Assessor	's Parcel Number:	1420-08-501-001	& 002	
=	GUUE APN 1420-08 1g Requested By:	3–501–003)		
Name: _	EILEEN CHURCH	H, PUBLIC WORKS DRY, DA'S OFFICE	. 	
Address	:			
City/State/Zip				
Real Pro	perty Transfer Tax	x: N/A		

DOC # 0775379
12/13/2010 04:26 PM Deputy: DW
OFFICIAL RECORD
Requested By:
DC/PUBLIC WORKS

Douglas County - NV Karen Ellison - Recorder

Page: 1 Of 27 Fee: 0.00 BK-1210 PG-3158 RPTT: 0.00



GRANT OF UNDERGROUND UTILITY EASEMENT #2010.221

(Title of Document)

This document is being re-recorded to add additional Exhibits.

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.

BK- 1210 PG- 3159 Page: 2 Of 27 12/13/2010

Assessor's Parcel Number: 1420-08-501-001 & 002

(GUUE APN 1420-08-501-003)

Date: SEPTEMBER 8, 2010

Recording Requested By:

Name: EILKEN CHURCH, PUBLIC WORKS & CYNTHEA GREGORY, DA'S OFFICE

Address: City/State/Zip:

Real Property Transfer Tax: \$ N/A

DOC # 0770075
09/09/2010 08:42 AM Deputy: sg
OFFICIAL RECORD
Requested By:
DC/PUBLIC WORKS

Douglas County - NV Karen Ellison - Recorder

Page: 1 Of 12 Fee: 0.00 BK-0910 PG-1651 RPTT: 0.00

GRANT OF UNDERGROUND UTILITY EASEMENT #2010.221

(Title of Document)

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BK- 0910 PG- 1652 09/09/2010 10 2010.221

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75379 Page: 3 Of 27

BK- 1210 PG- 3160 12/13/2010

TED THRAN

APN 1420-08-501-001 APN 1420-08-501-002

Recording Requested by and When Recorded Return To: Douglas County District Attorney P.O. Box 218 Minden, NV 89410

GRANT OF UNDERGROUND UTILITY EASEMENT APN 1420-08-501-003

This Grant of an Underground Utility Easement is made by and between the Conway Family Trust, Dennis and Marcia Conway, husband and wife (Grantor) and the legal property owner of Douglas County, Nevada Assessors Parcel Number 1420-08-501-001, and Assessors Parcel Number 1420-08-501-002, and Douglas County, Nevada (Grantee), a political subdivision of the State of Nevada.

That the Grantor hereby grants and conveys to the Grantee, both a temporary construction and permanent underground utility easement through a portion of APN 1420-08-501-001 and APN 1420-08-501-002, as more fully described in and incorporated by reference as Exhibits A. This Grant is in recognition of certain terms and conditions as set forth in a Settlement Agreement with the Grantee as more fully described in and incorporated by reference as Exhibit B.

All rights and remedies afforded by this Underground Utility Easement shall run with the land, and shall be binding upon the successors, agents and assigns forever.

Grantor hereby represents that this Grant of Underground Utility Easement has been duly executed and constitutes a valid, binding and enforceable obligation.

