

12
APN: 015-020-16

✓ STEWART TITLE
111 W. Proctor St.
CARSON CITY, NV
89703

GRANT OF ROADWAY AND UTILITY EASEMENT

THIS INDENTURE, made this 1ST day of ~~February~~ ^{March}, 2000, by and between ROBERT ARTH, Executor for the Estate of Harry R. Schneider, herein referred to as GRANTOR, and INCLINE ENERGY, LLC, herein referred to as GRANTEE,

WITNESSETH

That for and in consideration of value received, receipt of which is hereby acknowledged, GRANTOR does hereby grant, transfer and deliver unto GRANTEE, and to GRANTEE'S heirs, successors, assigns and transferees forever, a non-exclusive perpetual easement and right of way to survey, construct, maintain, repair, replace, rebuild and use a roadway across through and under lands owned by the Estate of Harry R. Schneider, APN 15-020-16, more fully described in Exhibit A, attached hereto, and fully incorporated by reference, as if set forth herein. At GRANTOR'S request, GRANTEE, through Theil Engineering Consultants, has staked out the approximate centerline of said roadway, with 12 roadway stakes. Said stake positions are identified in their approximate locations on Exhibit A. It is agreed and understood that the current staking of said centerline is an approximation of where the eventual roadway and utilities will be located. Upon completion of the roadway and utility installations, a formal metes and bounds description will be recorded, extending 30 feet in either direction from the

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centerline of the completed roadway. If the slope, contour, composition of the ground underneath or any other geological/geophysical conditions make placement of the roadway as staked inappropriate or not cost effective, or if any governmental agency of competent jurisdiction requires the roadway, as staked, to be moved elsewhere within the easement, then Grantor agrees that the Easement as staked and as approximated on the map in Exhibit A will be moved to a different location within the written description of the easement attached in Exhibit A, provided that the easement will not be moved to a location on GRANTOR'S parcel APN 15-020-16, which will unreasonably interfere with the building, fencing, utility or other improvements or roadways on GRANTOR'S parcel.

Said easement shall also be for the purposes of placement, construction, maintenance, repair, replacement, rebuilding, and use of utilities within said easement, including, but not limited to gas, electric, telephone, cable television, water and sewer. Grantor further grants the additional right to excavate and level ditches, and or trenches, removal of trees, bushes, undergrowth and any other obstructions interfering with the placement, construction, maintenance, repair, replacement and rebuilding of the utilities.

GRANTOR shall have the right to use the roadway constructed by GRANTEE for the purposes of maintaining and repairing the pipeline and ditches supplying water to the property identified by APN 15-020-16, said pipeline situated upon the property subject to the easement, and upon the property acquired by GRANTEE, said property identified by APN-15-020-17.

This Grant of Roadway and Utility Easement shall run with the lands described herein, and shall be forever binding upon the heirs, assigns, transferees and successors of

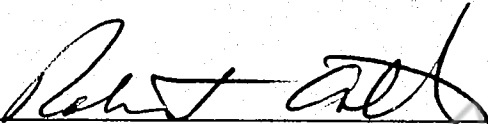
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both GRANTOR and GRANTEE.

IN WITNESS THEREOF, GRANTOR has executed this Grant of Roadway and Utility Easement the day and year set forth.



ROBERT ARTH, EXECUTOR FOR
THE ESTATE OF HARRY R. SCHNEIDER

1 March 2000

DATE

STATE OF NEVADA }
 }
COUNTY OF DOUGLAS }

On February _____, 2000, personally appeared before me a Notary Public, ROBERT ARTH, Executor for the Estate of Harry R. Schneider, who acknowledged that he executed the above instrument.

NOTARY PUBLIC

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ALL-PURPOSE ACKNOWLEDGMENT

State of California

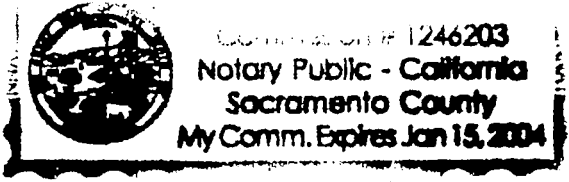
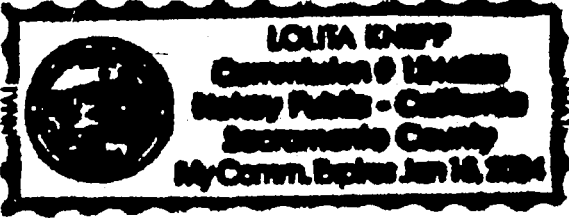
County of Sacramento }

SS.

On March 1, 2000 (DATE) before me, Lolita Knapp (NOTARY)

personally appeared Robert Arch SIGNER(S)

personally known to me - OR - 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.

