

OFFICIAL RECORD

Requested By:

RO ANDERSON ENGINEERING

Douglas County - NV  
Werner Christen - Recorder

Page: 1 Of 14 Fee: 27.00  
BK-0707 PG-2312 RPTT: 0.00



Assessor's Parcel Number: 1419-26-001-018 #6

Recording Requested By: R.O. Anderson Engineering

Name: R.O. Anderson Engineering

Address: 1603 Esmeralda Ave.

City/State/Zip Minden, NV 89423

Real Property Transfer Tax: \$ \_\_\_\_\_

Grant of Private Access & Public Utility Easement  
and Temporary License  
(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.*

**Grant of Private Access and Public Utility Easement and Temporary License [6]**  
A.P.N. 1419-26-001-018

Recorded at the request of, and  
after recording please return to:  
Davidon Development Corp.  
1600 South Main Street, Suite 150  
Walnut Creek, CA 94596

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**GRANT OF PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT AND  
TEMPORARY LICENSE**

Four Creeks Visalia, L.P., a California limited partnership ("*Four Creeks*") hereby grants easements and a temporary license upon the terms and conditions set forth below:

**RECITALS**

- A. Four Creeks is the owner of that certain real property located in Douglas County, Nevada, commonly known as A.P.N. 1419-26-001-018 Adjusted Parcel 16 (the "*Property*") and further described in the attached Exhibit A.
- B. A development has been or is currently in the process of being constructed on or near the Property (the "*Development*").
- C. Douglas County has approved the Development, but has required as a condition of such approval the dedication of an easement for public utilities.
- D. In furtherance of satisfying the foregoing condition, Four Creeks desires to grant an easement over and upon a portion of the Property as more particularly described and depicted in the attached Exhibit B (the "*Easement Area*") in accordance with the terms and conditions set forth below.

**GRANT OF EASEMENTS AND LICENSE**

1. Grant of Easements. Four Creeks and its successors and assigns, hereby grant the following easements:

(i) To those recognized and properly licensed public utilities serving the public of Douglas County, Nevada, a perpetual non-exclusive easement in, on, under and over the Easement Area, for the installation, maintenance, repair and replacement of those public utilities pertaining to water, telephone, sewer, electric and gas lines, and improvements related thereto, together with rights of access to and from the Easement Area (the "*Public Utility Easement*"). Upon the completion of any installation, construction, maintenance, replacement,

or repair of any of the foregoing utility lines or facilities, the public utility using the Public Utility Easement, shall, at its sole expense, repair or replace the existing improvements (including any landscaping) to their prior condition, including but not limited to, any grading, paving, curbs, gutters, or sidewalks disturbed.

(ii) To those members, and their guests and invitees, of the Montaña Homeowners' Association, a Nevada non-profit corporation (the "Association"), a perpetual non-exclusive private access easement in, on, under and over the Easement Area (the "Private Access Easement").

2. Grant of Temporary License. Four Creeks further grants a temporary license to Davidon Development Corp., a Nevada corporation ("Davidon"), to enter upon the Easement Area to construct any improvements as needed for the Private Access Easement as determined in Davidon's sole and absolute discretion (the "License"). The License shall expire upon the earlier of the completion of the foregoing improvements or December 31, 2007.

3. Affirmation of Maintenance Responsibilities. By signing below, the Association agrees to maintain any improvements related to the Private Access Easement in a good and workmanlike manner at its sole expense.

Dated: \_\_\_\_\_, 2007.

Four Creeks Visalia, L.P.  
a California limited partnership

By: [Signature]

Its: X VICE PRESIDENT

Date: X July 2, 2007

STATE OF NEVADA }  
COUNTY OF DOUGLAS }

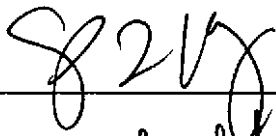
This instrument was acknowledged before me on \_\_\_\_\_ by \_\_\_\_\_ as \_\_\_\_\_ of Four Creeks Visalia, L.P., a California limited partnership.

