

WF

Assessor's Parcel Number: _____

Recording Requested By:

Name: ✓ JEFFREY L. FOLTZ
Comm Development

Address: PO BOX 218

City/State/Zip MINDEN, NV 89423

Real Property Transfer Tax: _____

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

2003 DEC 18 AM 10:41

WERNER CHRISTEN
RECORDER

\$ 0 PAID K8 DEPUTY

PUBLIC ROAD EASEMENT
(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fee applies)

This cover page must be typed or legibly hand printed.

C:\bc docs\Cover page for recording

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BK 1203 PG 08057

FILED

Authorization ID: CAR166
Contact ID: DOUGLAS CO
Expiration Date: 03/31/2033
Use Code: 751

FS-2700-9f (9/96) 2003-086
OMB No. 0596-0062

THIS DOCUMENT IS BEING
RE-RECORDED TO SHOW THE
CORRECT LOCATION OF THE
SHARED USE PATH

03 APR 30 AM '03

U. S. DEPARTMENT OF AGRICULTURE
Forest Service
PUBLIC ROAD EASEMENT
NATIONAL FOREST ROADS AND TRAILS SYSTEMS October 13, 1964

BARBARA REED
CLERK
DEPUTY

THIS EASEMENT, dated this 22nd day of April, 2003 from the UNITED STATES OF AMERICA, acting by and through the Forest Service, Department of Agriculture, hereinafter called Grantor, to DOUGLAS COUNTY COMMUNITY DEVELOPMENT, hereinafter called Grantee.

WITNESSETH:

WHEREAS, the Grantee has applied for a grant of an easement under the Act of October 13, 1964 (78 Stat. 1089, 16 U.S.C. 532-538), for a road over certain lands or assignable easements owned by the United States in the **County of Douglas, State of Nevada** and administered by the Forest Service, Department of Agriculture.

NOW THEREFORE, Grantor does hereby grant to Grantee an easement for a public road and highway along and across a strip of land, hereinafter defined as the right-of-way over and across the lands in the **County of Douglas, State of Nevada, Sec. 11, T. 14 N., R. 19 E., and Sec. 12, T. 14 N., R. 19 E., MDBM**, as described on exhibit A attached hereto.

The word "right-of-way" when used herein means said strip of land whether or not there is an existing road or highway located thereon. Except where it is defined more specifically, the word "highway" shall mean roads or highways now existing or hereafter constructed on the right-of-way or any segment of such roads or highways.

The right-of-way is shown and specifically described on the plat attached hereto and made a part hereof.

This grant is made subject to the following terms, provisions, and conditions:

1. Outstanding valid claims, if any, existing on the date of this grant.
2. The easement herein granted is limited to use of the described right-of-way for the purpose of construction, operation, and maintenance of a highway and does not include the grant of any rights for nonhighway purposes or facilities; Provided, That the Forest Service shall not exercise its right to use or authorize the use of any portion of the right-of-way for nonhighway purposes when such use would interfere with the free flow of traffic or impair the full use and safety of the highway; and Provided further, That nothing herein shall preclude the Forest Service from locating National Forest and other Department of Agriculture information signs on the portions of the right-of-way outside of construction limits.
3. Not applicable.
4. Any reconstruction of the highway situated on this right-of-way shall conform with plans, specifications, and written stipulations approved by the Forest Supervisor or authorized representative prior to beginning such reconstruction.
5. Consistent with highway safety standards, the Grantee shall:
 - a. Protect and preserve soil and vegetative cover and scenic and aesthetic values on the right-of-way outside of construction limits.
 - b. Provide for the prevention and control of soil erosion within the right-of-way and adjacent lands that might be affected by the construction operation, or maintenance of the highway, and shall vegetate and keep vegetated with suitable species all earth cut or fill slopes feasible for revegetation or other areas on which ground cover is destroyed. The Grantee shall perform these activities where it is deemed necessary during a joint review

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between the authorized Forest Officer and Grantee prior to completion of the highway. The Grantee also shall maintain all terracing, water bars, leadoff ditches, or other preventive works that may be necessary to accomplish this objective. This provision also shall apply to waste disposal areas and slopes that are reshaped following slides that occur during or after construction.

6. The Grantee shall:

Establish no borrow, sand, or gravel pits; stone quarry; permanent storage areas; sites for highway-operation and maintenance facilities; camps; supply depots; or disposal areas within the right-of-way, unless shown on approved construction plans, without first obtaining approval of the authorized Forest Officer.

