

Ret! Town of Gardnerville
P.O. Box 43
Gardnerville NV 89410

**SUBAREA DRAINAGE COST SHARING AGREEMENT
ASSESSOR'S PARCEL NUMBERS 25-152-01
AND 25-152-02
BMC WEST CORPORATION**

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COMES NOW, BMC WEST CORPORATION, hereinafter called "OWNER", and the Town of Gardnerville, by and through its Chairman, hereinafter called "TOWN", and hereby agree as follows:

1. OWNER and TOWN agree that the TOWN is studying the potential drainage impacts from existing and proposed development within the TOWN, which study analyzes the lots and streets within the TOWN, and lists them according to their subarea, area and runoff potential. The TOWN also is analyzing cost sharing with developers of proposed water quality improvements, which share of costs will be determined based upon the runoff potential and area of property.

2. The TOWN and OWNER agree that the TOWN has established a maximum cost sharing amount for the OWNER'S property (as described in Exhibit "A" attached hereto) of \$14,143.42, which funds would be utilized for the proposed sand and oil interceptor, drop inlets, drain pipe, wet land enhancement, easement acquisition and/or related water quality improvements when the Subarea Drainage Plan is developed and implemented.

3. The TOWN and OWNER agree that the storm drainage and water quality improvements contemplated by the TOWN will enhance the area of the TOWN in which the OWNER'S property is situated. Based upon the advantages of a comprehensive Subarea Drainage Plan being implemented, OWNER agrees to contribute

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1 towards the costs of the Subarea Drainage Plan an amount not to
2 exceed \$14,143.42.

3 4. The TOWN and OWNER agree that the TOWN will
4 accept this Agreement to contribute OWNER'S share of the Subarea
5 Drainage Plan costs when the Plan is implemented, and upon
6 thirty (30) days written notice to the OWNER to deposit with the
7 TOWN a sum not to exceed \$14,143.42.

8 5. The TOWN and OWNER agree that this Agreement may
9 be recorded and constitute an encumbrance against OWNER'S
10 property until paid. This Agreement shall be binding upon the
11 OWNER and its heirs, assigns and successors in interest.

12 DATED this 19th day of ~~September~~^{October}, 1994.

13 OWNER
14 BMC WEST CORPORATION

15 BY: *Elias C. Goebel*
16 *Vice President & Treasurer*
17 *Elias C. Goebel*

18 TOWN OF GARDNERVILLE

19 by: *Douglas W. Sonnemann*
20 *Douglas W. Sonnemann*
21 DOUGLAS W. SONNEMANN
22 CHAIRMAN

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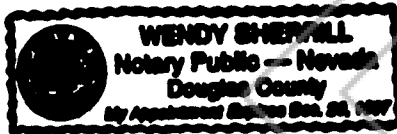
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A C K N O W L E D G E M E N T

STATE OF NEVADA)
) ss.
COUNTY OF DOUGLAS)

On ~~September~~ October 19, 1994, before me, the undersigned, a Notarial Officer in and for said County and State, personally appeared DOUGLAS W. SONNEMANN, known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same.

WITNESS my hand and official seal.



Wendy Sherrill
NOTARIAL OFFICER

A C K N O W L E D G E M E N T

STATE OF ^{Idaho} NEVADA)
) ss.
COUNTY OF ^{Ada} DOUGLAS)

On ~~September~~ October 10, 1994, before me, the undersigned, a Notarial Officer in and for said County and State, personally appeared Ellis C. Goebel for BMC WEST CORPORATION known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same.

WITNESS my hand and official seal.

Les Thomas
NOTARIAL OFFICER

/ / /

/ / /

MICHAEL SMILEY ROWE
Attorney at Law
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EXHIBIT A

All that certain lot, piece or parcel of land situate in Douglas County, State of Nevada, described as follows:

PARCEL 1:

A parcel of land being a portion of Section 3, Township 12 North, Range 20 East, M.D.B.&M., and of Parcel "B" as shown on that certain Map entitled Carson Valley Industrial Park, recorded as Document No. 47572 on March 30, 1970, Official Records of Douglas County, Nevada, described as follows:

Commencing at the Southeast corner of said Parcel B on the Westerly right-of-way of Industrial Way; thence along the Southerly boundary of said Parcel "B", South 71°18'00" West 821.10 feet to the True Point of Beginning; thence continuing along said Southerly boundary South 71°18'00" West 151.35 feet to the Southeast corner of "Common Area" as shown on map of Carson Valley Industrial Park; thence along the boundary of said "Common Area" North 37°19'45" West 43.43 feet and South 52°40'15" West 24.68 to the Easterly boundary of Parcel E as shown on said map; thence along the Easterly boundary of said Parcel E North 36°49'00" West 523.61 feet; thence along a non-tangent curve to the right with a radius of 20 feet and a central angle of 90°00'00" an arc length of 31.42 feet; thence North 34°22'00" West 5.00 feet to the Southerly right of way of Industrial Way; thence along said right-of-way North 55°38'00" East 120.61 feet; thence along a curve to the right with a radius of 220 feet and a central angle of 14°18'52" and an arc length of 54.96 feet; thence South 34°22'00" East 624.27 feet to the point of beginning.

PARCEL 2:

A parcel of land being a portion of Section 3, Township 12 North, Range 20 East, M.D.B.&M., and of Parcel "B" as shown on that certain Map entitled Carson Valley Industrial Park, recorded as Document No. 47572 on March 30, 1970, Official Records of Douglas County, Nevada, described as follows:

Commencing at the Southeast Corner of said Parcel "B" on the Westerly right-of-way of Industrial Way; thence along the Southerly boundary of said Parcel "B", South 71°18'00" West, 782.95 feet to the True Point of Beginning; thence continuing along said Southerly boundary South 71°18'00" West, 38.15 feet; thence leaving said boundary North 34°22'00" West, 624.27 feet to a non-tangent point on a curve concave to the Southeast on the Southerly right-of-way of Industrial Way having a radius of 220.00 feet and a central angle of 22°40'08", to the center of said curve bears South 20°03'08" East; thence Northeasterly along said curve an arc distance of 87.04 feet; thence tangent to said curve South 87°23'00" East, 204.75 feet; thence leaving said right-of-way of Industrial Way South 11°00'00" East, 516.31 feet to the Point of Beginning.

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COPY

REQUESTED BY
Town of Gardnerville
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

94 OCT 20 P1:16

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SUZANNE BEAUDREAU
RECORDER

S PAID *AK* DEPUTY