\_\_\_\_\_  
Notary Public

{Additional signatures follow on next page.}



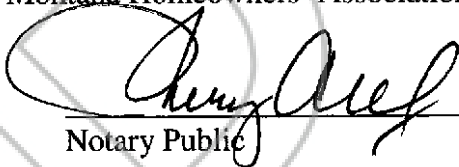
Montaña Homeowners' Association,  
a Nevada non-profit corporation

By: X   
Its: X President  
Date: X June 26, 2007

STATE OF NEVADA }

COUNTY OF DOUGLAS }

This instrument was acknowledged before me on June 26, 2007 by  
Chip L. Bowlby as President of Montaña Homeowners' Association, a Nevada  
non-profit corporation.

  
Notary Public

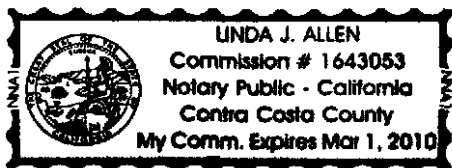


**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California )  
 ) SS.  
County of Contra Costa )

On July 2, 2007 before me, Linda J. Allen, Notary Public, personally appeared DENNIS J. RAZZARI, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



*Linda J. Allen*  
\_\_\_\_\_  
Notary Public

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**OPTIONAL**

*Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment to this form.*

Capacity claimed by signer:

VICE PRESIDENT

Signer is representing:

DAVIDON CORPORATION,  
the General Partner of  
Four Creeks Visalia, L.P.



**EXHIBIT A**

Legal Description

COPY

**DESCRIPTION  
ADJUSTED PARCEL 16  
(Adjusted APN 1419-26-001-014)**

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 Section 26, Township 14 North, Range 19 East, Mount Diablo Meridian, more particularly described as follows:

Commencing at the northeast corner of Section 26, T.14N., R.19E., M.D.M., a found 1985 BLM aluminum cap;

thence along the north line of the Northeast one-quarter of said Section 26, South 89°23'01" West, 2632.99 feet to the north one-quarter corner of said Section 26, a found 1985 BLM aluminum cap;

thence along the north line of the Northwest one-quarter of said Section 26, South 89°22'26" West, 1486.06 feet to a point on the easterly line of Jacks Valley Road;

thence along said easterly line of Jacks Valley Road, South 02°11'08" West, 444.77 feet;

thence continuing along said easterly line of Jacks Valley Road, along the arc of a tangent curve to the right having a radius of 2630.00 feet, central angle of 06°51'56", arc length of 315.14 feet, and chord bearing and distance of South 05°37'06" West, 314.96 feet to the POINT OF BEGINNING;

thence South 80°17'43" East, 33.62 feet;

thence along the arc of a tangent curve to the left having a radius of 170.00 feet, central angle of 58°34'24", arc length of 173.79 feet, and chord bearing and distance of North 70°25'05" East, 166.32 feet;

thence along the arc of a reverse curve to the right having a radius of 330.00 feet, central angle of 73°57'05", arc length of 425.93 feet, and chord bearing and distance of North 78°06'25" East, 396.97 feet;

thence along the arc of a compound curve to the right having a radius of 1780.00 feet, central angle of 14°23'13", arc length of 446.96 feet, and chord bearing and distance of South 57°43'26" East, 445.79 feet;

thence South 50°31'49" East, 250.00 feet;

thence along the arc of a tangent curve to the right having a radius of 480.00 feet, central angle of 33°00'00", arc length of 276.46 feet, and chord bearing and distance of South 34°01'49" East, 272.65 feet;

thence South 17°31'49" East, 85.00 feet;

thence along the arc of a tangent curve to the left having a radius of 270.00 feet,

central angle of  $35^{\circ}00'00''$ , arc length of 164.93 feet, and chord bearing and distance of South  $35^{\circ}01'49''$  East, 162.38 feet;

thence South  $52^{\circ}31'49''$  East, 48.42 feet;

thence along the arc of a tangent curve to the left having a radius of 670.00 feet, central angle of  $58^{\circ}52'18''$ , arc length of 688.43 feet, and chord bearing and distance of South  $81^{\circ}57'58''$  East, 658.54 feet;

thence along the arc of a reverse curve to the right having a radius of 1030.00 feet, central angle of  $14^{\circ}50'52''$ , arc length of 266.92 feet, and chord bearing and distance of North  $76^{\circ}01'19''$  East, 266.17 feet;

thence North  $83^{\circ}26'45''$  East, 273.66 feet;

