

AFTER RECORDING, MAIL TO:
EDWARD J. KING, JR. &
CAROLYN G. KING
P.O. BOX 378
GLENBROOK, NEVADA 89413

GRANT OF EASEMENT

THIS AGREEMENT made this 25th day of July, 1990, by and between UPPAWAY ESTATES, INC., a Nevada corporation, hereinafter called "Grantor" and EDWARD J. KING, JR. and CAROLYN G. KING, husband and wife, hereinafter called "Grantee", and

WHEREAS, Grantor is the owner of certain real property commonly known as the common area of UPPAWAY ESTATES SUBDIVISION, more particularly described in Official Records of Douglas County, Nevada, on May 21, 1976, under File No. 00394, in Book 576, Page 917; and that part of said UPPAWAY ESTATES SUBDIVISION described and depicted in Exhibits "A" and "B" attached hereto, which are incorporated herein by this reference as though set forth at herein, is the Servient Tenement, and

WHEREAS, Grantee is to become the owner of certain real property more particularly described as Lot 17, as shown on the map of UPPAWAY, filed in the office of the County Recorder of Douglas County, State of Nevada, on May 21, 1976, which property is 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:

1. For valuable consideration, Grantor hereby grants to Grantee an exclusive, perpetual use easement to the land described in Exhibit "A" and depicted on Exhibit "B", the Servient Tenement.

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

3. Grantee shall be entitled to use the Servient Tenement in any way not inconsistent with and subject to the limitations set forth in that certain Declaration of Covenants, Conditions and Restrictions, recorded as Instrument No. 00510 of the Official Records of Douglas County, Nevada, on May 21, 1976, and appearing at Page 1054, et seq., of Book 576, as the same may have been amended by document recorded July 1, 1977, in Book 777, Page 5 of the Official Records of Douglas County, Nevada.

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4. Grantee shall be responsible for maintenance of the easement area in accordance with standards applicable to all such easements granted within UPPAWAY ESTATES SUBDIVISION, to be adopted or revised from time to time, by Grantor. In the event of failure of Grantee to so maintain the easement, Grantor may enter upon the easement area, perform the required maintenance, and charge the cost thereof to Grantee. Said maintenance charge shall be a lien upon said Lot.

5. Grantee shall carry liability insurance for any occurrence upon said easement area for which Grantor might be held liable by a court of competent jurisdiction and shall deliver evidence thereof to Grantor, as its respective interests may appear.

6. The construction of any fences, gardens, pathways or other man-made objects shall be subject to review by the directors of Grantor, who in their sole discretion may grant or deny permission to maintain such accessories to the Dominant Tenement, it being understood that the UPPAWAY ESTATES SUBDIVISION is a community of common interests, and no individual lot owner should be allowed to exhibit exterior decorations which are not in harmony with the general decor of the entire area.

7. It will be Grantee's responsibility to reimburse Grantor for any tax liability levied by Douglas County, Nevada, by reason of the grant of this easement.

8. 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.

9. In the event of a 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 attorneys' fees and costs.

10. 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.

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THIS DOCUMENT SHALL BE SIGNED IN COUNTER-PART

GRANTEE:

GRANTOR:

EDWARD J. KING, JR. and
CAROLYN G. KING

UPPAWAY ESTATES, INC.
a Nevada corporation

By William Cody Kelly
William Cody Kelly
Chairman

(SEAL)

SEAL

STATE OF OHIO)
 : ss.
HAMILTON COUNTY)

On the 25th day of July, 1990, before me, the undersigned, a Notary Public in and for said State and County, personally appeared WILLIAM CODY KELLY, known to me to be the Chairman of UPPAWAY ESTATES, INC., a Nevada corporation, the Corporation that executed the within instrument, known to me to be the person who executed the within instrument on behalf of the Corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to a resolution of its board of directors.

WITNESS my hand and official seal.

Vickie L Evans
NOTARY PUBLIC

VICKIE L. EVANS
Notary Public, State of Ohio
My Commission Expires June 11, 1991

(SEAL)

SEAL

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DESCRIPTION

All that real property situate in the County of Douglas, State of Nevada, described as follows:

An exclusive easement for Lot 17 of Uppaway, filed for record on May 21, 1976, Document Number 394, more particularly described as follows:

Beginning at a point which bears North $24^{\circ}25'45''$ West 21.59 feet from the most Northerly corner of said Lot 17; thence South $80^{\circ}41'06''$ East 60.93 feet; thence South $24^{\circ}33'00''$ East 121.72 feet to a point on the Northerly line of the exclusive easement for Lot 16, as described in Exhibit "A" and on file with the Uppaway Homeowners' Association; thence along said line South $78^{\circ}44'$ West 89.00 feet and South $60^{\circ}14'$ West 99.83 feet to a point on the Easterly line of Kelly Circle; thence along a curve concave to the Northeast with a radius of 142 feet, a central angle of $22^{\circ}04'13''$, and an arc length of 54.70 feet; the chord of said curve bears North $14^{\circ}03'06''$ West 54.36 feet; thence North $03^{\circ}01'00''$ West 105.12 feet; thence along a tangent curve to the right with a radius of 142 feet, a central angle of $14^{\circ}33'50''$ and an arc length of 36.09 feet; thence South $88^{\circ}22'35''$ East 51.10 feet; thence South $80^{\circ}41'06''$ East 28.59 feet to the True Point of Beginning.

Containing 0.57 acres, more or less.

Note: Refer this description to your title company before incorporating into any legal document.

Prepared by: Turner & Associates, Inc.
Land Surveying
PO Box 5067
Stateline, NV 89449

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COPY

REQUESTED BY
FIRST NEVADA TITLE COMPANY

IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

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SUZANNE BEAUDREAU
RECORDER

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\$10⁰⁰ PAID *KIV* DEPUTY

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