the property not specifically granted. In the future, should Mulreany Associates desire to build over the real property now included in the described easement, Mulreany Associates agrees to apply to the unincorporated Town of Minden, County of Douglas, State of Nevada, for permission to relocate the easement. The standards for relocating the easement are as follows: 1. the area of the proposed relocation must be hydraulically sound; 2. the area must meet all applicable engineering specifications; 3. the relocated easement must comply with all other state and local statutes and ordinances and other laws; 4. all pipe installed by Mulreany Associates within the new easement must be pipe certified by the unincorporated Town of Minden, County of Douglas, State of Nevada, as having a useful life of at least fifty (50) years; 5. any other utility facilities located within the same easement must be simultaneously relocated by Mulreany Associates from the old easement at the sole expense of Mulreany & Associates. By joining in the execution of that portion of this instrument styled "Acceptance," the unincorporated Town of Minden, County of Douglas, State of Nevada, agrees to approve relocation of this easement provided that the referenced relocation standards are met.

In connection with any relocation of the easement occasioned by the request of Mulreany Associates, Mulreany Associates agrees to bear sole responsibility for all aspects of the relocation, including, but not necessarily limited to construction costs, financing costs, and the reasonable cost of any and all engineering and legal services reasonably incurred by the unincorporated Town of Minden, County of Douglas, State of Nevada, in reviewing the application to relocate the easement, determining that it meets the above-referenced standards, advising the members of the Minden Town Advisory Board whether to approve the relocation, and preparing, reviewing or revising the legal description of the new easement and contemporaneously expunging the old easement from the Official Records of the County of Douglas, State of Nevada. Once approved and recorded, any relocated storm drain will be subject to the identical terms and conditions set forth in the instant Grant of Storm Drain and Utility Easement.

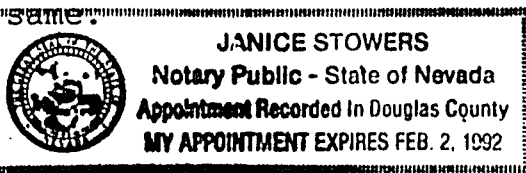
MULREANY ASSOCIATES,
a partnership

By: Patrick A. Mulreany
Patrick A. Mulreany,
General Partner

By: Jean E. Mulreany
Jean E. Mulreany,
General Partner

STATE OF NEVADA)
: SS.
COUNTY OF DOUGLAS)

On this 31st day of March, 1989, before me, a Notary Public in and for said County and State, personally appeared PATRICK A. MULREANY and JEAN E. MULREANY, known to me to be the persons whose names are subscribed to the within instrument, and who acknowledged to me that they executed the



Janice Stowers
Notary Public

ACCEPTANCE

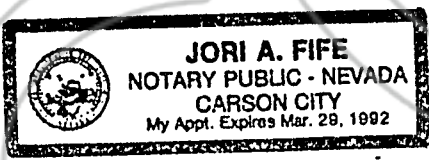
In Witness Whereof, the unincorporated Town of Minden, County of Douglas, State of Nevada, hereby accepts this Grant of Storm Drain and Utility Easement this 20th day of April, 1989.

TOWN OF MINDEN,
Minden Town Advisory Board

By: David C. Sheets
Chairman

STATE OF NEVADA)
: SS.
COUNTY OF DOUGLAS)

On this 20th day of April, 1989, before me, a Notary Public in and for said County and State, personally appeared David C. Sheets, known to me to be the person whose name is subscribed to the within instrument, and who acknowledged to me that he executed the same as the authorized representative of the Minden Town Advisory Board.



Jori A. Fife
Notary Public

REQUESTED BY
Merrin Walsh & Keele
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

'89 APR 21 A10:14

SUZANNE BEAUDREAU
RECORDER

\$ 2.00 PAID Bh DEPUTY

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