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DOUGLAS COUNTY DISTRICT COURT CLERK

Case No. 01CV0304

Dept No. II

BARBARA REED
CLERK

BY P. GREGORY DEPUTY

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR COUNTY OF DOUGLAS

THE STATE OF NEVADA, on relation of
Its Department of Transportation,

Plaintiff,

vs.

ZEPHYR COVE PROPERTIES, INC., a Nevada Corporation; MARLA BAY GENERAL IMPROVEMENT DISTRICT; SIERRA PACIFIC POWER COMPANY, a Nevada Corporation; SOUTHWEST GAS CORPORATION, a California Corporation; VERIZON CALIFORNIA INC., a California Corporation; DOUGLAS COUNTY WATER DISTRICT; CHARTER COMMUNICATIONS CORPORATION, a Nevada Corporation; DOUGLAS COUNTY, a political subdivision of the State of Nevada; and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the complaint,

Defendants.

NOTICE OF PENDING OF ACTION

NOTICE IS HEREBY GIVEN that the plaintiff has filed an action against the above-named defendants in the above-entitled court affecting the title to, and right of possession of, the real property hereinafter described, which said action is now pending. The object of said action is for plaintiff to obtain a judgment of condemnation of the hereinafter described property and property rights for public use, to wit: a state highway reconstruction.

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1263 S. Stewart Street
Carson City, Nevada 89712

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1 The real property and property interests affected by said action are situated in the County of
2 Douglas, State of Nevada, and more particularly described by Transportation Department Parcel
3 Nos.U-050-DO-003.261PE1, U-050-DO-003.261PE2 and U-050-DO-003.261TE, described as follows:

4 PARCEL NOS. U-050-DO-003.261PE1, U-050-DO-003.261PE2 and U-050-DO-003.261TE,
5 apparently owned by ZEPHYR COVE PROPERTIES, INC.

6 Said real property situate, lying and being in the County of Douglas, State of Nevada, and more
7 particularly described as being portions of Sections 9 & 10, T. 13 N., R. 18 E., M.D.M., and further
8 described as being a portion of the Old Lincoln Highway shown on that certain AMENDED MAP OF
9 SUBDIVISION NO. 2 OF ZEPHYR COVE PROPERTIES, INC. recorded as Document No. 267, on
10 August 5, 1929 in the Office of the County Recorder, Douglas County, Nevada, and more fully
11 described by metes and bounds as follows, to wit:

12 Parcel No. U-050-DO-003.261PE1, to be acquired as a permanent construction and maintenance
13 easement

14
15 BEGINNING at a point on the left or westerly right-of-way line of U.S. 50,
16 12.556 meters (41.19 feet) left of and measured radially from Highway Engineer's
17 Station "S" 55+40.000 P.O.C.; said point of beginning further described as bearing
18 S. 31°43'51" W. a distance of 1680.865 meters (5,514.64 feet) from the north
19 quarter corner of Section 10, T. 13 N., R. 18 E., M.D.M.; thence S. 53°21'48" W.,
20 leaving said left or westerly right-of-way line, a distance of 3.000 meters (9.84 feet)
21 to a point; thence from a tangent which bears N. 36°38'05" W., curving to the right
22 with a radius of 472.757 meters (1,551.04 feet), through an angle of 21°05'20", an
23 arc distance of 174.007 meters (570.89 feet) to a point; thence N. 74°27'17" E. a
24 distance of 3.000 meters (9.84 feet) to a point on said left or westerly right-of-way
25 line; thence from a tangent which bears S. 15°32'45" E., curving to the left along
26 said left or westerly right-of-way line, with a radius of 469.757 meters (1,541.20
27 feet), through an angle of 21°05'20", an arc distance of 172.903 meters (567.27 feet)
28 to the point of beginning; said parcel contains an area of 520 square meters (5,597
square feet).

25 PARCEL NO. U-050-DO-003.261PE2, to be acquired as a permanent construction and maintenance
26 easement

27 BEGINNING at a point on the left or westerly right-of-way line of
28 U.S. 50, 12.192 meters (40.00 feet) left of and measured radially from Highway
Engineer's Station "S" 55+40.000 P.O.C.; said point of beginning further

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1 described as bearing S. 31°43'35" W. a distance of 1680.517 meters (5,513.51
2 feet) from the north quarter corner of Section 10, T. 13 N., R. 18 E., M.D.M.;
3 thence S. 53°21'48" W., along said left or westerly right-of-way line, a distance
4 of 0.364 of a meter (1.20 feet) to a point; thence from a tangent which bears
5 N. 36°38'05" W., curving to the right along said left or westerly right-of-way
6 line, with a radius of 469.757 meters (1,541.20 feet), through an angle of
7 21°05'20", an arc distance of 172.903 meters (567.27 feet) to a point; thence
8 N. 74°27'17" E. a distance of 0.364 of a meter (1.20 feet) to a point on the former
left or westerly right-of-way line of said U.S. 50; thence from a tangent which
bears S. 15°32'45" E., curving to the left along said former left or westerly right-
of-way line, with a radius of 469.393 meters (1,540.00 feet), through an angle of
21°05'20", an arc distance of 172.769 meters (566.83 feet) to the point of
beginning; said parcel contains an area of 63 square meters (678 square feet).

