

155

Assessor's Parcel Number: See attached list

Recording Requested By:

✓ Name: Michael G. Chapman

Address: 9585 Prototype Ct. Ste C

City/State/Zip Reno, NV 89521

Real Property Transfer Tax:

DOC # 0764902
06/07/2010 02:49 PM Deputy: PK

OFFICIAL RECORD

Requested By:

MICHAEL G CHAPMAN

Douglas County - NV
Karen Ellison - Recorder

Page: 1 Of 15 Fee: 28.00
BK-0610 PG- 1475 RPTT: 0.00



\$ _____

Final Order of Condemnation

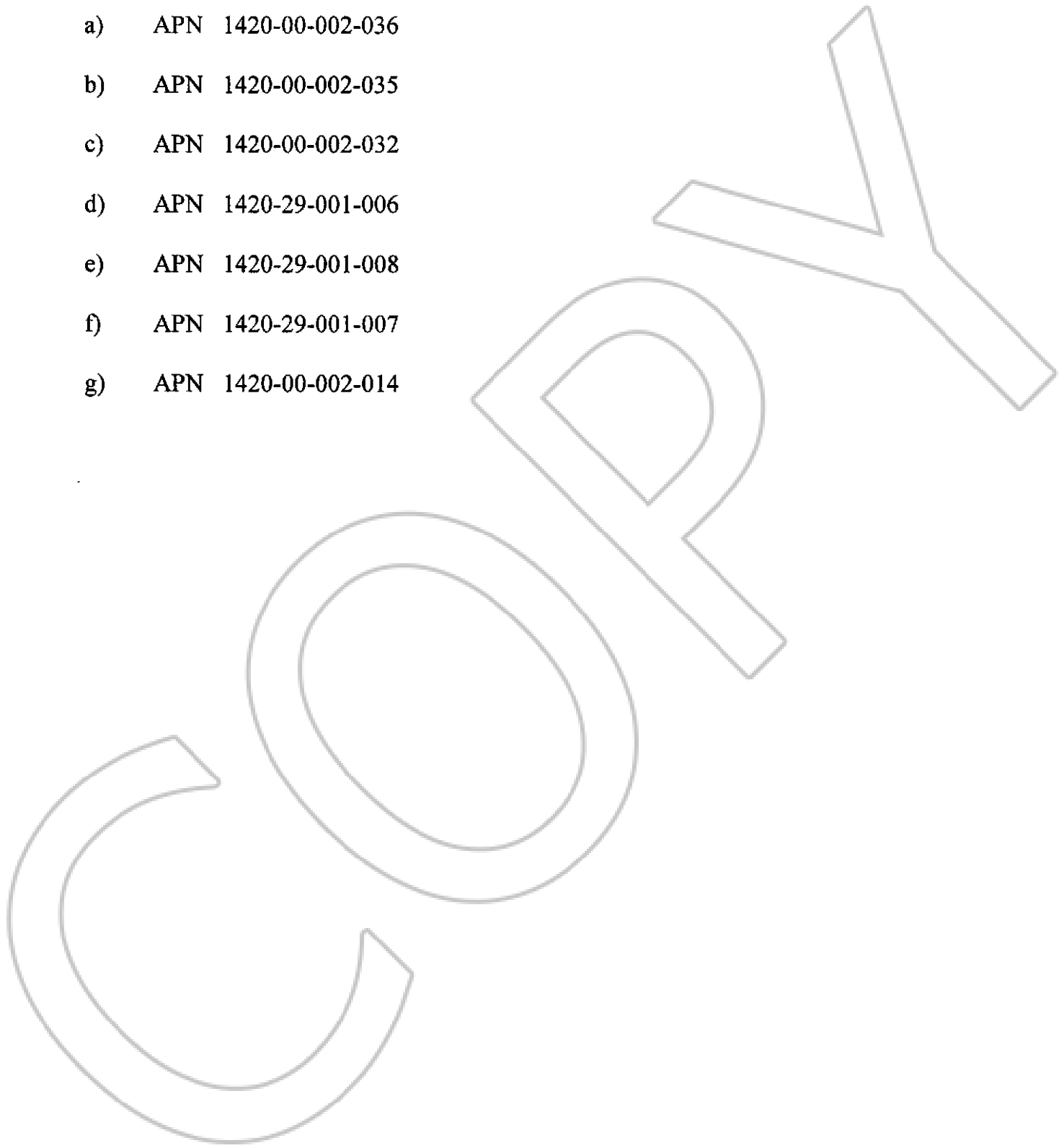
(Title of Document)

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.