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III

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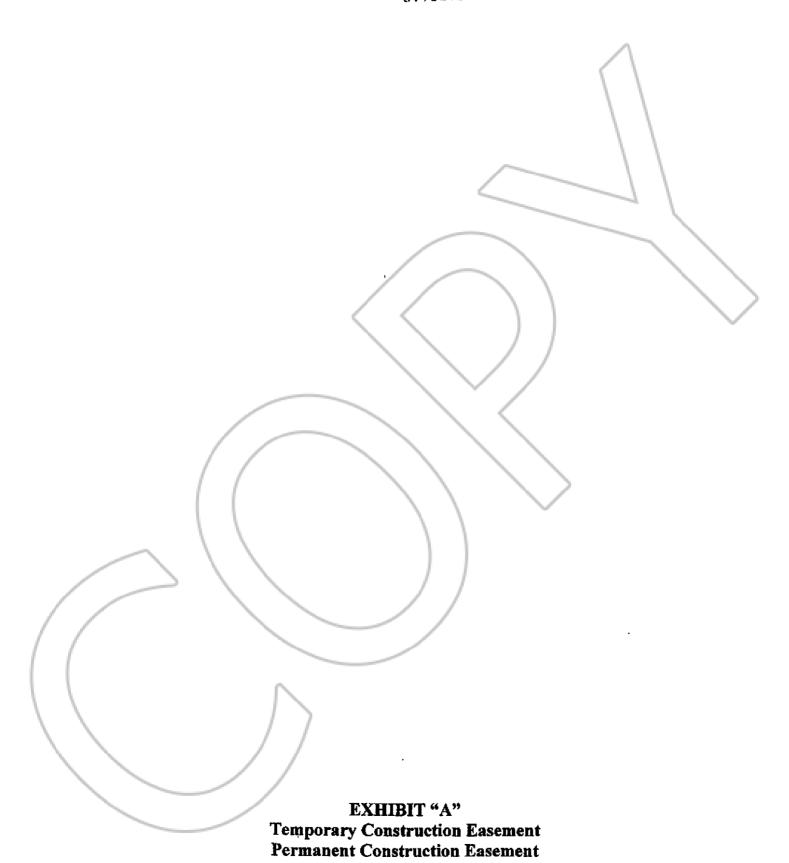
BK- 0910 PG- 1653 0770075 Page: 3 Of 12 09/09/2010

By: 8-18-10
On behalf of the Grantor, Conway Family Trust, Dennis Conway, date
By: 1/2/10
On behalf of the Grantor, Conway Family Trust, Marcia Conway, date
STATE OF NEVADA) ss
DOUGLAS COUNTY)
On the 18 day of August, 2010, Dennis and Marcia Conway, personally
appeared before me, a notary public, and were personally known or proved to me to be
the persons whose name are subscribed on the foregoing instrument and who acknowledged to me that they executed the foregoing Settlement Agreement.
Melija colini
Notary's Signature Notary Seal

ACTARY PUBLIC STATE OF NEVADA Commission Express 05-04-2012 Commission No. 14 87703 3









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BK- 0910 PG- 1655 09/09/2010

EXHIBIT "A" TEMPORARY CONSTRUCTION EASEMENT LEGAL DESCRIPTION

A strip of land, 50 feet in width, situate in the North ½ of Section 8, Township 14 North, Range 20 East, MDM, Douglas County, Nevada, over a portion of that Parcel shown as Parcel A, on that Record of Survey Map No. 8-14-20, Official Records of Douglas County, Nevada, as Document No. 375268, and being more particularly described as follows;

THE North 70 feet of said Parcel A, parallel with the North line. Excepting therefrom the North 20 feet, parallel with the North line of said Parcel A.

CONTAINING: 28,625 square feet of land, more or less.

BASIS OF BEARINGS: Record of Survey Map No. 8-14-20, Document No. 375266, recorded November 20, 1995. Official Records of Douglas County, Nevada

