

15-✓ R.O. ANDERSON ENGR.  
P.O. Box 2294  
MINDEN, NV 89423

**AGREEMENT FOR GRANTING OF EASEMENT**

This agreement made this 7<sup>th</sup> day of July, 1999, by and between RIVER TREE RANCH, LTD., a Nevada limited liability company, of Post Office Box 1700, Dayton, NV 89403 ("Grantor"), and GORDON FRICKE, of 1255 Centerville Lane, Gardnerville, Nevada 89410, trustee of the Gordon Arthur and Mary Joanne Fricke trust, dated December 18, 1991 ("Grantee").

WHEREAS, Grantor is presently the owner of certain real property located in Douglas County, Nevada, as more particularly described on Exhibit "A", attached hereto and incorporated herein by reference; and

WHEREAS, Grantee is presently the owner of certain real property located in Douglas County, Nevada, as more particularly described on Exhibit "B", attached hereto and incorporated herein by reference; and

WHEREAS, Grantor desires to grant to Grantee a non-exclusive easement for ingress and egress only, over and across Grantor's real property described on Exhibit "A".

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, and other good and valuable consideration, receipt of which is hereby acknowledged by each of the parties, the parties hereby agree as follows:

1. **GRANT OF EASEMENT.** Grantor hereby grants to Grantee, subject to the terms herein, a perpetual, non-exclusive easement for the purpose of ingress and egress, which easement is more particularly described on Exhibit "C" attached hereto and incorporated herein by reference. The location of said easement may be relocated by Grantor, at any time, in its sole discretion. Said easement shall be for the purposes of accessing irrigation improvements necessary

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to irrigate Grantee's real property described on Exhibit "B", and irrigation ditch maintenance. Grantee may maintain the surface of said easement consistent with its current condition.

2. **BENEFIT OF EASEMENT.** The easement granted herein shall be solely for the benefit of Grantee and the real property described on Exhibit "B".

3. **INDEMNIFICATION.** Grantee shall hold Grantor harmless from any and all liability for any injuries or damages to any persons or property as a result of or arising out of Grantee's use of the easement granted herein.

4. **SUCCESSORS AND ASSIGNS.** This Agreement and the easement granted herein shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, successors, and assigns, and the subject easement granted herein shall run with the lands benefitted and/or burdened thereby.

5. **LIMITED USE.** The easement granted herein is limited solely to the use described above, and the same may be used for no other purpose.

6. **ATTORNEY'S FEES AND COSTS.** In the event of a dispute to enforce any of the terms or provisions of this Agreement, the prevailing party in any legal action shall be entitled to its reasonable attorney's fees and costs as part of any judgment in such action.

7. **NOTICES.** Any notices to be given pursuant to this Agreement shall be in writing, delivered by hand or certified mail, to the parties at the addresses first set forth above.

8. **ABANDONMENT.** Grantee hereby abandons, releases, and waives all other easements with respect to the real property described on Exhibit "A", including, but not limited to that certain 25' non-exclusive access easement recorded in Official Records of Douglas County on March 26, 1996, as Document No. 384063.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first

above written.

("GRANTOR")

RIVER TREE RANCH, LTD., a Nevada  
limited liability company

By [Signature]  
Tom BRUCE  
Its MANAGER

("GRANTEE")

Gordon Arthur Fricke and Mary <sup>Joanne</sup> ~~Jane~~ Fricke  
Trust, dated December 18, 1991

By [Signature]  
GORDON FRICKE  
Its TRUSTEE

STATE OF NEVADA )  
County of Douglas ) : ss.

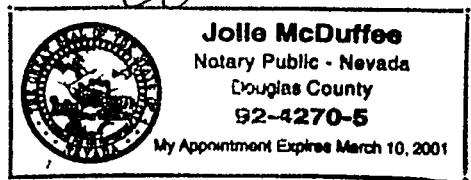
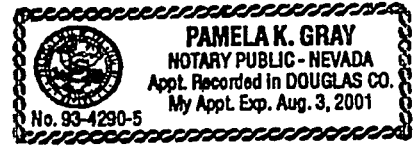
This instrument was acknowledged before me on the 7<sup>th</sup> day of July, 1999, by Tom BRUCE, Manager of RIVER TREE RANCH, LTD., a Nevada limited liability corporation.

[Signature]  
NOTARY PUBLIC

STATE OF Nevada )  
County of Douglas ) : ss.

This instrument was acknowledged before me on the 7<sup>th</sup> day of July, 1999, by Gordon Fricke.