Assessor's Parcel Number:

- a) APN 1420-00-002-036
- b) APN 1420-00-002-035
- c) APN 1420-00-002-032
- d) APN 1420-29-001-006
- e) APN 1420-29-001-008
- f) APN 1420-29-001-007
- g) APN 1420-00-002-014



ORIGINAL
RECEIVED

FILED

1 Case No. 09-CV-0272
2 Dept. No. II

APR 15 2010
DOUGLAS COUNTY
DISTRICT COURT CLERK

2010 APR 15 PM 3:26

3 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
4

IN AND FOR THE COUNTY OF DOUGLAS
TED THIRAN
CLERK
DEPUTY

5 SIERRA PACIFIC POWER COMPANY, a
6 Nevada corporation,

7 Plaintiff,

8 vs.

FINAL ORDER OF CONDEMNATION

9 THE BENTLY FAMILY LIMITED
10 PARTNERSHIP, a Nevada limited partnership;
11 J.B. DANGBERG LAND COMPANY, a Nevada
12 corporation; NEVIS INDUSTRIES, INC., a
13 Nevada corporation; AMERICAN BONDING
14 COMPANY, a Nebraska corporation;
15 DANGBERG HOLDINGS, NEVADA, LLC, a
16 Nevada limited liability company; MINDEN-
17 GARDNERVILLE SANITATION DISTRICT;
18 JOHN B. ANDERSON and EDITH ANDERSON;
19 DOUGLAS COUNTY ASSESSOR; THE
20 NATURE CONSERVANCY, a District of
21 Columbia nonprofit corporation; STATE OF
22 NEVADA DEPARTMENT OF CONSERVATION
23 AND NATURAL RESOURCES; PARK CATTLE
24 CO.; DOUGLAS COUNTY, a political subdivision
25 of the State of Nevada; INCLINE VILLAGE
26 GENERAL IMPROVEMENT DISTRICT; JJ
27 RESOURCES, a California general partnership;
and all other persons unknown claiming any right,
title, estate, lien, or interest in the real property
described in the complaint,

Defendants.

22 It satisfactorily appearing to the court from the records and files in this action as follows:

- 23 1. A Judgment of Condemnation assessing the value and awarding compensation
- 24 respecting the property and property rights of the defendants and of condemnation of the property
- 25 and property rights sought to be taken for public use was duly pronounced by this court and
- 26 entered and filed on April 13, 2010.
- 27 2. Plaintiff has complied with said judgment by paying \$37,000.00 to Defendant

1 THE BENTLY FAMILY LIMITED PARTNERSHIP.

2 3. The plaintiff is entitled to a Final Order of Condemnation in the manner provided
3 by NRS 37.160.

4 4. Therefore, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
5 there shall be condemned to the plaintiff the easement rights in the real property described herein.

6 The acquisition consists of permanent easements for utility purposes over portions of
7 seven different parcels:

- 8 a. a 13,201 square foot portion of a 66,212 square foot access and utility easement
9 for public utility purposes on APN 1420-00-002-036, a 20.06 acre parcel;
- 10 b. a 8,947 square foot access and utility easement for public utility purposes on APN
11 1420-00-002-035, a 20.33 acre parcel;
- 12 c. a 13,252 square foot portion of a 66,212 square foot access and utility easement
13 for public utility purposes on APN 1420-00-002-032, a 674.8 acre parcel;
- 14 d. a 11,859 square foot portion of a 66,212 square foot access and utility easement
15 for public utility purposes on APN 1420-29-001-006, a 23.56 acre parcel;
- 16 e. a 13,252 square foot portion of a 66,212 square foot access and utility easement
17 for public utility purposes on APN 1420-29-001-008, a 24.00 acre parcel;
- 18 f. a 14,647 square foot portion of a 66,212 square foot access and utility easement
19 for public utility purposes on APN 1420-29-001-007, a 32.53 acre parcel; and
- 20 g. a 2.43 acre access and utility easement for public utility purposes on APN 1420-
21 00-002-014, an 80.00 acre parcel.