SURVEYOR'S CERTIFICATE

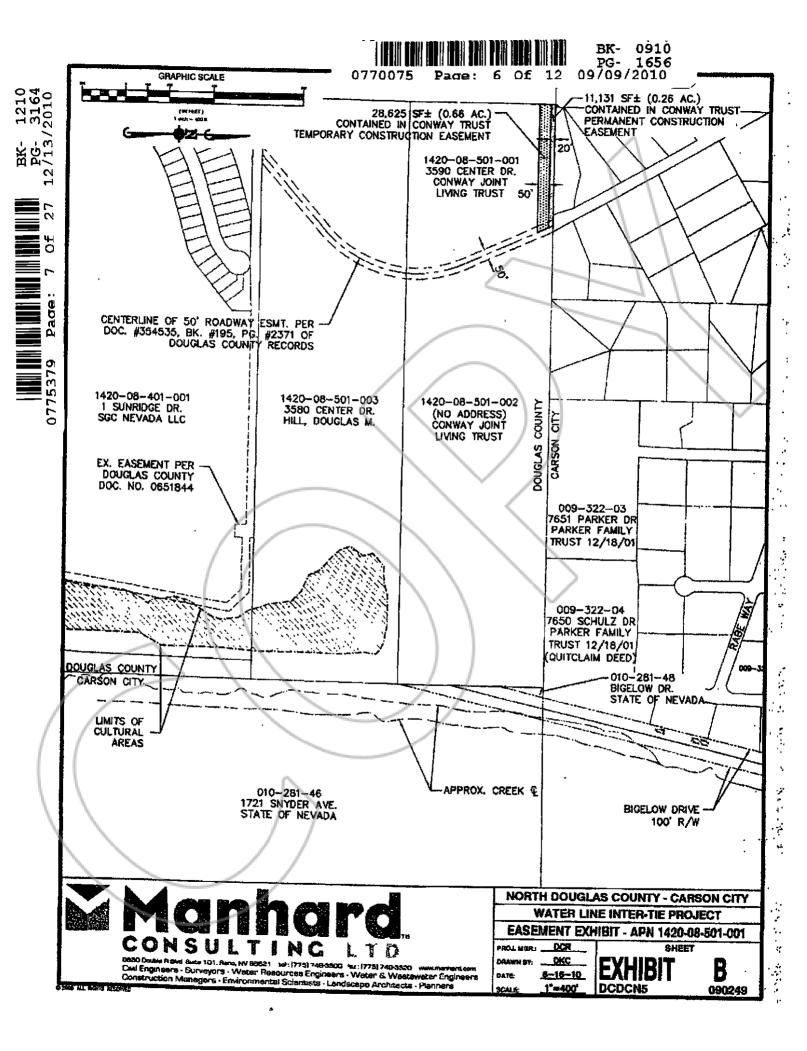
I hereby certify that the attached legal description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

Daniel T. Kelsoe P.L.S. 18974 for and on behalf of



RENO, NEVADA 89521 (775) 746-3500







1210 PG-3165 12/13/2010

0910 BK-1657 PG-

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EXHIBIT "A" PERMANENT CONSTRUCTION EASEMENT **LEGAL DESCRIPTION**

A strip of land, 20 feet in width, situate in the North 1/2 of Section 8, Township 14 North, Range 20 East, MDM, Douglas County, Nevada, over a portion of that Parcel shown as Parcel A, on that Record of Survey Map No. 8-14-20, Official Records of Douglas County, Nevada, as Document No. 375266, and being more particularly described as follows;

THE North 20 feet of said Parcel A, parallel with the North line.

CONTAINING: 11,131 square feet of land, more or less.

BASIS OF BEARINGS: Record of Survey Map No. 8-14-20, Document No. 375266, recorded November 20, 1995. Official Records of Douglas County, Nevada

