After Recordation Return To: SIERRA PACIFIC POWER COMPANY Land Operations Department P.O. Box 10100 Reno, Nevada 89520 A.P.N. 1320-33-402-004 Work Order Number 02-25559-17

# GRANT OF EASEMENT FOR UTILITY FACILITIES

THIS INDENTURE, made and entered into this 29<sup>th</sup> day of <u>ANUARY</u>, 20<u>03</u> by and between THE BEJ FAMILY LIMITED PARTNERSHIP, a Nevada general partnership (hereinafter referred to as "Grantor"), and **SIERRA PACIFIC POWER COMPANY**, a Nevada corporation, (hereinafter referred to as "Grantee").

# WITNESSETH:

Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), in hand paid by Grantee, and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant to Grantee, its successors, assigns and agents, permanent and exclusive easements and rights of way to construct, alter, maintain, inspect, repair, reconstruct and operate one or more underground electric distribution and communication facilities, consisting of one or more circuits, lines, together with the appropriate underground foundations, markers, conduits, pull boxes, vaults, surface-mounted transformers, switchgear, and other necessary or convenient appurtenances connected therewith, (hereinafter called "Utility Facilities"), across, over, under, and through the following described property situate in the County of Douglas, State of Nevada, to-wit:

## SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

With respect to all underground utility facilities as described herein, after installation of said underground utility facilities, the easement(s) and right(s)-of-way as herein granted will be deemed to be a strip of land ten (10) feet in width, being five (5) feet on either side of the centerline of said underground utility facilities as installed on the above-described premises.

With respect to all surface mounted transformers and/or switchboxes as described herein, after installation of the transformers and/or switchboxes, said easement(s) and right(s)-of-way as herein granted will be deemed to encompass an area around said transformers and/or switchboxes of three (3) feet extending in all directions from the perimeter of the transformers and/or switchboxes as installed on the above-described premises.

# IT IS FURTHER AGREED:

1. Grantee shall have at all times ingress and egress to the above-described land for the purpose of constructing, altering, maintaining, inspecting, repairing, reconstructing and operating said Utility Facilities.

1

0569719 BK0303PG04857

- 2. Grantee will at all times save and hold harmless Grantor with respect to any and all loss, damage or liability suffered or sustained by reason of any injury or damage to any person or property, caused by the constructing, altering, maintaining, inspecting, repairing, reconstructing and operating of the Utility Facilities by Grantee.
- 3. Grantor shall not erect or construct, nor permit to be erected or constructed any buildings, or structures, nor permit any activity which, in the reasonable judgment of Grantee, is inconsistent with Grantee's use of said easement.
- 4. Grantee shall have the right to remove or clear any and all buildings, fences, structures, combustible materials, trees, brush, debris, or any other obstruction from or adjacent to said easement, which in the reasonable judgment of Grantee may interfere with or endanger the constructing, altering, maintaining, inspecting, repairing, reconstructing and operating of the Utility Facilities.

THIS GRANT OF EASEMENT and the terms contained herein shall be binding upon the successors, agents and assigns of Grantor and Grantee, and all rights herein granted may be assigned.

TO HAVE AND TO HOLD all and singular the said premises, granted together with the appurtenances, unto said Grantee, its successors, agents and assigns forever.

IN WITNESS WHEREOF, Grantor has caused these presents duly to be executed the day and year first above written.

GRANTOR

Print Name;

Dated;

STATE OF NEVADA **COUNTY OF DOUGLAS** 

This instrument was acknowledged before me a Notary Public on <u>Tanuary 29,</u> 2003

Ru Ru Relieble (Tahmana) as, <u>Seneral Fartner</u> of

THE BEJ FAMILY LIMITED PARTNERSHIP.

NOTARY PUBLIC - NEVADA Appt. Recorded in DOUGLAS CO. My Appt. Exp. Aug. 4, 2004

2

0569719

BK 0303PG04858

4

5

8

10

:1

12

13

14

15

16

17

18

19

20

23\_

APN: 1320-33-402-004
RETURN RECORDED DEED TO:
ANDREW MACKENZIE, ESQ.
ALLISON, MACKENZIE, HARTMAN,
SOUMBENIOTIS & RUSSELL, LTD.
402 North Division Street
Carson City, NV 89703

GRANTEE: THE BEJ FAMILY LIMITED PARTNERSHIP 1463 Highway 395 North, Suite 101 Gardnerville, NV 89410

# GRANT, BARGAIN AND SALE DEED R.P.T.T. \$ #8

THIS INDENTURE, made on <u>Control of the Control of the Beverly Ellen of the Beverly Ellen Johnson Roberts Trust, dated May 14, 1985," grantor, and the Bej family Limited Partnership, a Nevada general partnership, of 1463 Highway 395 North, Suite 101, Gardnerville, Nevada 89410, grantee,</u>

# WITNESSETH:

That the grantor, in consideration of the sum of Ten and No/100 Dollars (\$10.00), lawful money of the United States, and other good and valuable consideration to her in hand paid by the grantee, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, and sell to the grantee, and to its successors and assigns, all that certain lot, piece, or parcel of land situated in the county of Douglas, state of Nevada, and more particularly described as follows:

(See, Exhibit "A" attached hereto and incorporated herein by this reference.)