22 The permanent easements are described in Exhibit 1. The location, general route and
23 termini of the permanent easements are shown in Exhibit 2. The scope of the permanent
24 easements to be acquired is described in Exhibit 3.

25 5. IT IS FURTHER ORDERED that a copy of this Final Order of Condemnation be
26 recorded in the office of the County Recorder of Douglas County, Nevada, and thereupon title to
27 the property rights hereinbefore described shall vest in the plaintiff, Sierra Pacific Power

1 Company.

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3 Dated: April 15, 2010.

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Michael P. Stone
DISTRICT JUDGE

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22 Submitted by:

23 *Michelle Stone*
Michelle Stone
24 Attorney for Sierra Pacific Power Company
When recorded mail to:
25 Michael G. Chapman, Esq.
9585 Prototype Court, Ste. C
26 Reno, NV 89521

27 W:\Sierra Pacific\Heybourne\Bently condemnation\final order of condemnation.wpd

COPY

EXHIBIT 1



Sierra Pacific™

APN : 1420-00-002-032
1420-00-002-035
1420-00-002-036
1420-29-001-006
1420-29-001-007
1420-29-001-008

08-28-08

OWNER: BENTLY FAMILY LTP

**EXHIBIT "A"
LEGAL DESCRIPTION**

Easement "A"

Those portions of Lots 4, 5, 6, 7 and 16 as shown on Record of Survey recorded October 19, 2005, as document number 658214, Official Records of Douglas County, Nevada, lying in Sections 20 and 29, T14N, R20E, MDM, described as follows:

The West 20.00 feet of the East 50.00 feet of said Lots 4, 5, 6, 7, and 16.

Said land containing 66212 square feet more or less.

All as shown on EXHIBIT "B" attached hereto, and by this reference, made a part hereof.

Easement "B"

That portion of Lot 3 as shown on Record of Survey recorded October 19, 2005, as document number 658214, Official Records of Douglas County, Nevada, lying in Section 20, T14N, R20E, MDM, described as follows:

Commencing at the Southeast corner of said Lot 3, thence S89°50'32"W, along the South line of said Lot 3, 30.00 feet to the Point of Beginning, thence along the following 6 courses:

1. S89°50'32"W, continuing along said South line, 20.00 feet;
2. N00°38'11"E, 334.84 feet;
3. N89°45'32"E, 50.01 feet, to the East line of said Lot 3;
4. S00°38'11"W, along said East line 75.01 feet, said point lying N00°38'11"E and 259.91 feet from said Southeast corner of Lot 3;
5. S89°45'32"W, 30.00 feet;



Sierra Pacific™

6. S00°38'11"W, 259.86 feet to the Point of Beginning.

Said land containing 8947 square feet more or less.

Basis of Bearings: South line of said Lot 3, being S89°50'32"W.

All as shown on EXHIBIT "B" attached hereto, and by this reference, made a part hereof.

PREPARED BY:

William T. Kruger, PLS

Date



APN : 1420-00-002-014

01-21-09

OWNER: BENTLY FAMILY LTP

**EXHIBIT "A"
LEGAL DESCRIPTION**

That portion of the South 1/2 of the Southwest 1/4 of Section 21, T14N, R20E, MDM, lying in Douglas County, Nevada, described as follows:

The North 40.00 feet of said South 1/2 of the Southwest 1/4 of Section 21.

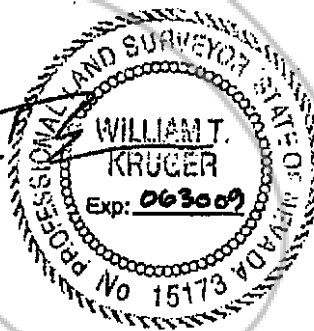
Said land containing 2.43 acres more or less.

All as shown on EXHIBIT "B" attached hereto, and by this reference, made a part hereof.

