

REQUESTED BY  
**WESTERN TITLE COMPANY, INC.**  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

2003 SEP 30 PM 1:38

WERNER CHRISTEN  
RECORDER

\$18<sup>00</sup> PAID AS DEPUTY

When Recorded, Return To:

Brinker Nevada, Inc.  
6820 LBJ Freeway  
Dallas, Texas 75240  
Attn: Julie Gregory

Escrow No.: 00025655-501-DBR88503

APN: PORTION OF 1420-06-502-003 PORTION OF 1420-06-502-004

RPTT \$1,072.50

88503  
25655DBR

**SPECIAL WARRANTY DEED**

THIS INDENTURE, made and entered into this 22<sup>nd</sup> day of September, 2003, by and between **EDGAR S. ROBERTS**, a married man, his sole and separate property, Grantor, and **BRINKER NEVADA, INC.**, a Nevada corporation, Grantee.

**WITNESSETH:**

That the Grantor, in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell and convey unto the Grantee, its successors and assigns forever, with special warranty of title to warrant and defend the title against claims and demands of the Grantor and all those claiming by, through and under the Grantor, all that certain real property situate in the County of Douglas, State of Nevada, more particularly described on Exhibit "A", attached hereto and incorporated herein.

TOGETHER WITH ALL and singular the tenements, hereditaments and appurtenances thereunto belonging or in manner appertaining, and the reversions, remainder and remainders, rents, issues and profits thereof. This conveyance is made subject to easements, conditions and restrictions as described on Exhibit "B" attached hereto, insofar as the same may lawfully affect the property and title thereto.

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

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IN WITNESS WHEREOF, the Grantor has executed this indenture the day and year first above written.

**GRANTOR:**

**EDGAR S. ROBERTS,**  
a married man, his sole and separate property

Edgar S. Roberts

Date: 22 Sept. 03

STATE OF NEVADA        )  
  ) ss.  
COUNTY OF Carson City)

This instrument was acknowledged before me on September 22nd 2003 by EDGAR S. ROBERTS.



Delma B. Ruecker

NOTARY PUBLIC, STATE OF Nev.

My Commission Expires:  
11/18/04

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**Exhibit A**

**PARCEL 1:**

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

A parcel of land located within the West ½ of Government Lot 2 of Section 6 and within Government Lots 14 and 15, Westerly of U.S. Highway 395, of Section 6, Township 14 North, Range 20 East, Mount Diablo Meridian, more particularly described as follows:

Commencing at the North 1/16 corner (CCN 1/16) of said Section 6, a found 5/8" rebar with aluminum cap PLS 3519, shown as the Southwest corner of 13-210-04 on the Amended Record of Survey for Douglas County #32 recorded July 11, 2000 in the Office of the Recorder of Douglas County, Nevada as Document No. 495561;

Thence along the Southerly line of said West ½ of Government Lot 2, North 89°32'09" East 1317.49 feet to the Northeast 1/16 corner (NE 1/16) of said Section 6;

Thence North 00°21'09" East, 107.38 feet;  
Thence North 89°44'06" West, 0.59 feet;  
Thence North 00°15'54", East 121.97 feet;

Thence along the arc of a curve to the left having a radius of 468.37 feet, central angle of 07°50'03" and arc length of 64.04 feet to the Southwest corner of Adjusted 13-210-04 as shown on the Record of Survey to Support a Boundary Line Adjustment for Edgar S. Roberts recorded February 9, 2001 in said office of Recorder, as Document No. 508502, the POINT OF BEGINNING.

Thence along the arc of a reverse curve to the right having a radius of 437.37 feet, central angle of 07°50'03" and arc length of 59.80 feet;

Thence North 00°15'54" East, 153.36 feet;  
Thence East, 277.40 feet to a point on the Westerly right of way of U.S. Highway 395;  
Thence along said Westerly right of way, South 07°48'25" West, 214.99 feet to the Southeast corner of said Adjusted 13-210-04;

Thence along the South line of said Adjusted 13-210-04, West, 245.10 feet to the POINT OF BEGINNING

Said description is described in that Boundary Line Adjustment for Edgar S. Roberts, recorded on September 8, 2003, in Book 903, Page 3063, Official Records, as Document No. 589086, Douglas County, Nevada, and shown on that Record of Survey to Support a Boundary Line Adjustment for Edgar S. Roberts, recorded September 8, 2003, in Book 903, page 3071, as Document No. 589087, Official Records, Douglas County, Nevada.

**PARCEL 2:**

TOGETHER WITH those Easements which among other things, provides for access, ingress and egress as described in that document entitled Easements with Covenants and Restrictions Affecting Land ("ECR") recorded February 12, 2003, in Book 201, page 2028, as Document No. 508581, Official Records, Douglas County, Nevada.