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder or remainders, rents, issues, and profits thereof.

24 | /// 25 | ///

26 ///27 ///

28 ///

EXHIBITA

J:\WPDATA\B00JHNS6.DEE.WPD

0569719

0502110 BK1000PG5049

BK 0 3 0 3 PG 0 4 8 5 9

TO HAVE AND TO HOLD all and singular the premises, together with the appurtenances, unto the said grantee and to its successors and assigns forever.

IN WITNESS WHEREOF, the grantor has executed this conveyance the day and year first above written.

THE BEVERLY ELLEN JOHNSON ROBERTS TRUST

By Levely Ellen Jellason Folie BEVERTY ELLEN JOHNSON ROBERTS, Trustee

STATE OF NEVADA

: ss.

CARSON CITY Doub (15)

On <u>Detaber 10</u>, 2000, personally appeared before me, a notary public, BEVERLY ELLEN JOHNSON ROBERTS, personally known (or proved) to me to be the person whose name is subscribed to the foregoing instrument, who acknowledged to me that she is the Trustee of THE BEVERLY ELLEN JOHNSON ROBERTS TRUST, and who further acknowledged to me that she executed the foregoing document on behalf of said Trust.



Crleng E. Lauen NOTARY PUBLIC

J:\WPDATA\B00JHNS6.DEE.WPD

BK 0303 PG 04860

BK1000PG5050

# ALLISOM, MacKENZIE, HARTMAN, SOUMBENIOTIS & RUSSELL, LTD. 402 North Division Street, P. O. Box 646, Carson City, NV 89702 Telephone: (775) 687-0202 Fax: (775) 882-7918 17 18 19

2

3

5

6

7

8

9

10

11

12

13

14

15

16

20

2!

23

24

25

26

27

28

### EXHIBIT "A"

All that certain parcel of real property being 1468 Courthouse Street, Gardnerville,

situate in the county of Douglas, state of Nevada, more particularly described as follows:

A parcel of land located within a portion of Section 33, Township 13 North, Range 20 East, Mount Diablo Meridian, Douglas County, Nevada, described as follows:

Commencing at a 1/2" iron pipe at the Southeasterly corner of High School Street and Courthouse Street as shown on the Record of Survey for Town of Gardnerville as recorded as Document No. 49905, Douglas County, Nevada Recorders Office; thence along the Southerly line of Courthouse Street South 45°31'22" East, 236.32 feet to a 3" iron pipe, 4' above ground surface, the POINT OF BEGINNING; thence continuing per said Document No. 49905 the following courses:

South 45°03'15" East, 82.44 feet; South 45°57'00" East, 20.00 feet; South 47°05'19" East, 44.90 feet;

thence South 45°12'30" East, 16.94 feet to the existing chain link fence corner; thence along said fence South 69°59'07" West, 119.51 feet to a found 3/4" iron pipe with a plug stamped PLS 3519 per Record of Survey for Merrit D. Olds and recorded as Document No. 36323; thence North 02°22'08" West, 96.32 feet to a 3/4" iron pipe and plug stamped PLS 3519 per said Document No. 36323; thence North 09°30'06" West, 53.01 feet to a 1/2" bolt; thence North 45°44'45" East, 10.20 feet to the POINT OF BEGINNING,

The basis of bearing of this description is identical to that of the Record of Survey for Town of Gardnerville, Document No. 49905.

Said parcel further shown on Record of Survey for Beverly Realty, recorded April 11, 1997, Book 497, Page 1555, Document No. 410329, Official Records.

Being Assessor's Parcel Number 1320-33-402-004

REQUESTED BY Allisonet IN OFFICIAL RECORDS OF DOUGLAS CO., NEVADA

2000 OCT 26 PH 12: 09

LINUA SLATER RECORDER PAID PEPUTY

0502110 J:\WPDATA\B00JHNS6.DEE,WPD 0569719 BK 1000PG 5051

BK 0 3 0 3 PG 0 4 8 6 1

IN OFFICIAL RECORDS OF DOUGLAS CO. NEVADA 2003 MAR 12 PM 1: 29 WERNER CHRISTEN RECORDER 0569719

BK0303PG04862