7. The Grantee shall maintain the right-of-way clearing by means of chemicals only after the Forest Supervisor has given specific written approval. Application for such approval must be in writing and must specify the time, method, chemicals, and the exact portion of the right-of-way to be chemically treated.

8. The Grantee does by the acceptance of this document covenant and agree for itself, its assigns, and its successors in interest to the property here granted or any part thereof, that the covenant set forth below shall attach to and run with the land:

a. That the Grantee shall operate the described property and its appurtenant areas and its buildings and facilities whether or not on the land therein granted as a public road, in full compliance with Title VI of the Civil Rights Act of 1964 and all requirements imposed by or pursuant to the regulations issued thereunder by the Department of Agriculture and in effect on the date of this document to the end that no person in the United States shall, on the grounds of race, sex, color, religion, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any programs or activities provided thereon; and

b. That the United States shall have the right to judicial enforcement of these covenants not only as to the Grantee, its successors and assigns, but also as to lessees and licensees doing business or extending services under contractual or other arrangements on the land therein conveyed.

9. Removal and Planting of Vegetation and Other Resources (D5). The holder shall obtain prior written approval from the authorized officer before removing or altering vegetation or other resources. The holder shall obtain prior written approval from the authorized officer before planting trees, shrubs, or other vegetation within the authorized area.

10. Revegetation of Ground Cover and Surface Restoration (D9). The holder shall be responsible for prevention and control of soil erosion and gulying on lands covered by this authorization and adjacent thereto, resulting from construction, operation, maintenance, and termination of the authorized use. The holder shall so construct permitted improvements to avoid the accumulation of excessive heads of water and to avoid encroachment on streams. The holder shall revegetate or otherwise stabilize all ground where the soil has been exposed as a result of the holder's construction, maintenance, operation, or termination of the authorized use and shall construct and maintain necessary preventive measures to supplement the vegetation.

11. Pesticide Use (D23). Pesticides may not be used to control undesirable woody and herbaceous vegetation, aquatic plants, insects, rodents, trash fish, etc., without the prior written approval of the Forest Service. A request for approval of planned uses of pesticides will be submitted annually by the holder on the due date established by the authorized officer. The report will cover a 12-month period of planned use beginning 3 months after the reporting date. Information essential for review will be provided in the form specified. Exceptions to this schedule may be allowed, subject to emergency request and approval, only when unexpected outbreaks of pests require control measures which were not anticipated at the time an annual report was submitted.

Only those materials registered by the U.S. Environmental Protection Agency for the specific purpose planned will be considered for use on National Forest System lands. Label instructions will be strictly followed in the application of pesticides and disposal of excess materials and containers.

12. Rights-of-Way Management Plan (R4-X3). The holder shall operate and maintain the right-of-way, authorized facilities, and access roads in a manner consistent with National Forest System land and resource management objectives and policies. To meet this requirement, the holder shall prepare a right-of-way management plan and submit it to the Forest Service prior to completion of project construction. The plan will

identify specific management and protection objectives and practices by location, and identify responsibilities and schedules. The right-of-way management plan will become a part of this authorization when approved by the Forest Service, and shall be jointly reviewed and revised periodically, according to its terms.

The Chief, Forest Service, may terminate this easement, or any segment thereof, (1) by consent of the Grantee, (2) by condemnation, or (3) after a five (5) year period of nonuse, by a determination to cancel after notification and opportunity for hearing as prescribed by law.

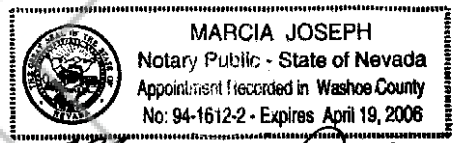
IN WITNESS WHEREOF, the Grantor, by its duly authorized representative, has executed this easement pursuant to the delegation of authority to the Chief of the Forest Service in Title 7 CFR 2.60 and the delegated authority described in the Federal Register Notice dated September 15, 1995 (Volume 60, No. 179, 47930) on the day and year first above written.

UNITED STATES OF AMERICA
Robert Vaughn

Forest Supervisor
Forest Service
Department of Agriculture

ACKNOWLEDGMENT

STATE OF NEVADA)
COUNTY OF WASHOE)ss



Marcia Joseph

On this 22nd day of April, 2003, before me
MARCIA JOSEPH a Notary Public in and for WASHOE County, State of
NEVADA, personally appeared ROBERT L. VAUGHN, and known to me to be the persons
described in and who executed the foregoing instrument and who duly acknowledged to me that he executed the
same freely and voluntarily and for the uses and purposes therein mentioned.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082.

