

DC/DA
NO fee

When Recorded, Return to:

Scarpello, Huss & Oshinski, Ltd.
600 East William St., Ste. 300
Carson City, NV 89701

ACCESS AND PUBLIC UTILITY EASEMENT

This Access and Public Utility Easement is made on this 16
day of April, 2003, by and between GTEB, a Nevada limited
liability company, (herein "Grantor") and HERBIG PROPERTIES, LTD.,
_____ (herein "Grantee").

W I T N E S S E T H:

For good and valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby grants to Grantee the following easement for access and public utilities located and more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference.

1. The easement granted herein includes the right to ingress and egress over a portion of the real property described more fully in the legal description attached hereto as Exhibit "A".

2. The easement granted herein includes the right to locate, construct, maintain, repair and replace utilities, including, but not limited to, water and sewer and necessary incidents on, over, across and through the real property situated in and being a portion of the real property described more fully in the legal description attached hereto as Exhibit "A".

3. The easement granted herein is appurtenant to the real property as described in Exhibit "A".

4. The easement granted herein is perpetual, non-exclusive, and runs with the land.

5. The easement granted herein is subject to the following restrictions:

- (a) The installation, maintenance, rights and obligations noted in paragraph 2 above, except in the case of emergency, are subject to Grantee providing to Grantor at least 10 days

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written notice of Grantee's intent to use the easement for purposes described in paragraph 2, which use must occur during normal business hours;

- (b) The easement shall be used in a manner which does not constitute a nuisance to the property of Grantor;
- (c) The easement shall not be paved, lighted, or otherwise improved, except as permitted specifically by written agreement by the Grantor.

6. This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force and effect excepting a subsequent modification in writing, signed by the party or parties to be charged.

7. In the event of any controversy, claim, or dispute relating to this instrument or the breach thereof, the prevailing party shall be entitled to recover from the losing party reasonable expenses, attorney's fees, and costs.

8. This instrument shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors, and assigns of the parties hereto, and shall run with the lands affected hereby.

EXECUTED on the dates set forth below.

Dated: April 16, 2003

Dated: April 29, 2003

"GRANTOR"

"GRANTEE"

GTEB, a Nevada limited liability company

HERBIG PROPERTIES, LTD.

By: Corporate Management Services, Inc., a Nevada corporation, its manager

By: Anneliese Herbig
Anneliese Herbig

By: [Signature]
James S. Bradshaw,
President

DESCRIPTION
Access and Public Utility Easement
(Over portion GTEB 1220-04-602-008)

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

A strip of land for access and public utility purposes located within a portion of the Southwest one-quarter (SW $\frac{1}{4}$) of Section 3, Township 12 North, Range 20 East, Mount Diablo Meridian, more particularly described as follows:

Commencing at the one-quarter corner common to Sections 3 and 4, T.12N., R.20E., M.D.M., a found $\frac{3}{4}$ " iron pipe with 2" aluminum cap "1995 Owens Eng. PLS 3090" as shown on the Record of Survey for Reno Orthopedic Clinic, LTC. Et al recorded October 28, 1998 in the office of Recorder, Douglas County, Nevada as Document No. 452854;

thence along the section line common to said Sections 3 and 4, South 00°39'29" West, 7.00 feet to the POINT OF BEGINNING;

thence South 89°38'24" East, 44.88 feet to a point on a line previously known as the easterly right-of-way of Elges Avenue as abandoned per Order of Abandonment DA 01-146 recorded November 9, 2001 in said office of Recorder in Book 1101, at Page 2727, as Document No. 527317;

thence along said easterly line, South 00°21'36" West, 35.53 feet;