thence along the arc of a tangent curve to the right having a radius of 510.00 feet, central angle of  $12^{\circ}45'49''$ , arc length of 113.61 feet, and chord bearing and distance of North  $89^{\circ}49'40''$  East, 113.37 feet to a point on the boundary of Adjusted Parcel 14 as shown on the Record of Survey to Support a Boundary Line Adjustment for Genoa Land Investors, LLC, Genoa Developer Associates, LLC, MDA Enterprises, Inc. and Incomparable Holding Co. et al recorded June 30, 2005 in the office of Recorder, Douglas County, Nevada as Document No. 648319;

thence along said boundary of Adjusted Parcel 14, the following courses:

South  $32^{\circ}55'35''$  West, 260.59 feet;

North  $45^{\circ}51'46''$  West, 47.88 feet;

South  $85^{\circ}29'04''$  West, 31.47 feet;

South  $41^{\circ}30'06''$  West, 46.05 feet;

WEST, 78.31 feet;

South  $62^{\circ}20'56''$  West, 128.14 feet;

South  $57^{\circ}21'00''$  West, 77.47 feet;

South  $45^{\circ}00'16''$  West, 68.09 feet;

South  $32^{\circ}22'17''$  West, 79.96 feet;

thence leaving said boundary of Adjusted Parcel 14, South  $77^{\circ}50'28''$  West, 158.26 feet;

thence North  $85^{\circ}33'15''$  West, 136.39 feet;

thence South  $48^{\circ}28'01''$  West, 129.67 feet;

thence South  $14^{\circ}54'09''$  West, 135.87 feet;

thence along the arc of a non-tangent curve to the left having a radius of 61.50 feet, central angle of  $100^{\circ}28'05''$ , arc length of 107.84 feet, and chord bearing and distance of South  $18^{\circ}21'51''$  East, 94.55 feet to a point on the boundary of said Adjusted Parcel 14;

thence along said boundary of Adjusted Parcel 14, the following courses:



South 31°52'12" West, 303.36 feet;

North 78°07'48" West, 68.40 feet;

North 08°07'48" West, 601.77 feet;

Along the arc of a tangent curve to the left having a radius of 250.00 feet, central angle of 66°43'24", arc length of 291.14 feet, and chord bearing and distance of North 41°29'30" West, 274.96 feet;

thence leaving said boundary of Adjusted Parcel 14, North 66°58'22" West, 73.31 feet;

thence South 80°15'10" West, 87.19 feet;

thence South 63°21'49" West, 85.24 feet;

thence South 47°52'54" West, 112.46 feet;

thence South 30°30'18" West, 128.95 feet;

thence South 14°27'34" West, 175.84 feet to a point on the boundary of said Adjusted Parcel 14;

thence along said boundary of Adjusted Parcel 14, the following courses:

South 83°57'55" West, 46.80 feet;

North 33°56'22" West, 896.96 feet;

North 36°57'04" West, 559.28 feet to a point on said easterly line of Jacks Valley Road;

thence along said easterly line of Jacks Valley Road, along the arc of a non-tangent curve to the left having a radius of 2630.00 feet, central angle of 03°01'34", arc length of 138.90 feet, and chord bearing and distance of North 10°33'51' East, 138.89 feet to the POINT OF BEGINNING, containing 37.54 acres, more or less.

The Basis of Bearing of this description is North 89°23'01" East, the north line of the Northeast one-quarter of Section 26, T.14N., R.19E., M.D.M. as shown on the Record of Survey to Support a Boundary Line Adjustment for Genoa Land Investors, LLC, Genoa Developer Associates, LLC, MDA Enterprises, Inc. and Incomparable Holding Co. et al recorded June 30, 2005 in the office of Recorder, Douglas County, Nevada as Document No. 648319.