9 PARCEL NO. U-050-DO-003.261TE, to be acquired as a temporary easement for highway
10 construction purposes for a three-year period, commencing May 1, 2002

11 BEGINNING at a point on the left or westerly right-of-way line of U.S. 50,
12 12.192 meters (40.00 feet) left of and measured at right angles to Highway
13 Engineer's Station "S" 53+36.732 P.O.T.; said point of beginning further described
14 as bearing S. 25°02'36" W. a distance of 1732.636 meters (5,684.50 feet) from the
15 north quarter corner of Section 10, T. 13 N., R. 18 E., M.D.M.; thence from a
16 tangent bearing S. 32°08'46" W., curving to the right with a radius of 9.004 meters
17 (29.54 feet), through an angle of 94°31'55", an arc distance of 14.855 meters (48.74
18 feet) to a point; thence N. 57°59'09" W. a distance of 24.724 meters (81.12 feet) to a
19 point; thence N. 43°45'12" W. a distance of 37.295 meters (122.36 feet) to a point;
20 thence from a tangent bearing N. 40°58'08" W., curving to the left with a radius of
21 453.077 meters (1,486.47 feet), through an angle of 8°06'32", an arc distance of
22 64.122 meters (210.37 feet) to a point of reverse curvature; thence from a tangent
23 bearing N. 44°47'30" W., curving to the right with a radius of 564.487 meters
24 (1,851.99 feet), through an angle of 6°48'26", an arc distance of 67.067 meters
25 (220.04 feet) to a point; thence N. 35°57'49" W. a distance of 54.602 meters (179.14
26 feet) to a point; thence from a tangent bearing N. 39°00'02" W., curving to the right
27 with a radius of 307.128 meters (1,007.64 feet), through an angle of 9°26'09", an arc
28 distance of 50.580 meters (165.95 feet) to a point; thence from a tangent bearing
N. 27°51'05" W., curving to the right with a radius of 435.967 meters (1,430.34
feet), through an angle of 10°05'57", an arc distance of 76.845 meters (252.12 feet)
to a point; thence N. 17°13'49" W. a distance of 13.874 meters (45.52 feet) to a
point; thence S. 51°31'30" E. a distance of 3.496 meters (11.47 feet) to a point;
thence S. 26°47'20" E. a distance of 7.931 meters (26.02 feet) to a point; thence
S. 14°01'44" E. a distance of 2.374 meters (7.79 feet) to a point; thence
N. 74°27'17" E. a distance of 8.095 meters (26.56 feet) to a point; thence from a
tangent bearing S. 15°32'45" E., curving to the left with a radius of 472.757 meters
(1,551.04 feet), through an angle of 21°05'20", an arc distance of 174.007 meters
(570.89 feet) to a point; thence N. 53°21'48" E. a distance of 3.364 meters (11.04
feet) to a point on said left or westerly right-of-way line of U.S. 50; thence from a
tangent bearing S. 36°38'05" E., curving to the left along said left or westerly

1 right-of-way line, with a radius of 469.393 meters (1,540.00 feet), through an angle
2 of 14°29'06", an arc distance of 118.667 meters (389.33 feet) to a point; thence
3 S. 51°07'11" E., along said westerly right-of-way line, a distance of 87.684 meters
4 (287.68 feet) to the point of beginning; said parcel contains an area of 2353 square
5 meters (25,327 square feet).

6 DATED this 7th day of ~~November~~ ^{December}, 2001.

7 FRANKIE SUE DEL PAPA
8 Attorney General

9 By: *Brian Hutchins*
10 Brian Hutchins
11 Chief Deputy Attorney General
12 Nevada Bar No. 0258
13 Norman L. Allen
14 Deputy Attorney General

15 Attorneys for Plaintiff
16 Department of Transportation

17 When recorded, mail to:
18 Norman L. Allen
19 Deputy Attorney General
20 1263 S. Stewart Street, Suite 315
21 Carson City, Nevada 89712

22 **CERTIFIED COPY**

23 The document to which this certificate is attached is a
24 true and correct copy of the original on file and of
25 record in my office.

26 DATE: 12/7/01 **SEAL**
27 *[Signature]* Clerk of the 9th Judicial District Court
28 of the State of Nevada, In and for the County of Douglas.

By: *[Signature]* Deputy

REQUESTED BY
State of Nevada AG
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2001 DEC -7 AM 11:43

LINDA SLATER
RECORDER

0529568 PAID *KJ* DEPUTY

BK 1201 PG 2243

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1263 S. Stewart Street
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