

REQUESTED BY  
**Stewart Title of Douglas County**  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

2003 OCT 10 PM 3:11

WERNER CHRISTEN  
RECORDER

\$ 51<sup>00</sup> PAID KJ DEPUTY

WHEN RECORDED MAIL TO:

George M. Keele, Esq.  
1692 County Road, #A  
Minden, NV 89423

APNs: 1320-30-411-016;  
1320-30-411-004;  
1320-30-411-005

030702253

**GRANT OF EASEMENT**

THIS INDENTURE is made this 2nd day of October,

2003, by and between RIVERBEND RECREATION VILLAGE LLC, a Nevada limited-liability company (hereinafter referred to as "GRANTOR"), and KAREN L. MCLACHLAN-BAGGETT and STANLEY T. BAGGETT, husband and wife as joint tenants, as to an undivided 50% interest; and JOHN A. SCHOPF, JR. and WENDY A. SCHOPF, husband and wife, as joint tenants as to an undivided one-half interest (hereinafter referred to as "GRANTEE").

WITNESSETH:

WHEREAS, GRANTOR is presently the owner of a parcel of real property in Douglas County, Nevada (APNs 1320-30-411-016 and 1320-30-411-004), which will hereinafter be referred to as the "servient tenement," more fully described on Exhibit A attached hereto and made a part hereof by this reference; and

WHEREAS, GRANTEE is the owner of a parcel of real property in Douglas County, Nevada (APN 1320-30-411-005), which will hereinafter be referred to as the "dominant tenement," more fully described on Exhibit B attached hereto and made a part hereof by this reference; and

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WHEREAS, GRANTEE desires to formalize vehicular and pedestrian access to its above-described parcel; and

WHEREAS, GRANTOR desires to grant to GRANTEE and to GRANTEE's heirs, successors, and assigns forever the private easement described on Exhibit C attached hereto and made a part hereof by this reference,

NOW, THEREFORE, the undersigned GRANTOR, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to GRANTEE, its heirs, successors, and assigns forever, a perpetual, non-exclusive private easement for pedestrian and vehicular ingress, egress, and maintenance as described in Exhibit C.

The easements granted herein are appurtenant to the dominant tenement. This Grant of Easement affects Douglas County Assessor's Parcels Nos. 1320-30-411-004, 1320-30-411-005, and 1320-30-411-016.

From time to time on and after the date hereof, the parties hereto shall deliver or cause to be delivered to each other such further documents and instruments and shall do and cause to be done such further acts as shall be reasonably requested by either party to carry out more effectively the provisions and purposes of this Agreement, to evidence compliance herewith, or to assure themselves that they are protected in acting hereunder.

This Grant of Easement contains the entire understanding and agreement between the parties and it shall supersede all prior correspondence, agreements, and understandings, both verbal and written between the parties concerning the subject matter of this Grant of Easement. This Agreement may not be modified or

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extended nor may any covenants or provisions hereof be waived, except by an instrument in writing, signed by the parties hereto or by their legal successors in interest.

In the event of a dispute to enforce any of the terms or provisions of this Grant of Easement, the prevailing party shall be entitled to attorney's fees as a part of its recovery or judgment in such action.

IN WITNESS WHEREOF, the said GRANTOR has executed this grant of easement on the date first above written.

RIVERBEND RECREATION VILLAGE LLC,  
a Nevada limited-liability company

By: *Greg Painter*  
Greg Painter, Manager

By: FAGEN DEVELOPMENT, LLC,  
a Nevada limited-liability company,  
Manager

By: *Patrick A. Fagen*  
Patrick A. Fagen, Manager of Fagen  
Development, LLC

STATE OF NEVADA     )  
                                  ) SS.  
COUNTY OF DOUGLAS )

This instrument was acknowledged before me by GREG PAINTER as Manager of RIVERBEND RECREATION VILLAGE LLC, a Nevada limited-liability company, on October 2, 2003.