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



1163-021-06  
05/22/06  
Page 4 of 4  
Adj Parcel 16

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



7-24-06

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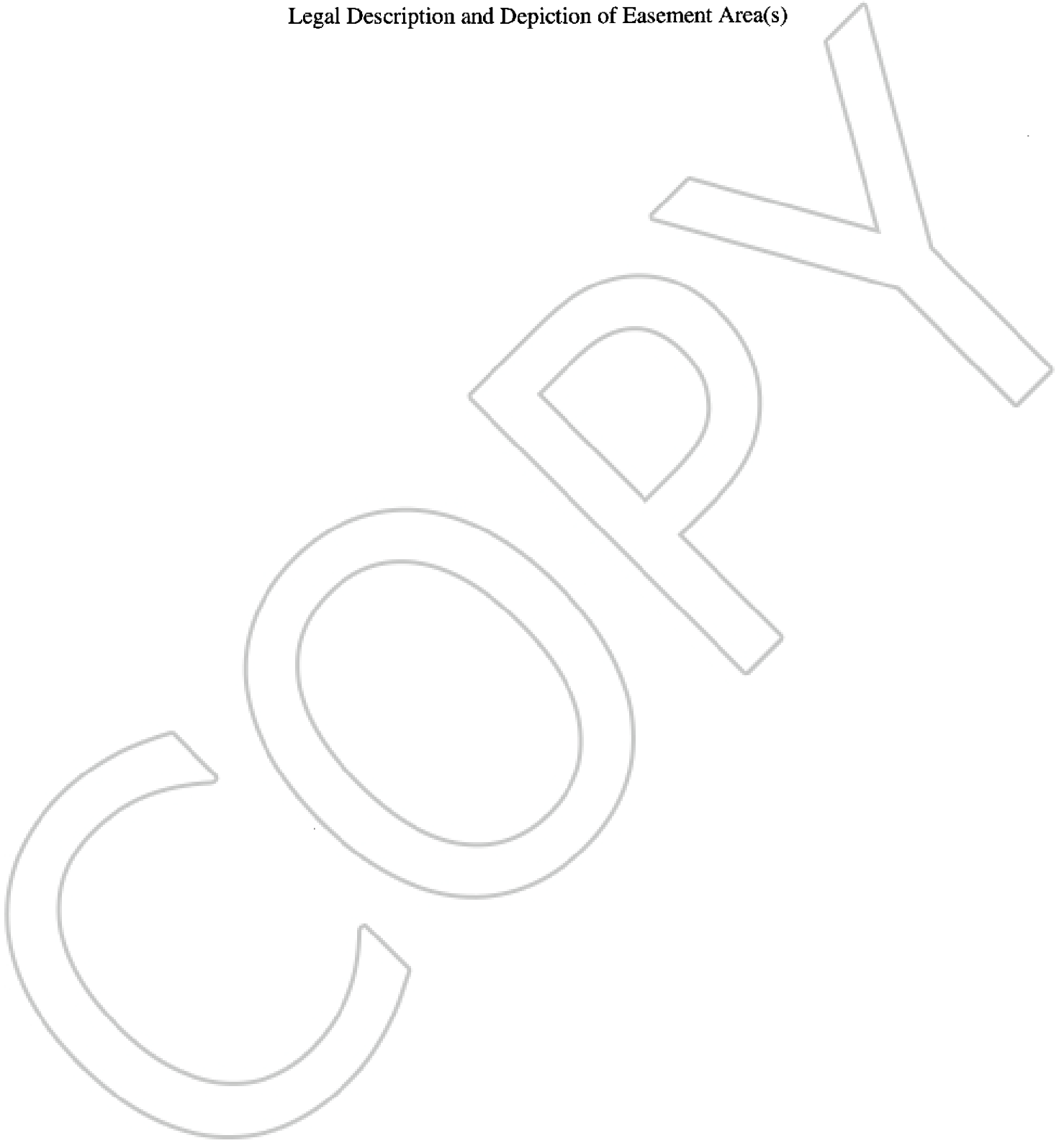


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BK- 0707  
PG- 2321

**EXHIBIT B**

Legal Description and Depiction of Easement Area(s)



**DESCRIPTION**  
**60' PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT**  
**(APN 1419-26-001-018 Parcel 16)**

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

A sixty-foot wide (60') strip of land for private access and public utility purposes located within a portion of Section 26, Township 14 North, Range 19 East, Mount Diablo Meridian, more particularly described as follows:

