

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

David C. Whittemore, Esq.  
Lionel Sawyer & Collins  
300 South Fourth Street, Suite 1700  
Las Vegas, Nevada 89101

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**GRANT OF EASEMENT**

**THIS GRANT OF EASEMENT** is made and entered into as of the 1st day of January, 1996, by William A. Harvey and Maurene A. Harvey, as Trustees of Consultants in Critical Care Retirement Trust dated January 1, 1991 (the "Trust") and William A. Harvey and Maurene A. Harvey, husband and wife (collectively, "Harvey").

**RECITALS**

**WHEREAS**, Harvey is the owner of that certain real property located in Douglas County, State of Nevada, described in Exhibit A attached hereto and incorporated herein (the "Harvey Property"); and

**WHEREAS**, the Trust is the owner of that certain real property located in Douglas County, State of Nevada, described in Exhibit B attached hereto and incorporated herein (the "Trust Property") which is adjacent to the Harvey Property; and

**WHEREAS**, the Harvey Property and the Trust Property are collectively burdened by that certain fifteen foot (15') nonexclusive roadway and utility easement created in favor of Jill Talbot Derby and Stephen C. Talbot by that certain Grant of Replacement Easement and Release of Easement, dated as of June 30, 1994, recorded July 16, 1997, in the Official Records of Douglas County, Nevada (the "Official Records"), as Document Number 0417294 in Book 0797 at Page 2666, as described in Exhibit C attached hereto and incorporated herein (the "Roadway Easement"); and

**WHEREAS**, Harvey desires to grant and the Trust desires to obtain a fifteen foot (15') nonexclusive easement across, over and through the Harvey Property in the same location as that portion of the Roadway Easement which burdens the Harvey Property; and

**WHEREAS**, the Trust desires to grant and Harvey desires to obtain a fifteen foot (15') nonexclusive easement across, over and through the Trust Property in the same location as that

portion of the Roadway Easement which burdens the Trust Property.

**NOW THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged:

1. Harvey hereby grants, conveys, and creates, for the benefit of the Trust and its successors, and for the benefit of the Trust Property, a fifteen foot (15') nonexclusive easement for ingress, egress, roadway purposes and utility purposes, in the same location as that portion of the Roadway Easement which burdens the Harvey Property, which shall be appurtenant to the Trust Property and run with the land in perpetuity unless earlier terminated by a written document executed and acknowledged by Harvey and the Trust (or their successors and assigns) and recorded in the Official Records.

2. The Trust hereby grants, conveys, and creates, for the benefit of Harvey and its successors, and for the benefit of the Harvey Property, a fifteen foot (15') nonexclusive easement for ingress, egress, roadway purposes and utility purposes, in the same location as that portion of the Roadway Easement which burdens the Trust Property, which shall be appurtenant to the Harvey Property and run with the land in perpetuity unless earlier terminated by a written document executed and acknowledged by Harvey and the Trust (or their successors and assigns) and recorded in the Official Records.

3. The easements granted herein may be used solely (i) by persons occupying the Trust Property or the Harvey Property, as the case may be, for residential purposes, and (ii) for the purpose of lawfully gaining access to any adjacent property upon which such persons have a legal right to enter.

4. The performance, validity, interpretation and effect of this Grant of Easement shall be governed by Nevada law.

Remainder of Page 2 intentionally left blank

IN WITNESS WHEREOF, the parties have executed this Grant of Easement as of the date first set forth above.

HARVEY

William A. Harvey  
William A. Harvey, an individual

Maurene A. Harvey  
Maurene A. Harvey, an individual

THE TRUST

Consultants in Critical Care Retirement  
Trust dated January 1, 1991

William A. Harvey  
William A. Harvey, Trustee

Maurene A. Harvey  
Maurene A. Harvey, Trustee

STATE OF NEVADA )  
) ss:  
COUNTY OF DOUGLAS )

This instrument was acknowledged before me on \_\_\_\_\_, 1998, by William A. Harvey and Maurene A. Harvey, husband and wife.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF NEVADA )  
) ss:  
COUNTY OF DOUGLAS )

This instrument was acknowledged before me on \_\_\_\_\_, 1998, by William A. Harvey and Maurene A. Harvey, as Trustees of Consultants in Critical Care Retirement Trust dated January 1, 1991.

\_\_\_\_\_  
NOTARY PUBLIC

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

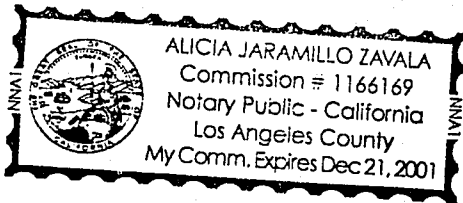
County of Los Angeles } ss.

