

DOC # 0638441  
03/08/2005 03:32 PM Deputy: KLJ

OFFICIAL RECORD

Requested By:  
STEWART TITLE

Douglas County - NV  
Werner Christen - Recorder

Page: 1 Of 5 Fee: 18.00  
BK-0305 PG- 3238 RPTT: 0.00



APN 1220-04-201-011

Recording Requested By:

Stewart Title of Douglas County

1650 N. Lucerne, Ste. 101

Minden, NV 89423

#050700510

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**GRANT OF 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.

GRANT OF EASEMENT AND  
DECLARATION OF COMMON DRIVE EASEMENT  
RIGHTS AND RESPONSIBILITIES

THIS INDENTURE and DECLARATION is made this March 7, 2005, by and between Dr. Richard Dragon, Member and Barbara Dragon, Member, aka Gardnerville LLC, owners of Parcel II (APN 1220-04-201-010) and Quails Nest Trust, dated 1999.

The declarations and covenants contained in this instrument are based on the following factual recitals which constitute an integral part of this agreement:

A. The Quails Nest Trust, dated 1999, is the owner of an unimproved parcel of land in Gardnerville, Douglas County, Nevada (hereinafter, 'Parcel I and more particularly as described as follows:

That portion of the Southwest 1/4 of the Northwest 1/4 of Section 4, Township 12 North, Range 20 East, M.D.B. &M., particularly described as follows:

Parcel 1:

Parcel 1 of the Official Parcel Map for Minden-Gardnerville First Baptist Church recorded on January 10, 2003 in Book 0103, Page 4223, as Document No. 563651, Official Records of Douglas County.

Assessor's Parcel No. 1220-04-201-011

B. Dr. Richard Dragon, Member and Barbara Dragon, Member aka Gardnerville LLC, is the owner of a certain parcel of land in Gardnerville, Nevada (hereinafter, Parcel II) and more particularly as described as follows:

That portion of the Southwest 1/4 of the Northwest 1/4 of Section 4, Township 12 North, Range 20 East, M.D.B. &M., particularly described as follows:

Parcel II:

Parcel II of the Official Parcel Map for Minden-Gardnerville First Baptist Church recorded on January 10, 2003 in Book 0103, Page 4223 as Document No. 563651 Official Records of Douglas County, Nevada.

C. Minden-Gardnerville First Baptist Church as previous owner of Parcel I and Parcel II obtained a permit for occupancy of right-of-way from the Nevada Department of Transportation (NDOT) and constructed an approach and common driveway for access to Waterloo, located at Centerville Lane.

D. Dr. Dragon has constructed a commercial building on Parcel II which is presently used for a Dental Office.



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E. It is essential to the value of both Parcels I and II that the present and future rights and obligations of the parties regarding the maintenance and use of the common driveway be set forth.

NOW THEREFORE, the parties hereby agree as follows:

1. Presently there exists a paved driveway and approach providing access for both Parcels to Waterloo, the centerline of which is located on the property line between the two parcels, as more specifically set forth in that certain Record of Survey recorded concurrently herewith in the Official Records of the Douglas County Recorder (hereinafter, the 'Survey') which Survey is referred to and incorporated herein as though set forth fully. The Survey depicts the boundaries of the driveway and the right-of-way occupancy granted by Douglas County.

2. The parties hereby grant to the other, for their benefit and of their successors and assigns or owners of their respective Parcels, a nonexclusive easement for common driveway purposes over that portion of their respective parcels consisting of a strip of land 105 feet in length and 31 feet in width and that portion of their respective parcels necessary for the approach radius from Waterloo onto the parcels, as more particularly shown in the Survey (A Reciprocal Access Easement). The parties acknowledge that the Reciprocal Access Easement does and shall constitute legal access to Parcel I and Parcel II and shall be for the benefit of both Parcels described above for ingress and egress.

3. The parties hereto acknowledge and agree that both parties as owners of the referenced Parcels, their successors and assigns, shall be obligated to maintain or repair the Driveway Easement (as depicted in the Survey) and shall work together to coordinate any repair, replacement or maintenance activities pertaining to the Driveway Easement so as to minimize expense and interference with the use of the Driveway Easement and their respective properties. The parcel owners will exercise reasonable care in their use and maintenance of the Driveway Easement so as to not cause more than normal wear and tear on the same.

4. Except as otherwise provided herein, each party to this agreement shall be responsible for the repair and maintenance of their properties to the center line of the Driveway Easement.

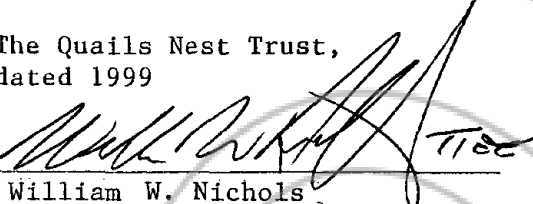
5. The rights and obligations created by this agreement shall be deemed to run with the land of the respective Parcels I and II and shall be for the benefit of and inure to the parties, their successors and assigns, their agents, employees, business invitees, tenants and guests of tenants, and shall burden the respective parcels perpetually. The rights granted in this instrument shall not be further assignable by the parcel owners except as an appurtenance to and in conjunction with the sale of the respective Parcels I and II.

DONE THIS DAY AND YEAR FIRST WRITTEN ABOVE.

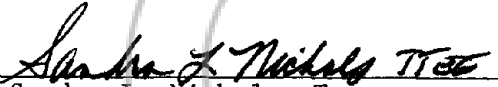
PARCEL I OWNER

The Quails Nest Trust,  
dated 1999

By

  
William W. Nichols

By

  
Sandra L. Nichols, Trustee


PARCEL II OWNER

Gardnerville LLC

By

  
Dr. Richard Dragon, Member

By

  
Barbara Dragon, Member

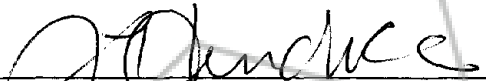
(NOTARY ACKNOWLEDGMENT ON NEXT PAGE)



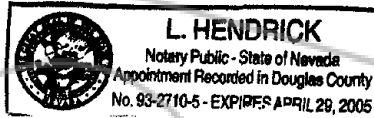
DOUGLAS COUNTY

STATE OF NEVADA )  
COUNTY OF DOUGLAS ) ss:

On March 7, 2005, before me, a notary public, personally appeared WILLIAM W. NICHOLS, personally known (or proved) to me to be the person whose name is subscribed to the above instrument who acknowledged that he executed the instrument.

  
Notary Public

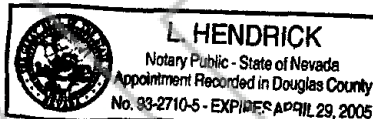
STATE OF NEVADA )  
COUNTY OF DOUGLAS ) ss:




On March 7, 2005, before me, a notary public, personally appeared SANDRA L. NICHOLS, personally known (or proved) to me to be the person whose name is subscribed to the above instrument who acknowledged that she executed the instrument.

  
Notary Public

STATE OF NEVADA )  
COUNTY OF DOUGLAS ) ss:



On 3-7, 2005, before me, a notary public, personally appeared RICHARD DRAGON, personally known (or proved) to me to be the person whose name is subscribed to the above instrument who acknowledged that he executed the instrument.

  
Notary Public

STATE OF NEVADA )  
COUNTY OF DOUGLAS ) ss:



On 3-7, 2005, before me, a notary public, personally appeared BARBARA DRAGON, personally known (or proved) to me to be the person whose name is subscribed to the above instrument who acknowledged that she executed the instrument.

  
Notary Public