This information is needed by the Forest Service to evaluate requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the Secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, Act of November 16, 1973, Archaeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations for the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing those authorizations.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

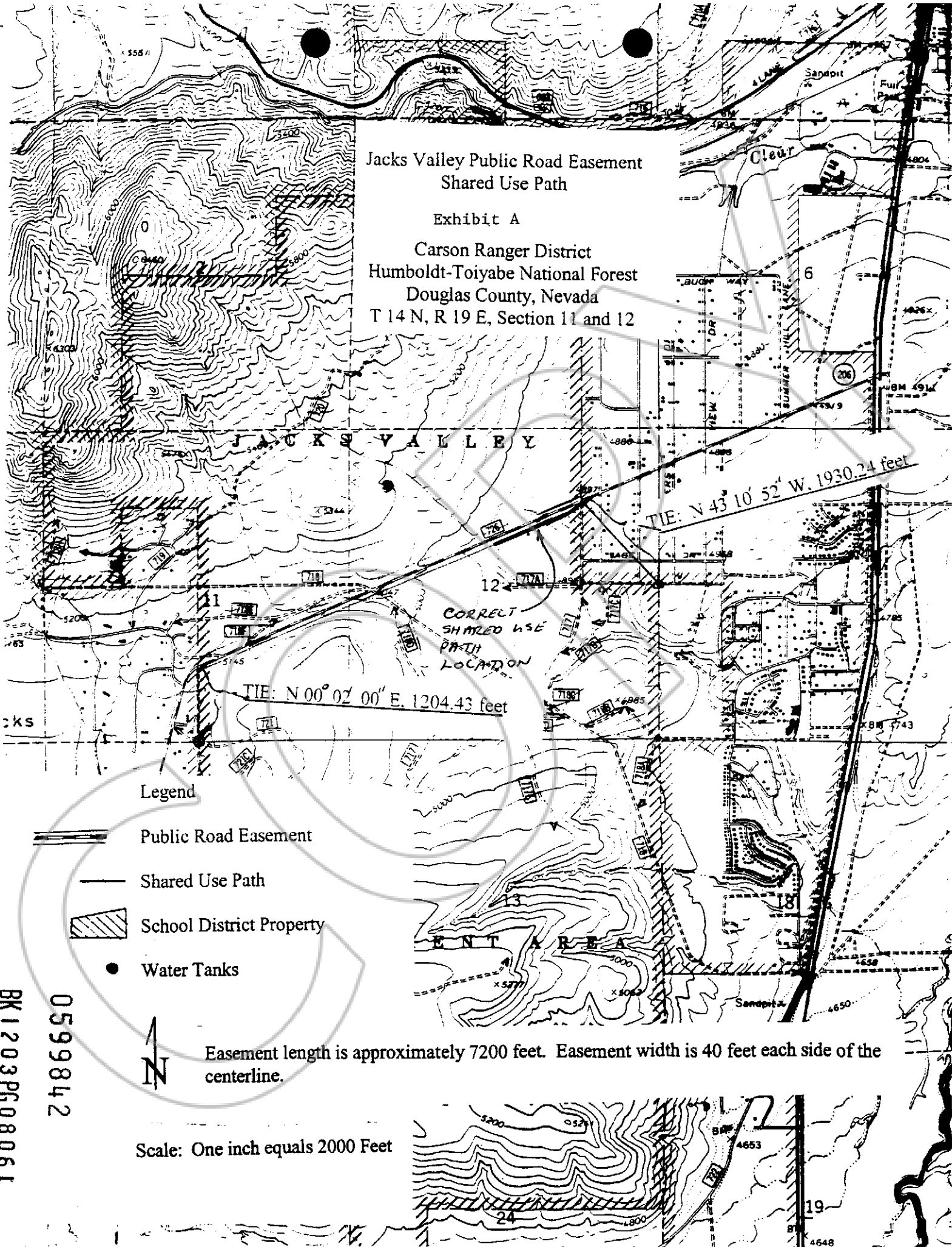
Public reporting burden for this collection of information, if requested, is estimated to average 1 hour per response for annual financial information; average 1 hour per response to prepare or update operation and/or maintenance plan; average 1 hour per response for inspection reports; and an average of 1 hour for each request that may include such things as reports, logs, facility and user information, sublease information, and other similar miscellaneous information requests. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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Jacks Valley Public Road Easement
Shared Use Path