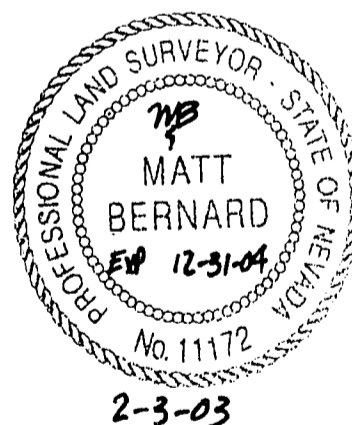
thence continuing along said easterly line, along the arc of a curve concave to the northwest having a radius of 150.00 feet, central angle of 37°26'52", and arc length of 98.04 feet;

thence continuing along said easterly line, South 37°48'28" West, 24.22 feet to a point on said section line common to Sections 3 and 4, also being the easterly line of a parcel of land abandoned by the State of Nevada per Resolution of Abandonment recorded November 20, 2002 in said office of Recorder in Book 1102, at Page 8530, as Document No. 558501;

thence along said section line, North 00°39'29" East, 145.96 feet to the POINT OF BEGINNING, containing 4,973 square feet, more or less.

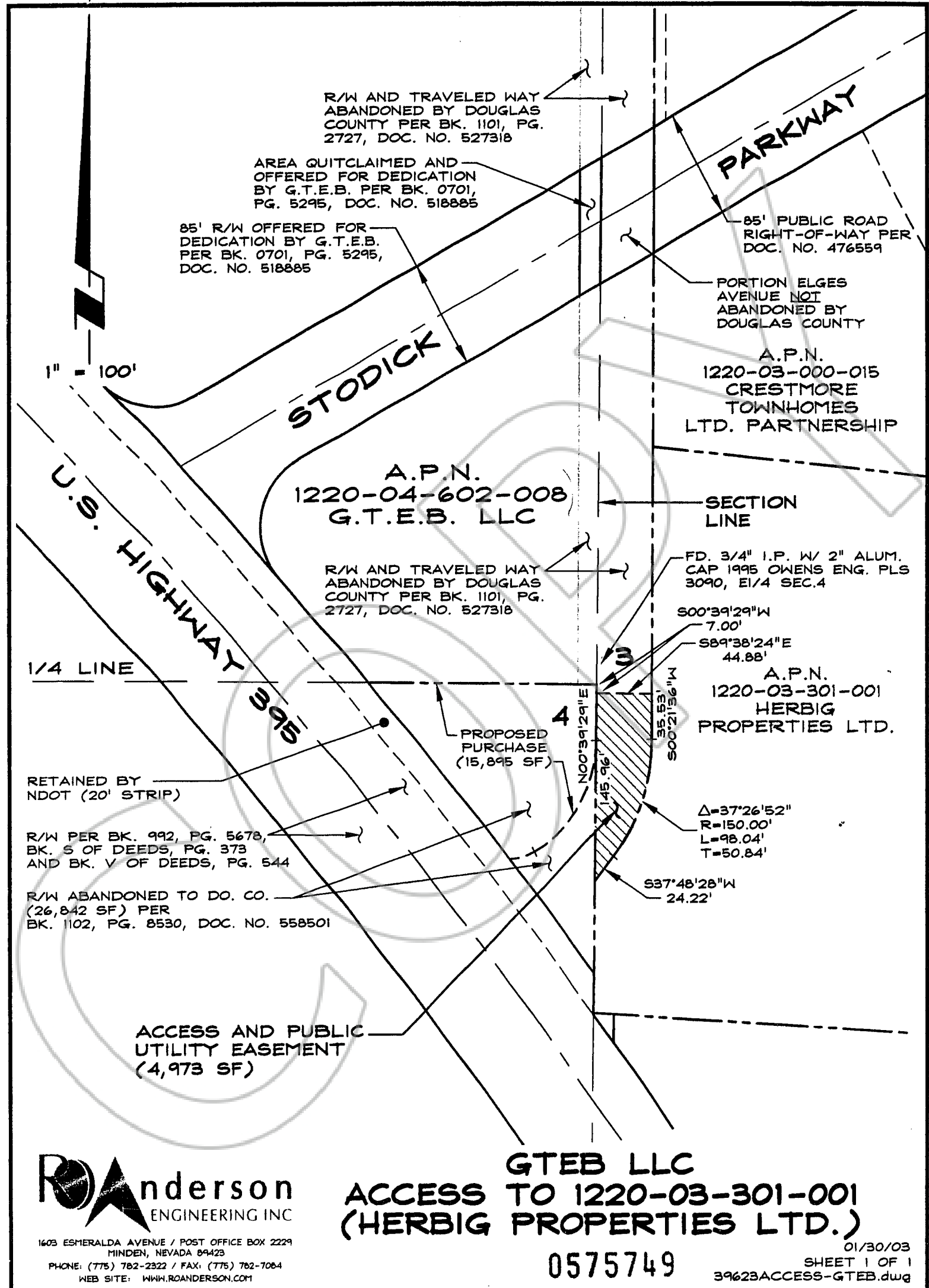
Note: Refer this description to your title company before incorporating into any legal document.