Lolita Knapp
NOTARY'S SIGNATURE

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgment to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- INDIVIDUAL
- CORPORATE OFFICER

TITLE(S)

- PARTNER(S)
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR

OTHER: Executor for Estate
Harry R Schneider

DESCRIPTION OF ATTACHED DOCUMENT

Grant of Roadway & Utility Easement
TITLE OR TYPE OF DOCUMENT

3
NUMBER OF PAGES

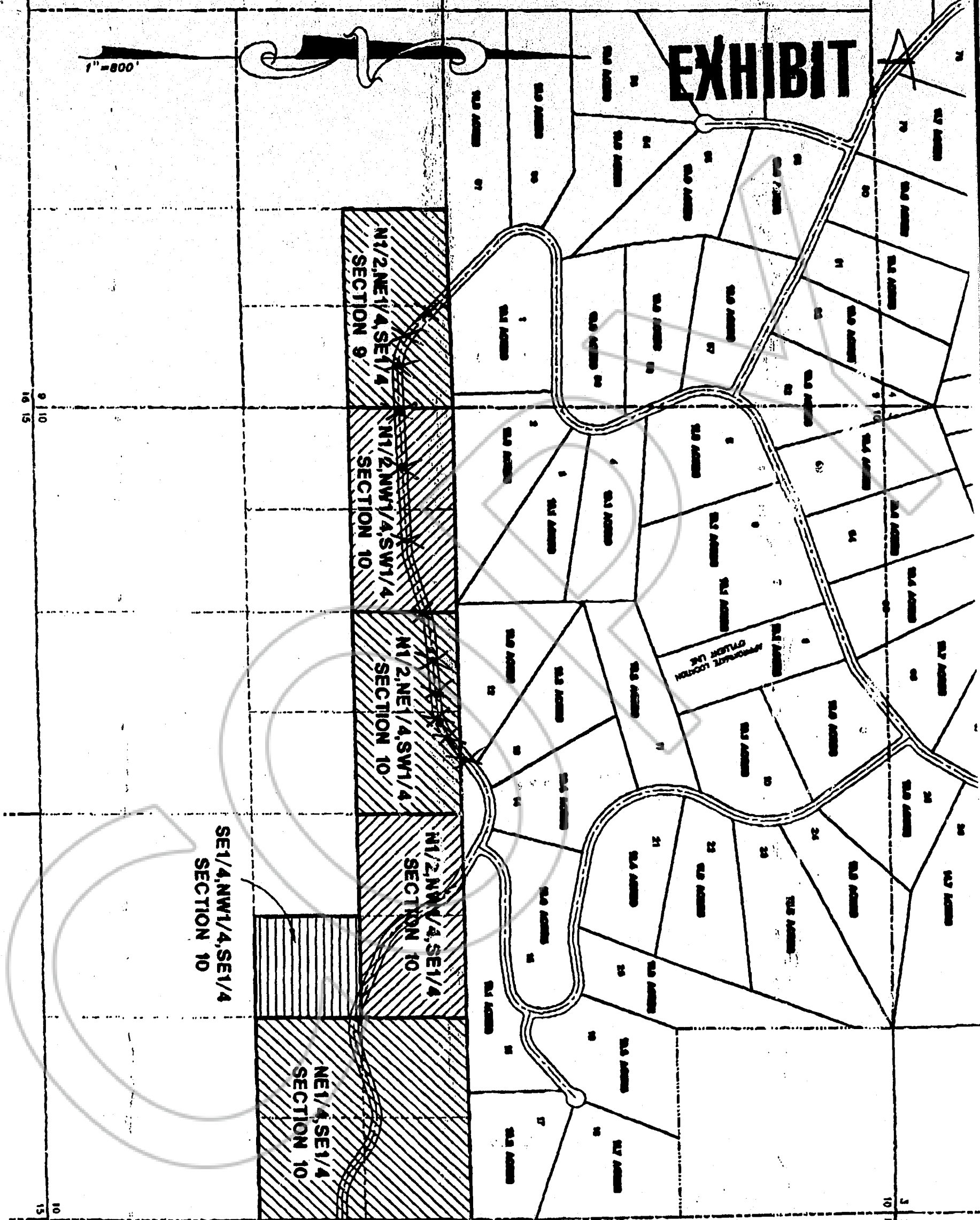
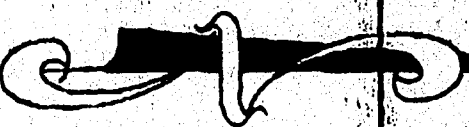
3-1-00
DATE OF DOCUMENT

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

OTHER

EXHIBIT

1"=800'



9 10
16 15

SE1/4, NW1/4, SE1/4
SECTION 10

NE1/4, SE1/4
SECTION 10

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LEGAL DESCRIPTION**ROADWAY AND UTILITY EASEMENT**

Located within that certain real property situate within a portion of the Southeast One Quarter (SE1/4) of Section Nine (9) and the South One Half (S1/2) of Section Ten (10), Township Fourteen (14) North, Range Nineteen (19) East, Mount Diablo Meridian, Douglas County, Nevada, and being more particularly described as follows:

The North One Half (N1/2) of the Northeast One Quarter (NE1/4) of the Southeast One Quarter of Section Nine (9);

The North One Half (N1/2) of the Northwest One Quarter (NW1/4) of the Southwest One Quarter (SW1/4) of Section Ten (10);

The North One Half (N1/2) of the Northeast One Quarter (NE1/4) of the Southwest One Quarter (SW1/4) of Section Ten (10);

The North One Half (N1/2) of the Northwest One Quarter (NW1/4) of the Southeast One Quarter (SE1/4) of Section Ten (10);

The Southeast One Quarter (SE1/4) of the Northwest One Quarter (NW1/4) of the Southeast One Quarter (SE1/4) of Section Ten (10);

The Northeast One Quarter (NE1/4) of the Southeast One Quarter (SE1/4) of Section Ten (10).

REQUESTED BY
STEWART TITLE Carson City
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2000 MAR -3 PM 1:28

LINDA SLATER
RECORDER

\$120⁰⁰ PAID *[Signature]* DEPUTY

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