PREPARED BY:

Wm T

William T. Kruger, PLS



033009

Date

COPY

EXHIBIT 2

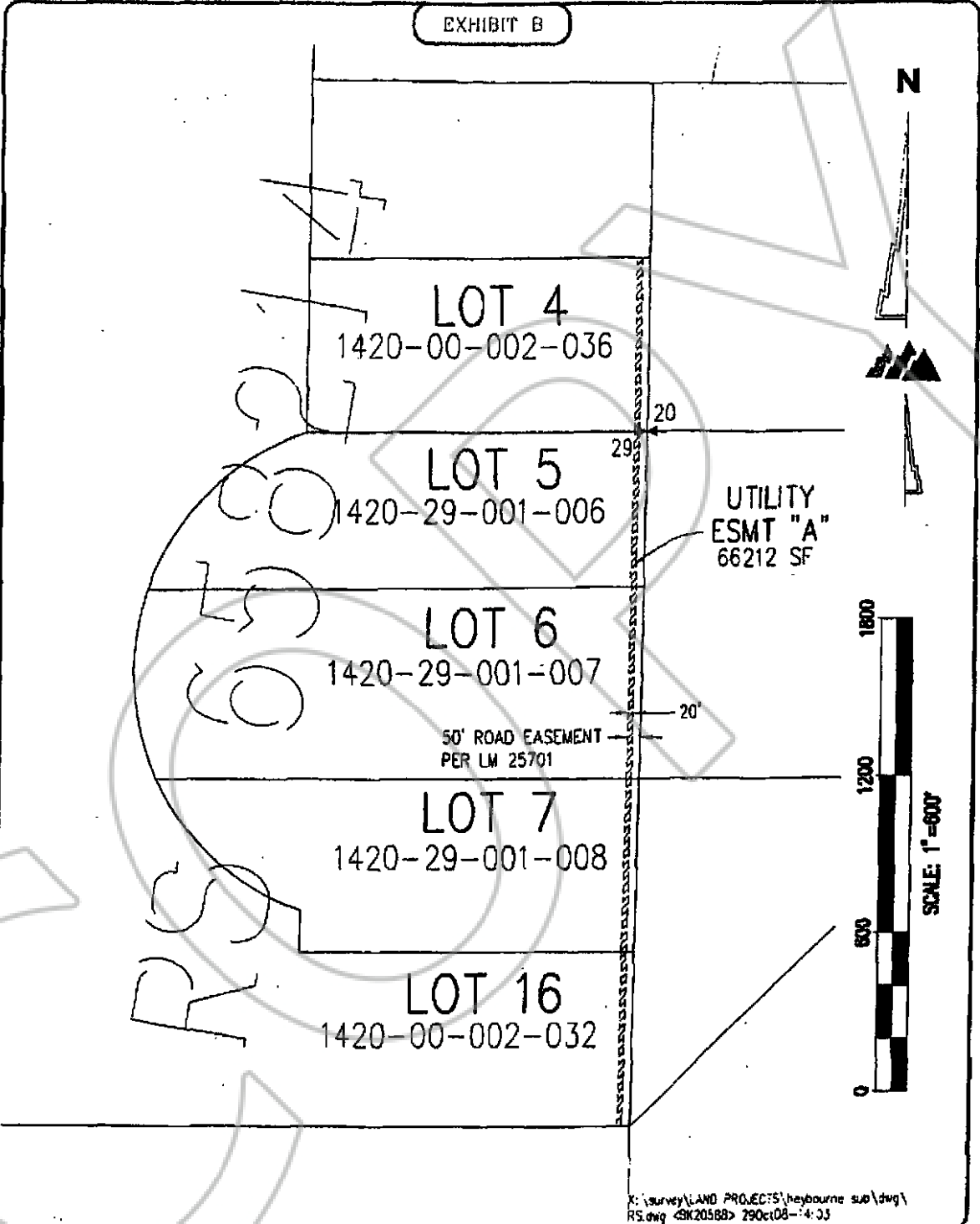


EXHIBIT MAP
BENTLY FAMILY LIMITED PARTNERSHIP

SECS 20 & 29, T14N, R20E, MDM
DOUGLAS COUNTY NEVADA

Sierra Pacific™

6100 NEIL RD.
RENO, NV 89511
775-834-4011

AUGUST 2008

PAGE 1 OF 2

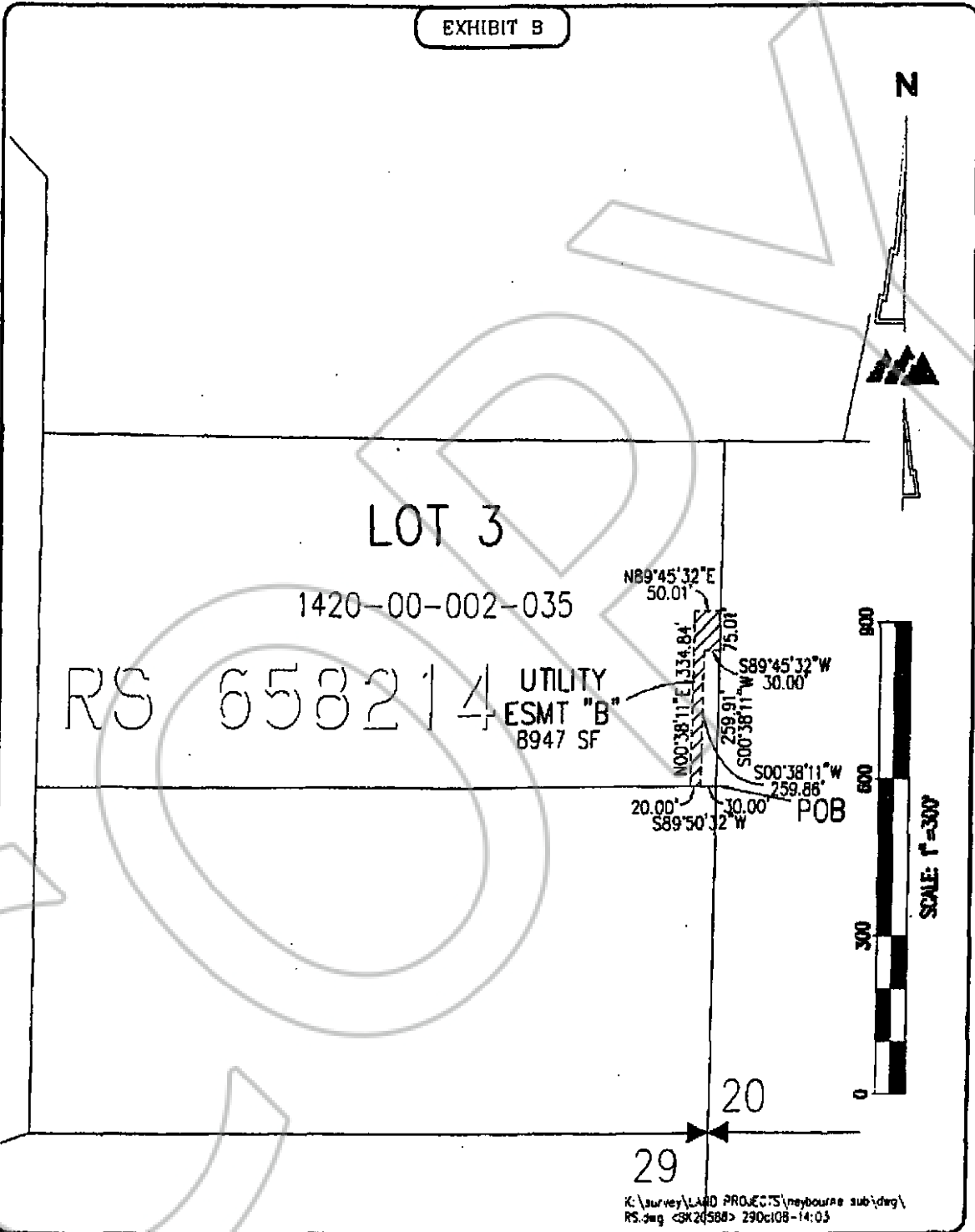


EXHIBIT MAP
 BENTLY FAMILY LIMITED PARTNERSHIP

SEC 20, T14N, R20E, MDM
 DOUGLAS COUNTY NEVADA

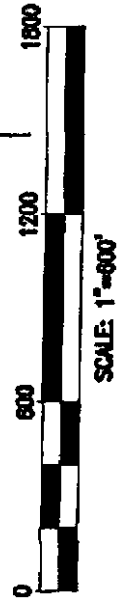
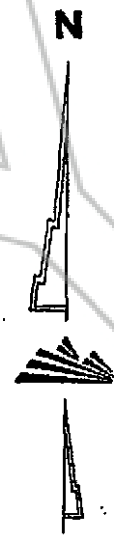
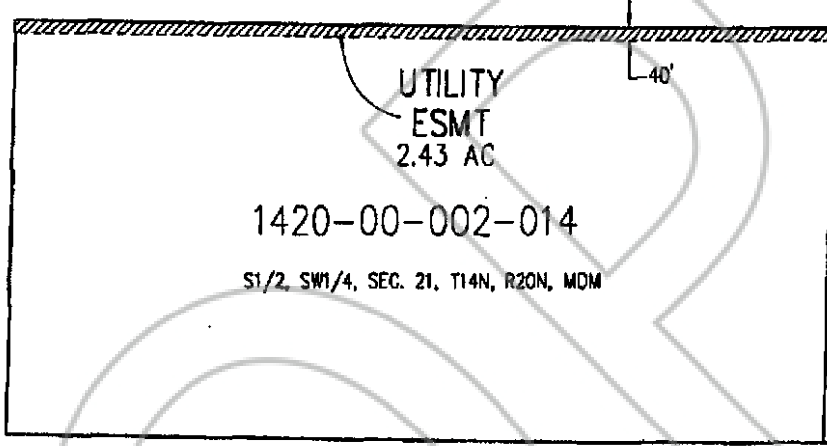
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6100 NEIL RD.
 RENO, NV 89511
 775-834-4011

AUGUST 2008

PAGE 2 OF 2

EXHIBIT B



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EXHIBIT MAP
BENTLY FAMILY LIMITED PARTNERSHIP



6100 NEIL RD.
RENO, NV 89511
775-834-4011

SEC 21, T14N, R20E, MDM
DOUGLAS COUNTY NEVADA

JANUARY 2009

PAGE 1 OF 1

COPY

EXHIBIT 3

DESCRIPTION OF EASEMENT

A perpetual right and easement:

1. to construct, operate, add to, maintain and remove aboveground and/or underground communication facilities and electric line systems for the distribution and transmission of