*Mary E. Baldecchi*  
NOTARY PUBLIC



MARY E. BALDECCHI  
Notary Public - Nevada  
Washoe County  
93-0282-2  
My Appointment Expires January 10, 2008

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STATE OF NEVADA )  
 ) SS.  
COUNTY OF DOUGLAS )

This instrument was acknowledged before me by PATRICK A. FAGEN as Manager of FAGEN DEVELOPMENT, LLC, which is Manager of RIVERBEND RECREATION VILLAGE, LLC, a Nevada limited-liability company, on October 2, 2003.

Mary E. Baldecchi  
NOTARY PUBLIC



**MARY E. BALDECCHI**  
Notary Public - Nevada  
Washoe County  
**93-0282-2**  
My Appointment Expires January 18, 2007

ACCEPTANCE OF GRANT OF EASEMENT

The within Grant of Easement conveyed by this document is accepted this 5 day of Oct, 2003.

Karen L. Mclachlan-Baggett  
KAREN L. MCLACHLAN-BAGGETT

Stanley T. Baggett  
STANLEY T. BAGGETT

\_\_\_\_\_  
JOHN A. SCHOPF, JR.

\_\_\_\_\_  
WENDY A. SCHOPF

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STATE OF NEVADA )  
 ) SS.  
COUNTY OF DOUGLAS )

This instrument was acknowledged before me by PATRICK A. FAGEN as  
Manager of FAGEN DEVELOPMENT, LLC, which is Manager of RIVERBEND  
RECREATION VILLAGE, LLC, a Nevada limited-liability company, on \_\_\_\_\_  
\_\_\_\_\_, 2003.

\_\_\_\_\_  
NOTARY PUBLIC

ACCEPTANCE OF GRANT OF EASEMENT

The within Grant of Easement conveyed by this document is accepted this \_\_\_\_\_  
day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
KAREN L. MCLACHLAN-BAGGETT

\_\_\_\_\_  
STANLEY T. BAGGETT

\_\_\_\_\_  
JOHN A. SCHOPF, JR.

\_\_\_\_\_  
WENDY A. SCHOPF

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EXHIBIT A TO GRANT OF EASEMENT  
Servient Tenement

COPY

DOC 0593122  
BK 1003 PG 5138A

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BK 1003 PG 5138A

## LEGAL DESCRIPTION

The land referred to herein is situated in the State of Nevada, County of DOUGLAS, described as follows:

Parcel 1:

A parcel of land located within a portion of the Southwest 1/4 of Section 30, Township 14 North, Range 20 East, Mount Diablo Meridian, more particularly described as follows:

Parcel 2C as set forth on Parcel Map LDA 97-056 for PATRICK FAGEN, etal, filed for record in the Office of the County Recorder of Douglas County, State of Nevada, on March 25, 1998, in Book 398, Page 5528, as Document No. 435764.

Assessor's Parcel No. 1320-30-411-004

Parcel 2:

A parcel of land located within a portion of the Southwest one-quarter of Section 30, Township 13 North, Range 20 East, Mount Diablo Meridian, more particularly described as follows:

Commencing at the northeast corner of Parcel 2A-1 as shown on Parcel Map LDA 98-063 for Fitness, LLC recorded April 27, 2000 in the office of Recorder, Douglas County, Nevada as Document No. 490759, also being the northwest corner of Parcel 2B as shown on Parcel Map LDA 97-056 for Patrick A. Fagen and A.A. and Emaleen Fagen recorded March 25, 1998 in said office of Recorder as Document No. 435764, the POINT OF BEGINNING.

thence along the northerly line of said Parcel 2B and the southerly right-of-way of Mahogany Drive, along the arc of a curve to the left having a radius of 530.00 feet, central angle of 13°31'43", arc length of 125.14 feet, and chord bearing and distance of South 82°25'09" East, 124.85 feet;

thence continuing along said northerly line of Parcel 2B and the southerly right-of-way of Mahogany Drive, South 89°11'00" East, 23.50 feet;

thence along the easterly line of said Parcel 2B, South 00°49'00" West, 575.13 feet to a point on the southerly line of said Parcel 2B;

thence along said southerly line of Parcel 2B, North 58°01'34" West, 192.51 feet;

thence North 00°02'36" East, 410.57 feet;