SURVEYOR'S CERTIFICATE

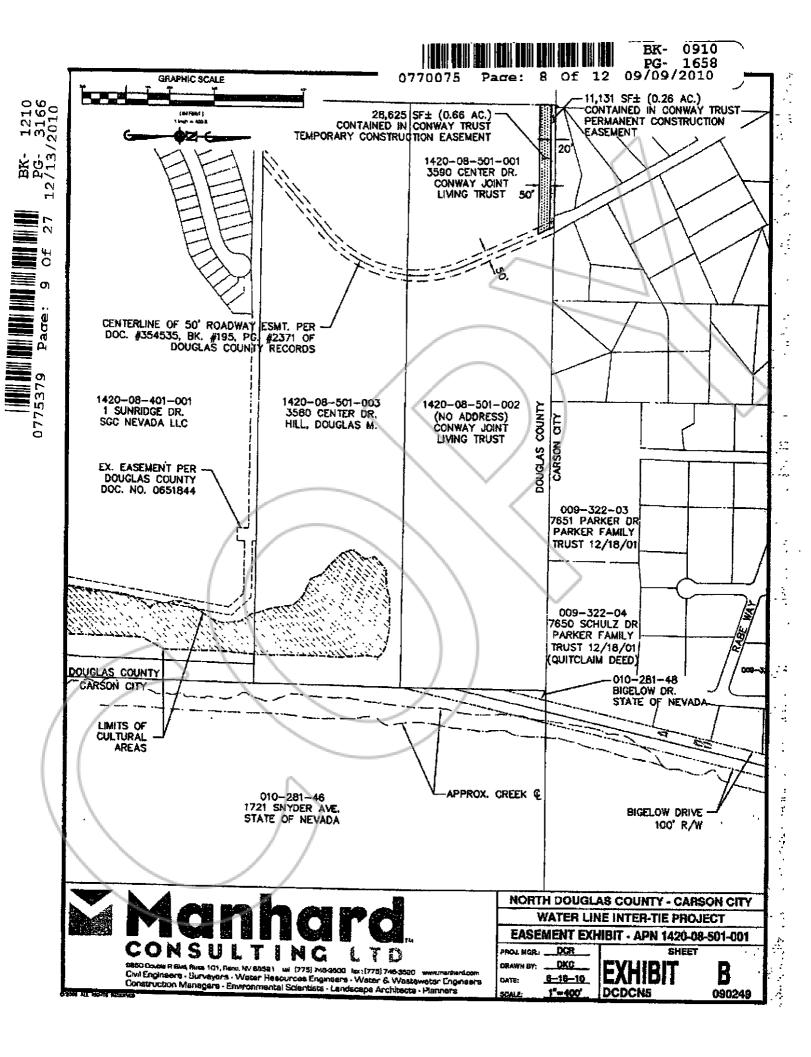
I hereby certify that the attached legal description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

Daniel T. Kelsoe P.L.S. 18974 for and on behalf of



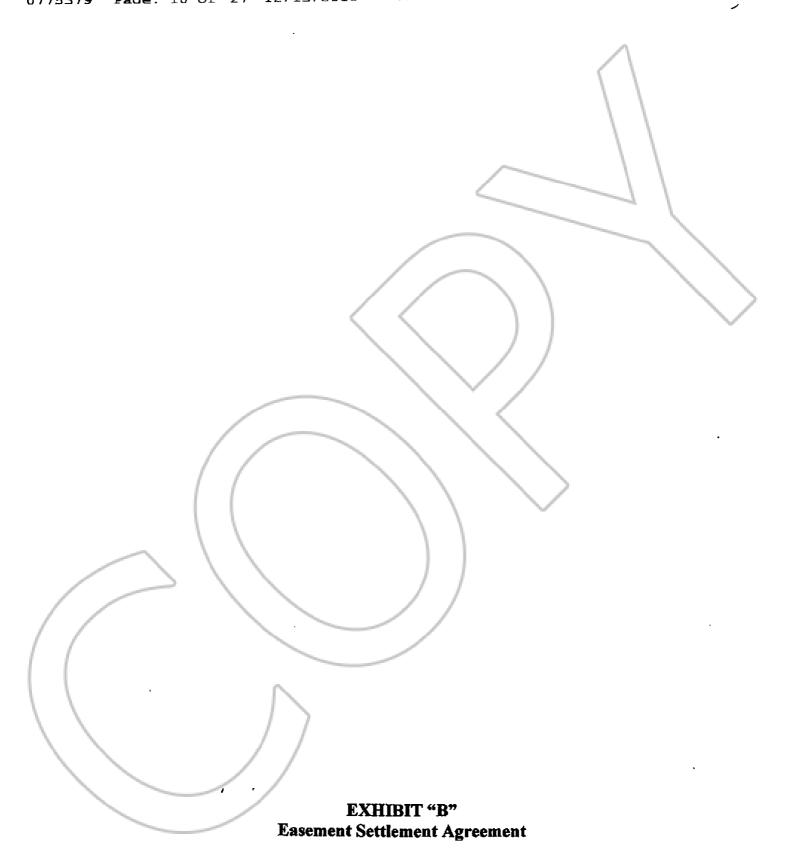
9850 DOUBLE R BLVD, SUITE 101 RENO, NEVADA 89521 (775) 748-3500