[Signature]  
NOTARY PUBLIC



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**EXHIBIT "A"**

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

**PARCEL 1:**

Parcels 1, 2, 3 and 5 as set forth on Record of Survey for Ida F. and Anne Wennhold, filed for record in the office of the Douglas County Recorder on June 18, 1992, in Book 692, Page 3256, as Document No. 281266, Official Records.

A.P.N.'s 27-170-03  
27-170-04  
27-170-05  
27-170-07

**PARCEL 2:**

Parcels 4A, 4B, 4C and 4D, as set forth on Land Division Map for Anne Wennhold, et als, filed for record in the office of the Douglas County Recorder on October 29, 1993, in Book 1093, Page 6197, as Document No. 321488.

A.P.N.'s 27-170-09  
27-170-10  
27-170-13  
27-170-14  
27-170-11

Excepting therefrom that portion of said land that lies within the ordinary high water line of the East Fork of the Carson River.

**PARCEL 3:**

A right of way for roadway about 25 feet in width as shown in Bond for Deed recorded September 17, 1900, Book B of Misc., Page 45 and in Deed recorded in Book M of Misc., Page 273, both of Douglas County, Nevada Records.

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**EXHIBIT "B"**

343-01-93

11-29-94

Revised 1/13/95

**FRICKE  
Adjusted Parcel 1**

A Parcel of land located within a portion of Section 9, Township 12 North, Range 20 East, Mount Diablo Meridian, Douglas County, Nevada, described as follows:

Commencing at the North one-quarter corner (N¼) of said Section 9, from which the Northeast corner of Section 9 bears North 89°50'00" East, 2627.12 feet per the Record of Survey for Ida F. & Ann Wennhold as recorded in Book 692 at Page 3256 as Document No. 281266;

thence South 00°15'19" East 2642.95 feet to the center of said Section 9;

thence North 89°50'36" East 1312.00 feet;

thence South 03°34'39" East, 484.23 feet to a nail and tag RLS 1586 in top of a fence post per The Record of Survey for Edwin and Susan Haase and recorded as Document No. 304364;

thence along an existing fence per said Document No. 304364 South 85°28'33" West, 132.07 feet;

thence South 84°48'59" West, 97.48 feet;

thence South 36°12'42" West, 98.70 feet;

thence South 02°17'37" East, 265.60 feet to THE POINT OF BEGINNING, from which the North one-quarter corner of said Section 9 bears North 17°10'23" West, 3649.58 feet;

thence continuing South 02°17'37" East, 475.55 feet;

thence North 89°45'12" West, 1050.28 feet;

thence North 46°11'36" West, 389.13 feet;

thence South 31°35'51" West, 55.41 feet;

thence North 46°38'19" West, 384.90 feet

thence North 82°48'44" East, 151.89 feet;

thence North 80°00'10" East, 112.76 feet;

thence South 84°28'58" East, 157.60 feet;

thence North 82°10'42" East, 476.07 feet;

thence South 57°17'13" East, 214.29 feet;

thence South 84°54'59" East, 113.31 feet;

thence North 88°09'50" East, 186.84 feet;

thence North 86°22'48" East, 251.27 feet to THE POINT OF BEGINNING, containing 15.53 acres, more or less.

The Basis of Bearing of this description is the North line of Section 9, Township 12 North, Range 20 East, M.D.M., per Document No. 281266.

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**FRICKE  
Existing Parcel 2**

A Parcel of land located within a portion of Section 9, Township 12 North, Range 20 East, Mount Diablo Meridian, Douglas County, Nevada, described as follows:

Commencing at the North one-quarter corner (N¼) of said Section 9, from which the Northeast corner of Section 9 bears North 89°50'00" East, 2627.12 feet per the Record of Survey for Ida F. & Ann Wennhold as recorded in Book 692 at Page 3256 as Document No. 281266;

thence South 89°50'00" West, 1293.98 feet to the Easterly right-of-way line of State Route 756;

thence along said Easterly right-of-way line South 04°01'42" East, 98.66 feet;

thence South 02°56'03" East, 117.82 feet;

thence South 00°02'33" West, 330.15 feet;

thence South 00°19'14" East, 2380.04 feet to THE POINT OF BEGINNING, from which the North one-quarter corner of said Section 9 bears North 23°24'01" East, 3192.58 feet;

thence South 59°52'09" East, 452.52 feet;

thence South 46°43'32" East, 356.25 feet;

thence South 88°06'33 West, 756.90 feet to the Easterly right-of-way line of State Route 756;

thence along said Easterly right-of-way along the arc of a non-tangent curve to the left having a delta angle of 26°11'48" radius of 1040.00 feet, length of 475.51 feet and a chord bearing of North 12°59'17" East, 471.38;

thence North 00°19'14" West, 37.13 feet to THE POINT OF BEGINNING, containing 4.46 acres, more or less.

