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OFFICIAL RECORD

Requested By:  
D C/COUNTY MANAGER

Douglas County - NV  
Werner Christen - Recorder

Page: 1 of 7 Fee: 0.00  
BK-0705 PG- 5752 RPTT: 0.00



Assessor's Parcel Number: N/A

Date: JULY 11, 2005

Recording Requested By:

Carol Civil Clerk

Name: COUNTY MANAGER'S OFFICE

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Real Property Transfer Tax: \$ N/A

RIGHT-OF-WAY GRANT #2005.144

(Title of Document)

RECEIVED

JUL 08 2005

FORM 2800-14  
(August, 1985)

Douglas County Manager

Issuing Office  
Carson City Field Office

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
RIGHT-OF-WAY GRANT  
SERIAL NUMBER N-79930

1. A right-of-way is hereby granted pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

2. Nature of Interest:

a. By this instrument, the holder:

Douglas County  
P.O. Box 218  
Minden, NV 89423

receives a right to construct, operate, maintain, and terminate an access road across public lands described as follows:

Mount Diablo Meridian

T. 12 N., R. 20 E.,  
sec. 12, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
sec. 13, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .

The right-of-way area granted herein is 50 feet wide, 2,535 feet long, containing 2.91 acres, more or less.

b. This instrument shall terminate on December 31, 2035 thirty years from its effective date unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.

c. This instrument may be renewed. If renewed, the right-of-way shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.

d. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the

BARBARA REED  
CLERK  
*Barbara Reed*

2005 JUL 11 PM 12:02

NO. 2005-144

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BK- 0705  
PG- 5753

*holder, its successors, or assignees, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.*

2. **Rental:**

*For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.*

3. **Terms and Conditions:**

- a. *This grant is issued subject to the holder 's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations Part 2800.*
- b. *This grant may be reviewed at any time deemed necessary by the authorized officer.*
- c. *This grant shall, at a minimum, be reviewed by the authorized officer at the end of the 20<sup>th</sup> year and at regular intervals thereafter not to exceed 10 years.*
- d. *The map set forth in Exhibit A, attached hereto, is incorporated into and made a part of this grant instrument as fully and effectively as if it was set forth herein in its entirety.*
- e. *Failure of the holder to comply with applicable law or any provision of this grant shall constitute grounds for suspension or termination thereof.*
- f. *The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.*
- g. *The grant is subject to all valid rights existing on the effective date of the grant.*
- h. *The holder shall conduct all activities associated with the construction, operation, and termination of the right-of-way within the authorized limits of the right-of-way.*
- i. *In case of change of address, the holder shall immediately notify the authorized officer.*



- j. *Any cultural (historic or prehistoric site or object) or paleontological resource or Native American human remains, funerary items, sacred objects, or objects of cultural patrimony discovered by the permit holder, or any person working on their behalf, during the course of activities on federal land shall be immediately reported to the authorized officer by telephone, followed by written confirmation. The permit holder shall suspend all operations in the immediate area of such discovery and protect it until an evaluation of the discovery can be made by the authorized officer.*

*For cultural resources other than Native American human remains, funerary items, sacred objects, or objects of cultural patrimony, this evaluation will determine the significance of the discovery and what mitigation measures are necessary to allow the activities to proceed. The holder is responsible for the cost of evaluation and mitigation. Any decision on treatment and/or mitigation will be made by the authorized officer after consulting with the permit holder. Operations may resume only upon written authorization to proceed from the authorized officer.*

*For Native American human remains, funerary items, sacred objects, or objects of cultural patrimony the permit holder must stop activities in the immediate vicinity of the discovery and protect it from your activities for 30 days or until notified to proceed by the authorized officer. The holder is responsible for the cost of consultation, evaluation and mitigation. Any decision on treatment and/or mitigation will be made by the authorized officer after consulting with the permit holder.*

- k. *Construction sites shall be maintained in a sanitary condition at all times, waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, used petroleum products, ashes, and equipment.*
- l. *Six months prior to termination of the grant, the holder shall contact the authorized officer to arrange a joint inspection of the right-of-way. This inspection will be held to agree to an acceptable termination and rehabilitation plan. This plan shall include but is not limited to, removal of facilities, drainage structures, or surface material, recontouring, topsoiling, or seeding. The authorized officer must approve the plan in writing prior to the holder's commencement of any termination activities.*



IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant.