Prepared By: R.O. ANDERSON ENGINEERING, INC.
P.O. Box 2229
Minden, Nevada 89423



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R/W AND TRAVELED WAY
ABANDONED BY DOUGLAS
COUNTY PER BK. 1101, PG.
2727, DOC. NO. 527318

AREA QUITCLAIMED AND
OFFERED FOR DEDICATION
BY G.T.E.B. PER BK. 0701,
PG. 5295, DOC. NO. 518885

85' R/W OFFERED FOR
DEDICATION BY G.T.E.B.
PER BK. 0701, PG. 5295,
DOC. NO. 518885

PARKWAY

85' PUBLIC ROAD
RIGHT-OF-WAY PER
DOC. NO. 476559

PORION ELGES
AVENUE NOT
ABANDONED BY
DOUGLAS COUNTY

A.P.N.
1220-03-000-015
CRESTMORE
TOWNHOMES
LTD. PARTNERSHIP

STODICK

A.P.N.
1220-04-602-008
G.T.E.B. LLC

SECTION
LINE

R/W AND TRAVELED WAY
ABANDONED BY DOUGLAS
COUNTY PER BK. 1101, PG.
2727, DOC. NO. 527318

FD. 3/4" I.P. W/ 2" ALUM.
CAP 1995 OWENS ENG. PLS
3090, EI/4 SEC.4

500°39'29"W

7.00'

S89°38'24"E

44.88'

A.P.N.
1220-03-301-001
HERBIG
PROPERTIES LTD.

1" = 100'

U.S. HIGHWAY 395

1/4 LINE

PROPOSED
PURCHASE
(15,895 SF)

RETAINED BY
NDOT (20' STRIP)

R/W PER BK. 992, PG. 5678,
BK. S OF DEEDS, PG. 373
AND BK. V OF DEEDS, PG. 544

R/W ABANDONED TO DO. CO.
(26,842 SF) PER
BK. 1102, PG. 8530, DOC. NO. 558501

$\Delta=37^{\circ}26'52''$
 $R=150.00'$
 $L=98.04'$
 $T=50.84'$

S37°48'28"W
24.22'

ACCESS AND PUBLIC
UTILITY EASEMENT
(4,973 SF)



1603 ESERALDA AVENUE / POST OFFICE BOX 2229
MINDEN, NEVADA 89423
PHONE: (775) 782-2322 / FAX: (775) 782-7084
WEB SITE: WWW.ROANDERSON.COM

GTEB LLC
ACCESS TO 1220-03-301-001
(HERBIG PROPERTIES LTD.)

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01/30/03
SHEET 1 OF 1
39623ACCESS-GTEB.dwg

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COPY

REQUESTED BY
DOUGLAS COUNTY

IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2003 MAY -6 AM 9: 00

WERNER CHRISTEN
RECORDER

\$ PAID *KJ* DEPUTY

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COPY

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

2003 MAY -6 AM 9:00

WERNER CHRISTEN
RECORDER

\$ 0 PAID KA DEPUTY

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