**PARCEL 3:**

TOGETHER WITH that Mutual Easement and Use Agreement described as follows:

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

A strip of land for non-exclusive pedestrian, vehicular ingress and egress, and storm drainage purposes located within a portion of Section 6, Township 14 North, Range 20 East, Mount Diablo Meridian, more particularly described as follows:

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Commencing at the northwest corner of Adjusted 13-210-02 (also known as Outparcel 1) as shown on the Record of Survey to Support a Boundary Line Adjustment for Edgar S. Roberts recorded February 9, 2001 in said office of Recorder, as Document No. 508502;

Thence along the westerly line of said Outparcel 1, South  $00^{\circ}15'54''$  West, 96.60 feet to the southwest corner of Adjusted A.P.N. 1420-06-502-003 (also known as Adjusted Outparcel 1), also being the northwest corner of Adjusted A.P.N. 1420-06-502-004 (also known as Adjusted Outparcel 2) as shown on the Record of Survey to Support a Boundary Line Adjustment for Edgar S. Roberts recorded September 8, 2003 in said office of Recorder as Document No. 589087, the POINT OF BEGINNING;

Thence along said westerly line of Outparcel 1, North  $00^{\circ}15'54''$  East, 30.50 feet;  
Thence South  $89^{\circ}44'06''$  East, 48.00 feet;  
Thence South  $00^{\circ}15'54''$  West, 28.28 feet;  
Thence along a line 2 feet northerly of and parallel with the common line between Adjusted Outparcel 1 and Adjusted Outparcel 2, EAST, 205.00 feet;  
Thence SOUTH, 4.00 feet;  
Thence along a line 2 feet southerly of and parallel with said common line between Adjusted Outparcel 1 and Adjusted Outparcel 2, WEST, 205.02 feet;  
Thence South  $00^{\circ}15'54''$  West, 25.72 feet;  
Thence North  $89^{\circ}44'06''$  West, 48.00 feet to a point on the westerly line of said Adjusted Outparcel 2;  
Thence along said westerly line of Adjusted Outparcel 2, North  $00^{\circ}15'54''$  East, 27.50 feet to the POINT OF BEGINNING.

(NOTE: Recording information to be added upon recordation of Mutual Agreement on owners policy)

Said description is described in that Boundary Line Adjustment for Edgar S. Roberts, recorded on Sept. 8, 2003, in Book 903, Page 3063, Official Records, as Document No. 589086, Douglas County, Nevada, and shown on that Record of Survey to Support a Boundary Line Adjustment for Edgar S. Roberts, recorded Sept. 8, 2003, in Book 903, Page 3071, as Document No. 589084, Official Records, Douglas County, Nevada.

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## EXHIBIT "B"

1. An easement for the purpose shown below and rights incidental thereto as reserved in a document for roadways and utilities  
Recorded: August 13, 1976, in Book 876, Page 640, Document No. 02457, Official Records of Douglas County, Nevada.
2. Easement to construct, operate and maintain electric facilities, and incidental purposes  
Granted to: Sierra Pacific Power Company, a corporation, their successors and assigns and Continental Telephone Company of California.  
Recorded: December 16, 1975, in Book 1276, Page 1048, Document No. 63558, Official Records of Douglas County, Nevada.
3. Matters as disclosed on Record of Survey filed in the office of the County Recorder of Douglas County, State of Nevada, on February 9, 2001, in Book 201, Page 1809, as Document No. 508502.
4. Abandonment of Roadway Easement as set forth in an instrument  
Recorded: February 9, 2001, in Book 0201, Page 1820, Document No. 508505, Official Records of Douglas County, Nevada.
5. Easement with Covenants and Restrictions Affecting Land ("ECR"), as set forth in an instrument  
By and: Edgar S. Roberts  
Between: Wal-Mart Real Estate Business Trust  
Recorded: February 12, 2001, in Book 0201, Page 2028, Document No. 508581, Official Records of Douglas County, Nevada.
6. Grant Deed for Public Right Of Way and Public Utility Easement, and incidental purposes  
Granted to: Douglas County, a political subdivision of the State of Nevada  
By: Edgar S. Roberts  
Recorded: June 26, 2001, in Book 0601, Page 6703, Document No. 517150, Official Records of Douglas County, Nevada.
7. Matters as disclosed on Record of Survey filed in the office of the County Recorder of Douglas County, State of Nevada, on June 7, 2002, in Book 602, Page 2238, as Document No. 544111.
8. Restrictive Covenant  
Recorded: May 13, 2003 in Book 503, Page 6738, Document No. 576644, Official Records of Douglas County, Nevada.
9. Record of Survey to Support a Boundary Line Adjustment for Edgar S. Roberts  
Recorded: September 8, 2003, in Book 903, Page 3071, Document No. 589087, Official Records of Douglas County, Nevada.

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