Exhibit A

Carson Ranger District
Humboldt-Toiyabe National Forest
Douglas County, Nevada
T 14 N, R 19 E, Section 11 and 12



Legend

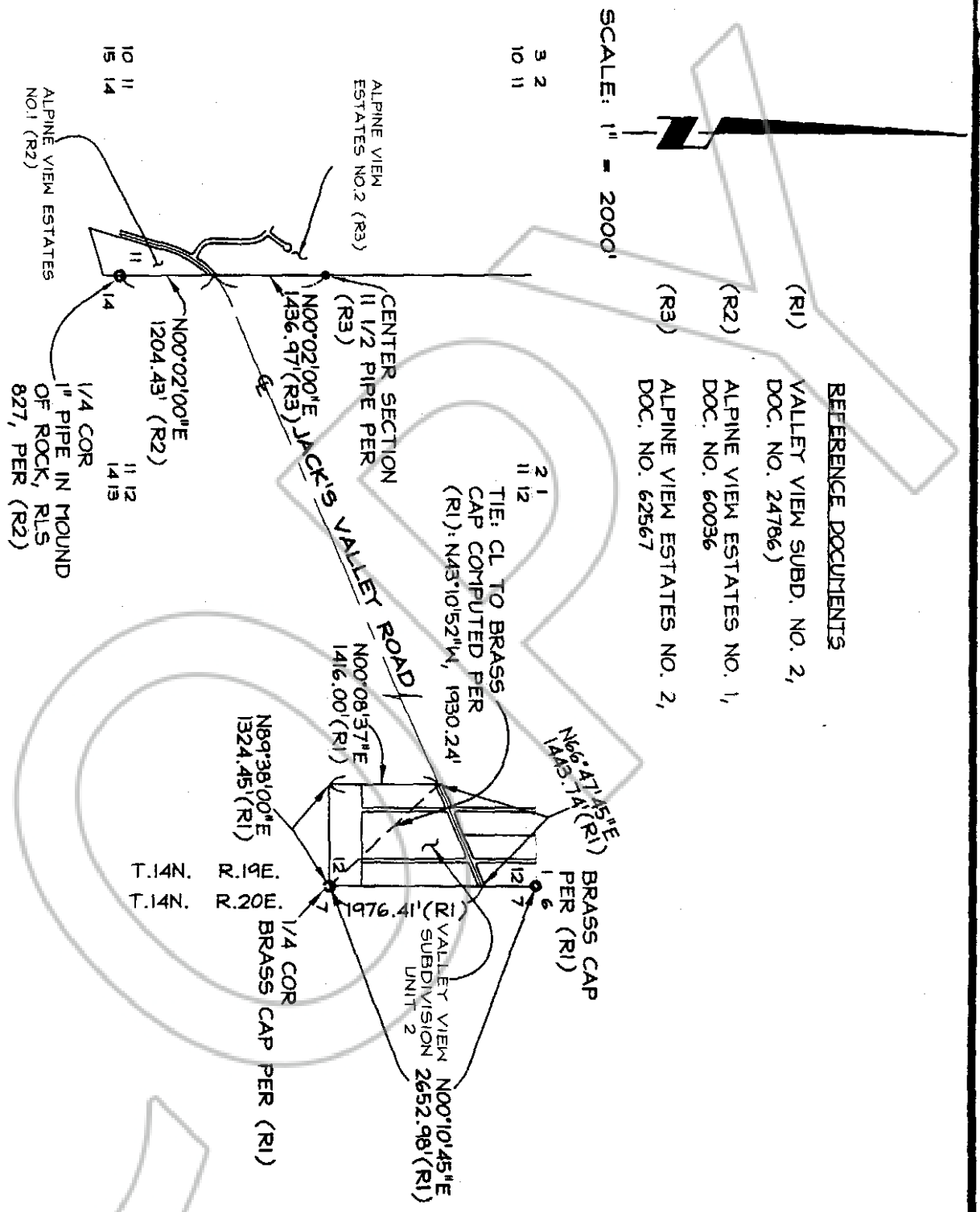
-  Public Road Easement
-  Shared Use Path
-  School District Property
-  Water Tanks



Easement length is approximately 7200 feet. Easement width is 40 feet each side of the centerline.

Scale: One inch equals 2000 Feet

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- REFERENCE DOCUMENTS
- (R1) VALLEY VIEW SUBD. NO. 2, DOC. NO. 24786
 - (R2) ALPINE VIEW ESTATES NO. 1, DOC. NO. 60036
 - (R3) ALPINE VIEW ESTATES NO. 2, DOC. NO. 62567

SCALE: 1" = 2000'

EXHIBIT

PORTION JACK'S VALLEY RD.