Commencing at the most northeasterly angle point in the boundary of Adjusted Parcel 16 as shown on the Record of Survey to Support a Boundary Line Adjustment for Genoa Land Investors, LLC, MDA Enterprises, Inc. and Four Creeks Visalia, L.P. recorded June 12, 2007 in the office of Recorder, Douglas County, Nevada as Document No. 702844, the POINT OF BEGINNING;

thence along the easterly boundary of said Adjusted Parcel 16, South 32°55'35" West, 68.35 feet;

thence along the arc of a non-tangent curve to the left having a radius of 450.00 feet, central angle of 08°50'53", arc length of 69.49 feet, and chord bearing and distance of South 87°52'12" West, 69.42 feet;

thence South 83°26'45" West, 45.00 feet;

thence North 06°33'15" West, 60.00 feet to a point on the northerly boundary of said Adjusted Parcel 16;

thence along said northerly boundary of Adjusted Parcel 16, North 83°26'45" East, 45.00 feet;

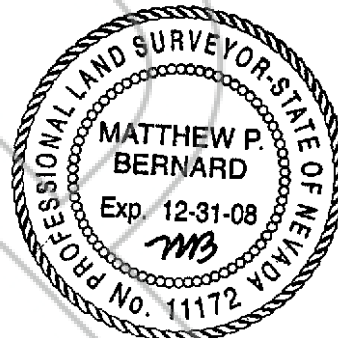
thence continuing along said northerly boundary along the arc of a curve to the right having a radius of 510.00 feet, central angle of 12°45'49", arc length of 113.61 feet, and chord bearing and distance of North 89°40'40" East, 113.38 feet to the POINT OF BEGINNING, containing 8,199 square feet, more or less.

The Basis of Bearing of this description is North 89°23'01" East, the north line of the Northeast one-quarter of Section 26, T.14N., R.19E., M.D.M. as shown on the Record of Survey to Support a Boundary Line Adjustment for Genoa Land Investors, LLC, Genoa Developer Associates, LLC, MDA Enterprises, Inc. and Incomparable Holding Co. et al recorded June 30, 2005 in the office of Recorder, Douglas County, Nevada as Document No. 648319.

1308-002-05  
Revised 06/25/07  
08/24/06  
Page 2 of 2  
Priv Acc/PUE  
Par 16

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



6-26-07

SCALE: 1" = 200'

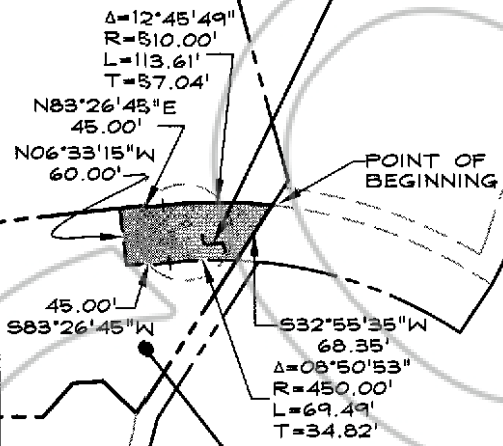
ADJUSTED PARCEL 13  
1419-26-001-019  
MDA ENTERPRISES, INC.  
213.23 ACRES

ADJUSTED PARCEL 17  
1419-26-001-017  
FOUR CREEKS  
VISALIA, L.P.  
77.67 ACRES

ADJUSTED REMAINDER  
PARCEL 1  
1419-26-001-020  
FOUR CREEKS VISALIA, L.P.  
62.38 ACRES

PRIVATE DRAINAGE  
EASEMENT AND  
RESTRICTED USE AREA  
PER DOC. NO. 604356

60' PRIVATE ACCESS  
AND PUBLIC UTILITY  
EASEMENT



ADJUSTED PARCEL 16  
1419-26-001-018  
FOUR CREEKS VISALIA, L.P.  
37.54 ACRES

**EXHIBIT**  
60' PRIVATE ACCESS AND  
PUBLIC UTILITY EASEMENT  
(Over Parcel 16, A.P.N. 1419-26-001-018)  
SECTION 26, T.14N., R.19E., M.D.M.

**RO Anderson**

1609 EMERALDA AVENUE / POST OFFICE BOX 2229  
MINDEN, NEVADA 89423  
PHONE: (775) 782-2322 / FAX: (775) 782-7084  
WEB SITE: WWW.ROANDERSON.COM

REVISED 06/25/07  
08/24/06  
SHT 1 OF 1  
1308-002EXH-PRIV ACC-PUE-Par 16.dwg