On April 23, 1998, before me, Alicia Jaramillo Zavala, Notary,  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared William A. Harvey  
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.

Alicia Jaramillo Zavala  
Signature of Notary Public

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: Grant of Easement

Document Date: 04/23/98 Number of Pages: 26

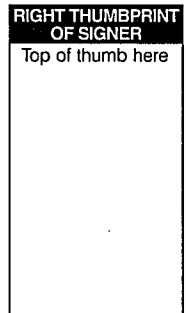
Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



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**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

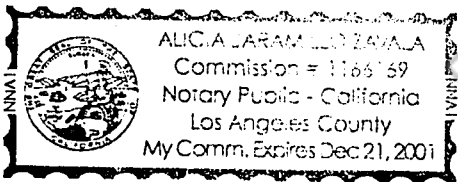
County of Los Angeles } SS.

On April 24, 1998, before me, Alicia Jaramillo Zavala, Notary,  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Maurine Adelle Harvey,  
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Alicia Jaramillo Zavala  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

**Description of Attached Document**

Title or Type of Document: Grant of Easement

Document Date: 04/23/98 Number of Pages: 6

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer**

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT OF SIGNER  
Top of thumb here

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EXHIBIT A

LEGAL DESCRIPTION OF HARVEY PROPERTY

Parcel 1-B

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

All that portion of Parcel No. 1 as shown on the Record of Survey for J. Derby and S. Talbot, filed for record in said County as Document No. 163482, more particularly described as follows:

Beginning at the most Westerly corner of said Parcel No. 1; thence North  $45^{\circ}17'00''$  East 233.18 feet; thence South  $27^{\circ}39'22''$  East 268.30 feet; thence South  $22^{\circ}01'00''$  West 492.43 feet; thence North  $44^{\circ}23'00''$  West 70.00 feet; thence North  $22^{\circ}01'00''$  East 105.00 feet; thence South  $44^{\circ}23'00''$  East 59.09 feet; thence North  $22^{\circ}01'00''$  East 379.02 feet thence WEST 133.82 feet; thence North  $63^{\circ}11'46''$  West 163.16 feet to the Point of Beginning.

Containing 45,791 square feet.

The basis of bearings for this description is identical to that of the Record of Survey, Document No. 163482, Douglas County Records, being the bearing "North  $45^{\circ}17'00''$  East."



EXHIBIT B

LEGAL DESCRIPTION OF TRUST PROPERTY

Parcel 1-A

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

All that portion of Parcel No. 1 as shown on the Record of Survey for J. Derby and S. Talbot, filed for record in said County as Document No. 163482, more particularly described as follows:

Beginning at the most Northerly corner of said Parcel No. 1; thence South  $25^{\circ}35'16''$  East 200.02 feet; thence South  $34^{\circ}05'04''$  West 124.20 feet; thence South  $22^{\circ}01'00''$  West 109.84 feet; thence North  $27^{\circ}39'22''$  West 268.30 feet; thence North  $45^{\circ}17'00''$  East 209.58 feet to the Point of Beginning.

Containing 44,285 square feet.

The basis of bearings for this description is identical to that of the Record of Survey, Document No. 163482, Douglas County Records, being the bearing "North  $45^{\circ}17'00''$  East."

EXHIBIT C

LEGAL DESCRIPTION OF ROADWAY EASEMENT

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

All that portion of Lot 4 and the Northeast 1/4 of the Southeast 1/4 of Section 3, Township 14 North, Range 18 East, M.D.M., more particularly described as follows:

Commencing at the Meander Corner between Sections 3 and 10, in said Township and Range; thence along the Meander Line North 44°23' West 1184.79 feet; thence North 22°01' East 105.00 feet; thence North 20°38'37" East 330.36 feet; thence WEST 16.78 feet to the True Point of Beginning, a point on the centerline of this easement description; thence along the centerline along a curve concave to the Southeast with a radius of 115 feet, a central angle of 71°19'24" and an arc length of 143.16 feet, the chord of said curve bears North 16°35'18" East 134.09 feet; thence North 52°15' East 38.00 feet; thence North 33°15' East 62.06 feet; thence North 06°07' East 63.17 feet; thence North 23°05' East 21.77 feet; thence North 45° East 46.12 feet to a point on the Westerly line of Pray Meadow Road and the Northerly terminus of this easement description.



REQUESTED BY  
*William Harvey*  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

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11-122997.1

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LINDA SLATER  
RECORDER  
\$ *14.00* PAID *K2* DEPUTY