Continued on next page

Order No. 030500 5

thence North 16°46'42" East, 19.86 feet;  
thence along the line common to said Parcel 2A-1 and Parcel 2B,  
North 16°46'42" East, 63.04 feet to the POINT OF BEGINNING.

Said land further shown as Adjusted Parcel 2B on Record of Survey to Support a Boundary Line Adjustment for Fitness LLC and Riverbend Recreation Village, filed for record with the Douglas County Recorder on December 6, 2001 in Book 1201, at Page 1871, as Document No. 529450, Official Records of Douglas County, Nevada.

Assessor's Parcel No. 1320-30-411-016

"IN COMPLIANCE WITH NEVADA REVISED STATUTE 111.312, THE HEREIN ABOVE LEGAL DESCRIPTION WAS TAKEN FROM INSTRUMENT RECORDED DECEMBER 6, 2001, BOOK 1201, PAGE 1816, AS FILE NO. 0529442, RECORDED IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY, STATE OF NEVADA."



EXHIBIT B TO GRANT OF EASEMENT  
Dominant Tenement

COPY

DOC 0593122  
BK 1003 PG 5141

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BK 1003 PG 5141

Schopt, J & W. ETAL  
A.P.N. 1320-30-411-005

264-04-96  
08/20/96  
Revised 09-23-96  
Revised 10-07-96

DESCRIPTION  
ADJUSTED PARCEL 3  
(A.P.N. 17-330-02)

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

A parcel of land located within a portion of the SW $\frac{1}{4}$  of Section 30 and the NW $\frac{1}{4}$  of Section 31, Township 13 North, Range 20 East, Mount Diablo Meridian, more particularly described as follows:

Commencing at the northeast corner of Parcel 4 as shown on the Final Map for Westwood Village No. 4, Phase A, recorded September 29, 1992 in the office of Recorder, Douglas County, Nevada in Book 992, at Page 5212, as Document No. 289477, the POINT OF BEGINNING;

thence along the boundary of said Parcel 4 South 00°49'00" West, 391.00 feet;

thence South 89°11'00" East, 359.56 feet to a  $\frac{1}{2}$ " rebar (no tag) per said Final Map;

thence South 00°47'38" West, 514.08 feet to a 2" iron pipe, R.L.S. 2280;

thence North 58°01'34" West, 420.41 feet;

thence North 00°49'00" East, 246.49 feet;

thence North 89°11'00" West, 36.00 feet;

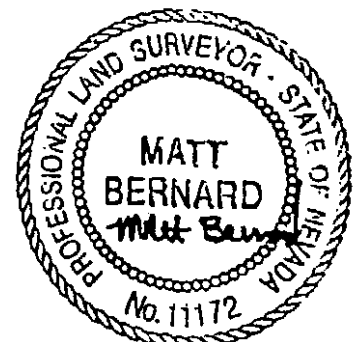
thence North 00°49'00" East, 441.00 feet to a point on the southerly right-of-way of Mahogany Drive;

thence along said southerly right-of-way South 89°11'00" East, 36.00 feet to the POINT OF BEGINNING, containing 3.71 acres, more or less.

The Basis of Bearing of this description is the centerline of Mahogany Drive as shown on the Final Map of Westwood Village Unit No. 4, Phase A, recorded September 29, 1992 in the office of Recorder, Douglas County, Nevada in Book 992, at Page 5212, as Document No. 289477.