electricity, consisting of poles, other structures, wires, cables, conduit, duct banks, manholes, vaults, transformers, service boxes/meter panels, switch cabinets, bollards, anchors, guys, and other equipment, fixtures, apparatus, and improvements ("Utility Facilities") upon, over, under and through the property described in Exhibit "A" ("Easement Area");
2. for the unrestricted passage of vehicles and pedestrians within, on, over and across the Easement Area;
3. for the ingress of vehicles and pedestrians to and the egress of vehicles and pedestrians from, the Easement Area; and
4. for the removal, clearance, cutting and trimming of any obstructions and materials (including complete removal of trees and other vegetation) from the surface or subsurface of the Easement Area as Sierra Pacific Power Company may deem necessary or advisable for the safe and proper use and maintenance of the electric line systems and communication circuits in the Easement Area.

Sierra Pacific Power Company shall be responsible for any damages, suffered by reason of constructing, operating, adding to, maintaining, and removing the Utility Facilities, to any tangible, personal property or improvements owned by Grantor and located on the Easement Area on the date Sierra Pacific Power Company gains occupancy of Easement Area.

No building, structure or other real property improvements shall be constructed or placed on or within the Easement Area without the prior written consent of Sierra Pacific Power Company, such structures and improvements to include, but not be limited to, drainage, landscaping, bridges, signage, roads, fencing, storage facilities, parking canopies, and other covered facilities. The property owner retains, for its benefit, the right to maintain, utilize and landscape the Easement Area for its own purposes; provided, however, that all such purposes and uses shall be in all respects consistent with the rights of Sierra Pacific Power Company hereunder and Sierra Pacific Power Company's electrical practices and the National Electrical Safety Code, and shall not interfere with the rights acquired by Sierra Pacific Power Company.

CERTIFIED COPY

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

DATE 5/18/10

TED THRAN Clerk of the 11th Judicial District Court of the State of Nevada, in and for the County of Douglas,

By [Signature] Deputy