Daniel C. Holler  
(Signature of Holder)

Charles P. Page  
(Signature of Authorized Officer)

County Manager  
(Title)

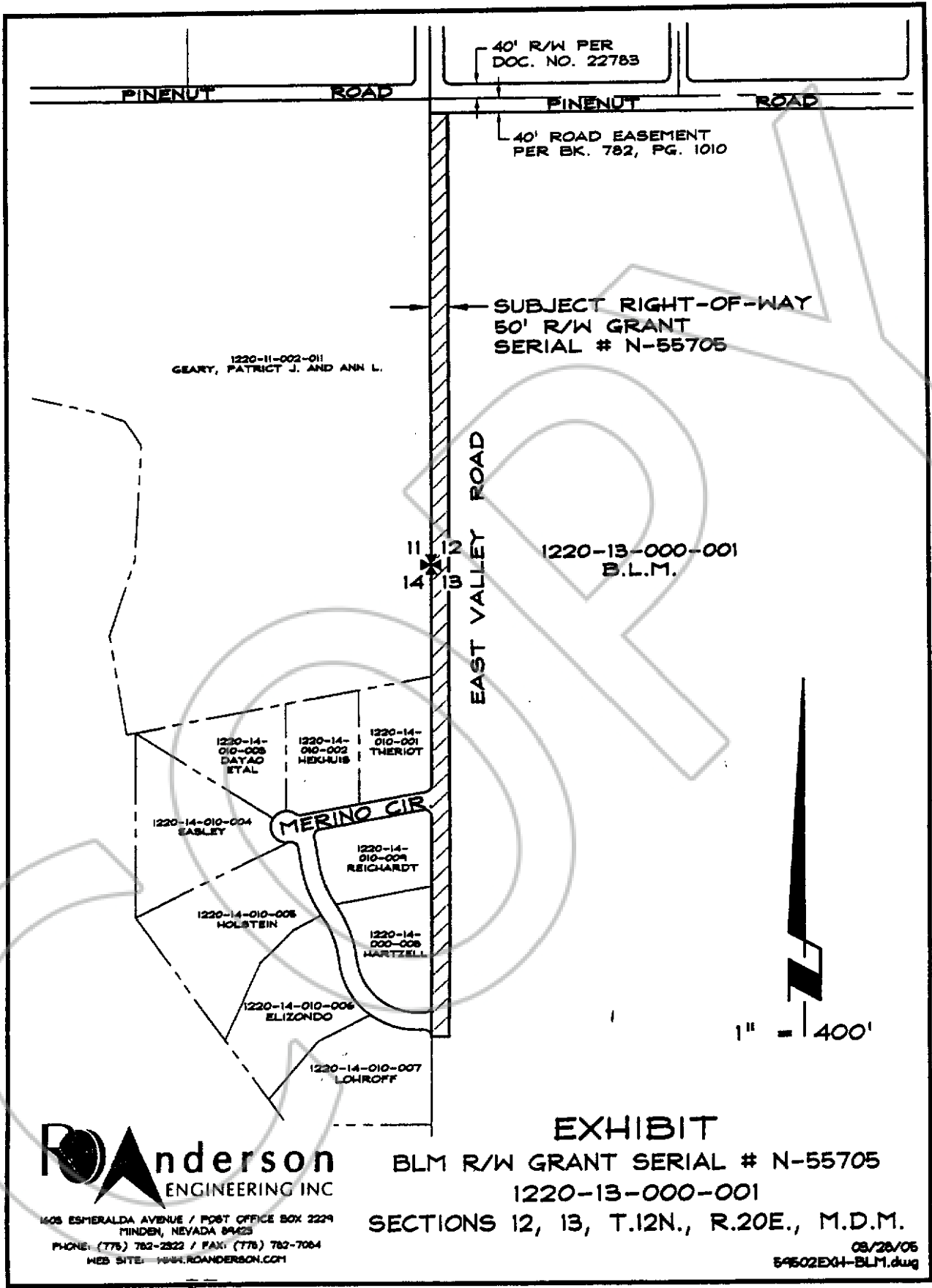
Assistant Manager  
Nonrenewable Resources  
(Title)

June 16, 2005  
(Date)

7/5/05  
(Effective Date of Grant)

COOPER





1605 ESMERALDA AVENUE / POST OFFICE BOX 2229  
MINDEN, NEVADA 89423  
PHONE: (775) 782-2322 / FAX: (775) 782-7084  
WEB SITE: WWW.ROANDERSON.COM

**EXHIBIT**  
BLM R/W GRANT SERIAL # N-55705  
1220-13-000-001  
SECTIONS 12, 13, T.12N., R.20E., M.D.M.

08/28/05  
59502EX01-BLM.dwg



BK- 0705  
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**EXHIBIT A**

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: July 11, 2005  
B. Reed Clerk of the 9th Judicial District Court  
of the State of Nevada, in and for the County of Douglas.  
By [Signature] Deputy