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

Prepared By: R.O. ANDERSON ENGINEERING, INC.  
P.O. Box 2294  
Minden, Nevada 89423



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10-8-96

EXHIBIT C TO GRANT OF EASEMENT

COPY

Doc 0593122  
BK 1003 PG 5143

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**DESCRIPTION**  
**PRIVATE ACCESS EASEMENT #2**  
**(Over A.P.N. 1320-30-411-004)**

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

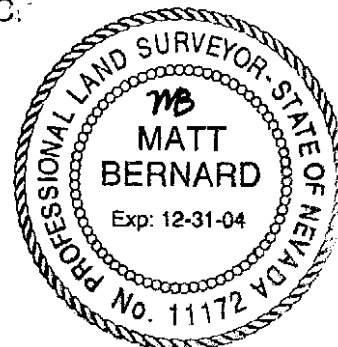
A strip of land for private access purposes, including without limitation, vehicular and pedestrian ingress, egress, and maintenance, located within a portion of Section 30, Township 13 North, Range 20 East, Mount Diablo Meridian, more particularly described as follows:

Commencing at the northeast corner of Parcel 2C as shown on the Parcel Map #97-056 for Patrick A. Fagen and A.A. and Emaleen Fagen recorded March 25, 1998 in the office of Recorder, Douglas County, Nevada as Document No. 435764, the POINT OF BEGINNING;

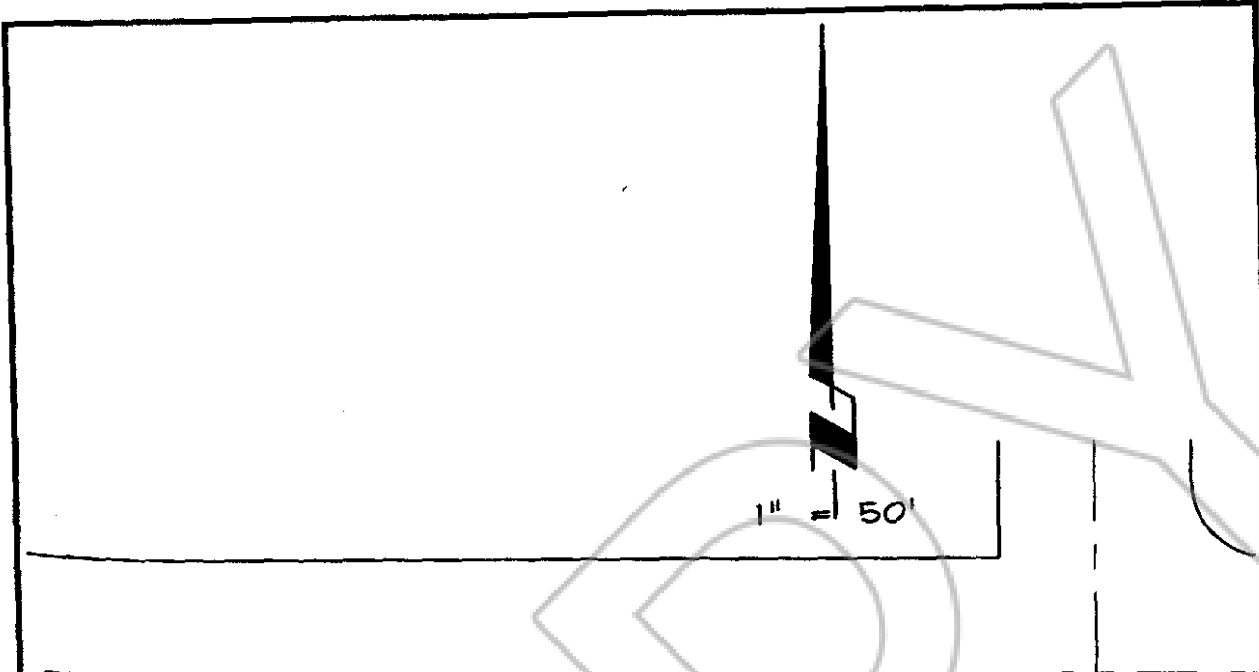
thence along the easterly line of said Parcel 2C, South 00°49'00" West, 60.57 feet;  
thence North 89°11'00" West, 50.00 feet;  
thence North 47°45'21" West, 22.02 feet;  
thence North 00°49'00" East, 46.00 feet to a point on the southerly right-of-way of Mahogany Drive;  
thence along said southerly right-of-way of Mahogany Drive, South 89°11'00" East, 66.51 feet to the POINT OF BEGINNING, containing 3,908 square feet, more or less.