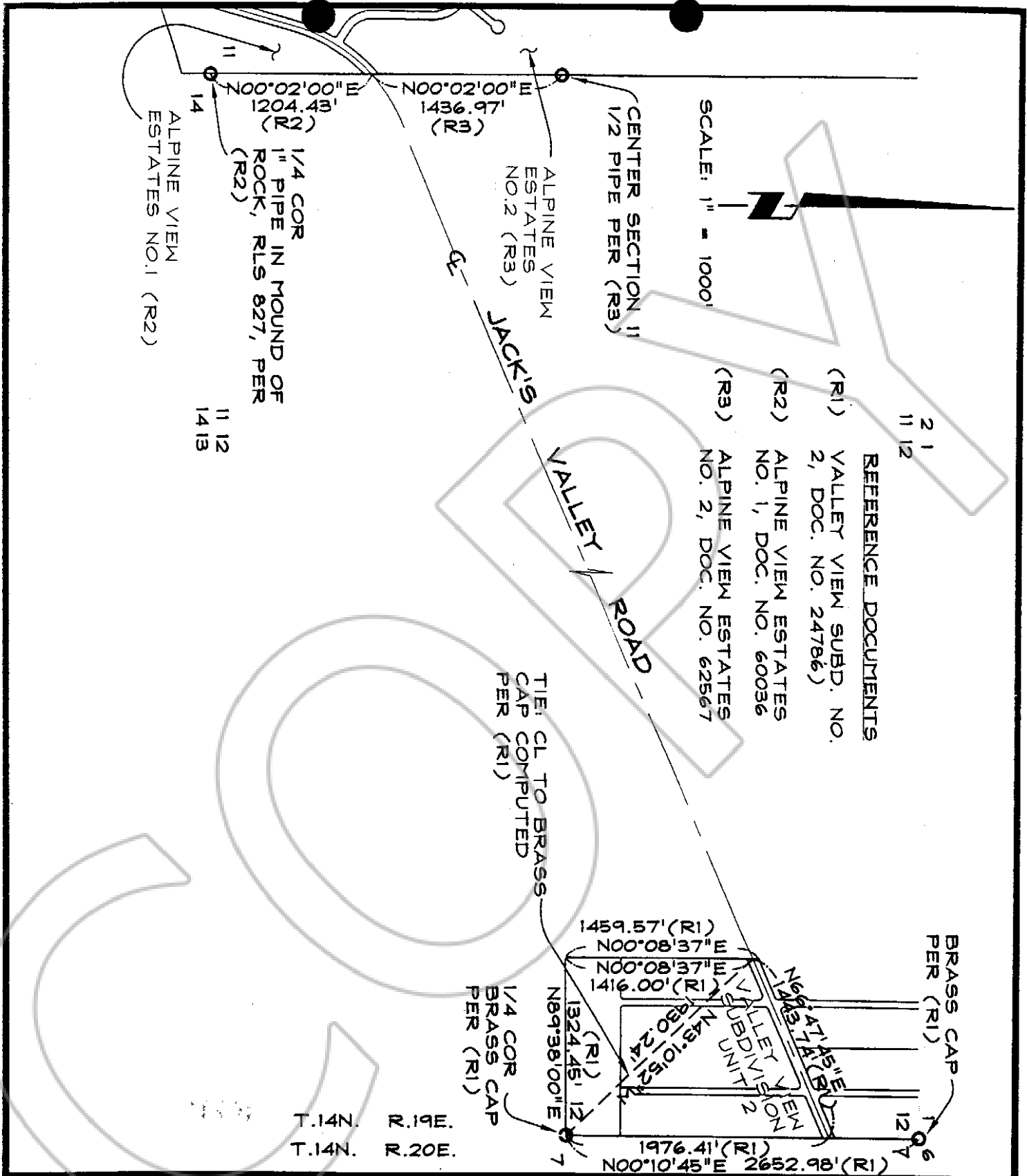
TIES TO CENTERLINE PER RECORD INFORMATION



1603 ESERALDA 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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EXHIBIT
PORTION JACK'S VALLEY RD.
TIES TO CENTERLINE PER RECORD INFORMATION

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COPY

SEAL

CERTIFIED COPY

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

DATE: November 18, 2003
B. Reed Clerk of the 9th Judicial District Court
of the State of Nevada, in and for the County of Douglas.
By Carol M. Miller Deputy

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