The Basis of Bearing of this description is the North line of Section 9, Township 12 North, Range 20 East, M.D.M., per Document No. 281266.

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**FRICKE  
Adjusted Parcel 3**

A Parcel of land located within a portion of Section 9, Township 12 North, Range 20 East, Mount Diablo Meridian, Douglas County, Nevada, described as follows:

Commencing at the North one-quarter corner (N¼) of said Section 9, from which the Northeast corner of Section 9 bears North 89°50'00" East, 2627.12 feet per the Record of Survey for Ida F. & Ann Wennhold as recorded in Book 692 at Page 3256 at Document No. 281266;

thence South 00°15'19" East, 2642.95 feet;  
thence North 89°50'36" East, 1312.00 feet;  
thence South 03°34'39" East, 484.23 feet;  
thence South 85°28'33" West, 132.07 feet;  
thence South 84°48'59" West, 97.48 feet;  
thence South 36°12'42" West, 98.70 feet;  
thence South 02°17'37" East, 265.60 feet;  
thence South 86°22'48" West, 251.27 feet;  
thence South 88°09'50" West, 186.84 feet;  
thence North 84°54'59" West, 113.31 feet;  
thence North 57°17'13" West, 214.29 feet;  
thence South 82°10'42" West, 476.07 feet;  
thence North 84°28'58" West, 157.60 feet;  
thence South 80°00'10" West, 112.76 feet;  
thence South 82°48'44" West, 151.89 feet;  
thence North 46°38'19" West, 101.55 feet;  
thence North 46°43'32" West, 356.25 feet;  
thence North 59°52'09" West, 452.52 feet;  
thence North 00°19'14" West, 2380.04 feet;  
thence North 00°02'33" East, 330.15 feet;  
thence North 02°56'03" West, 117.82 feet;  
thence North 04°01'42" West, 98.66 feet;  
thence North 89°50'00" East, 1293.98 feet to THE POINT OF BEGINNING, containing 119.76 acres more or less.

The Basis of Bearing of this description is the North line of Section 9, Township 12 North, Range 20 East, M.D.M., per Document No. 281266.

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**FRICKE/BRUCE  
Private Access Easement**

A 12 foot wide Private Access Easement located within the Northwest one-quarter (NW1/4) of Section 9, and the west one-half (W1/2) of Section 10, Township 12 North, Range 20 East, Mount Diablo Meridian, Douglas County, Nevada, within an existing dirt traveled way, the centerline of which is described as follows:

Commencing at the center 1/4 corner of Section 9, T.12N., R.20E., M.D.M., as shown on that Record of Survey for Ida F. and Anne Wennhold, recorded in Book 692, at Page 3256 as Document No. 281266;

thence North 00°15' West, 1342.9 feet to the POINT OF BEGINNING;

thence South 65°32' East, 23.9 feet;

thence South 00°06' West, 673.5 feet;

thence South 06°18' East, 75.8 feet;

thence South 00°30' West, 358.8 feet;

thence South 15°09' East, 49.2 feet;

thence South 58°09' East, 56.1 feet;

thence South 72°43' East, 295.6 feet;

thence South 75°31' East, 148.9 feet;

thence South 82°58' East, 128.9 feet;

thence North 89°51' East, 1976.8 feet;

thence North 61°49' East, 102.0 feet;

thence North 88°40' East, 485.2 feet;

thence North 83°46' East, 78.1 feet;

thence South 89°58' East, 445.8 feet;

thence North 37°29' East, 45.2 feet;

thence South 67°05' East, 426.3 feet;

thence North 07°18' West, 104.4 feet;

thence North 26°13' East, 86.7 feet, more or less, to a point at the top of bank of the Carson River;

thence along said top of bank along the arc of a non-tangent curve to the left having a delta angle of 19°03', radius of 1,652 feet an arc length of 549.5 feet and a chord bearing of South 64°47' East, for a distance of 546.9 feet;

thence South 69°08' East, 138.5 feet;

thence South 55°44' East, 72.3 feet;

thence South 69°30' East, 88.0 feet, more or less, to the southerly boundary line as shown on said Record of Survey, Document No. 281266, the POINT OF TERMINUS.

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COPY

REQUESTED BY  
RO Anderson, Eng.  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

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LINDA SLATER  
RECORDER  
\$15.00 PAID OK DEPUTY