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

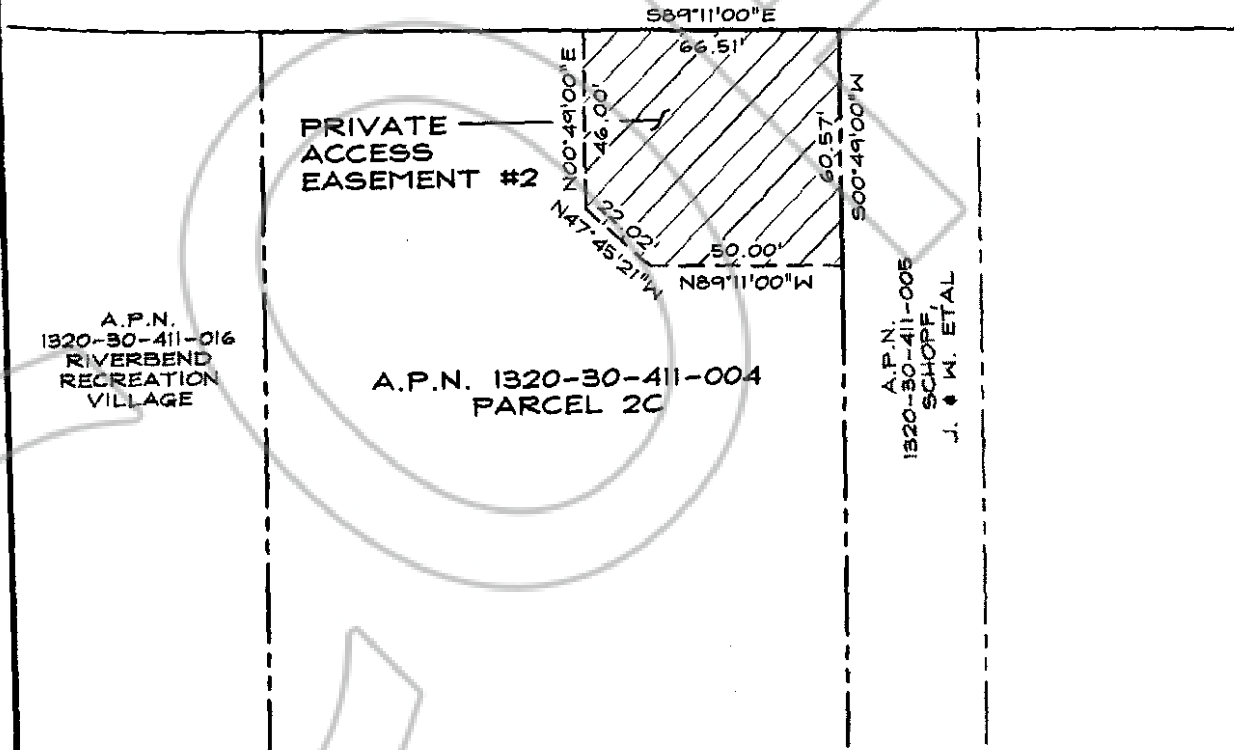
Prepared By: R.O. ANDERSON ENGINEERING, INC.  
P.O. Box 2229  
Minden, Nevada 89423



9-26-03



MAHOGANY DRIVE



EXHIBIT

**Ro**anderson PRIVATE ACCESS EASEMENT #2  
ENGINEERING INC SECTION 30, T.13N., R.20., M.D.M.

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

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