BK- 0910 PG- 1659 1770075 Page: 9 Of 12 09/09/2010





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EASEMENT SETTLEMENT AGREEMENT

Douglas County, Nevada, through the Douglas County Board of County Commissioners, (hereinafter Douglas County), the Conway Family Trust, Dennis and Marcia Conway, husband and wife (hereinafter the Conways) hereby agree as follows:

Recitals:

WHEREAS, Douglas County is in the process of constructing a Water Line Intertie Project to Carson City; and

WHEREAS, the Conways are the property owners of 3590 Center Drive (APN 1420-08-501-001 and APN 1420-08-501-002); and

WHEREAS, the Douglas County Public Works Department has identified the Conways land as being necessary for a temporary construction easement and permanent utility easement for the Water Line Inter-tie Project as more specifically identified in Exhibit A; and

WHEREAS, the easement will disturb the Conway's property and will open up access to their property where there was none before; and

WHEREAS, Douglas County and the Conways have reached a settlement agreement to provide for permanent access easement.

NOW, THEREFORE, in consideration of the mutual covenants hereinafter set forth, the parties agree as follows:

- Payment by Douglas County: Upon the execution of this agreement by both parties and signing of the grant of easement by the Conways, Douglas County will issue a check to the Conways in the amount of \$13,900.00 (thirteen thousand and nine hundred dollars) as the value set forth in the appraisal for the easement across both APNs as set forth above. Once construction begins on the Conway's property, they will be paid the sum of \$425 per month while construction is ongoing on their property. Construction shall be deemed to have commenced once excavation begins on the property.
- Additional Conditions: As part of the Water Line Inter-tie Project, Douglas County will also have installed approximately 330 feet of three-rail white vinyl fencing to restrict access to the Conway's property. The County will also provide a 1" (one inch) service lateral and meter pit on each APN to be placed at the edge of the easement at location determined by the Conways. There is no waiver

of any fees or other requirements by Douglas County once the Conways decide to connect to the water system. Douglas County will also provide a survey of the Center Drive easement and will also provide two four-inch (4") diameter conduits sufficient to span the existing roadway easement where the water line project crosses the roadway easement as well as two "Christy" type boxes.

- 3. Easement Restrictions: Both parties agree that this underground utility easement is only for below surface projects and only for projects those Douglas County initiates or is associated with. This is not a general access public utility easement. Both parties also acknowledge that appurtenant devices or structures associated with the underground easement may extend above surface.
- 4. Right of Access: The Conways agree to immediately provide right of access to the proposed easement to representatives of Douglas County Public Works Department or any contractors associated with them for the purpose of conducting surveying, geotechnical surveys and other requisite pre-construction tasks. When construction begins on the easement, the Conways will not interfere or hinder that process. Any issues that arise during construction shall be addressed to Douglas County Engineer Mahmood Azad.
- 5. Construction of Agreement:

This Settlement Agreement shall be construed and interpreted according to the laws of the State of Nevada. Any dispute regarding this Agreement shall be resolved by binding arbitration, with an arbiter to be selected from a list maintained by the Nevada Supreme Court of senior district court judges, with both parties to pay an equal share for the senior judge and any other related court fees. Each party is responsible for their own attorney fees unless there is a finding of willful misconduct by one party by the arbiter. There shall be no presumption for or against the drafter in interpreting or enforcing this Agreement.

6. Entire Agreement: This agreement contains the entire agreement between the parties. Any amendment or addition to this Agreement must be in writing and signed by the parties.

III

/// /// ///

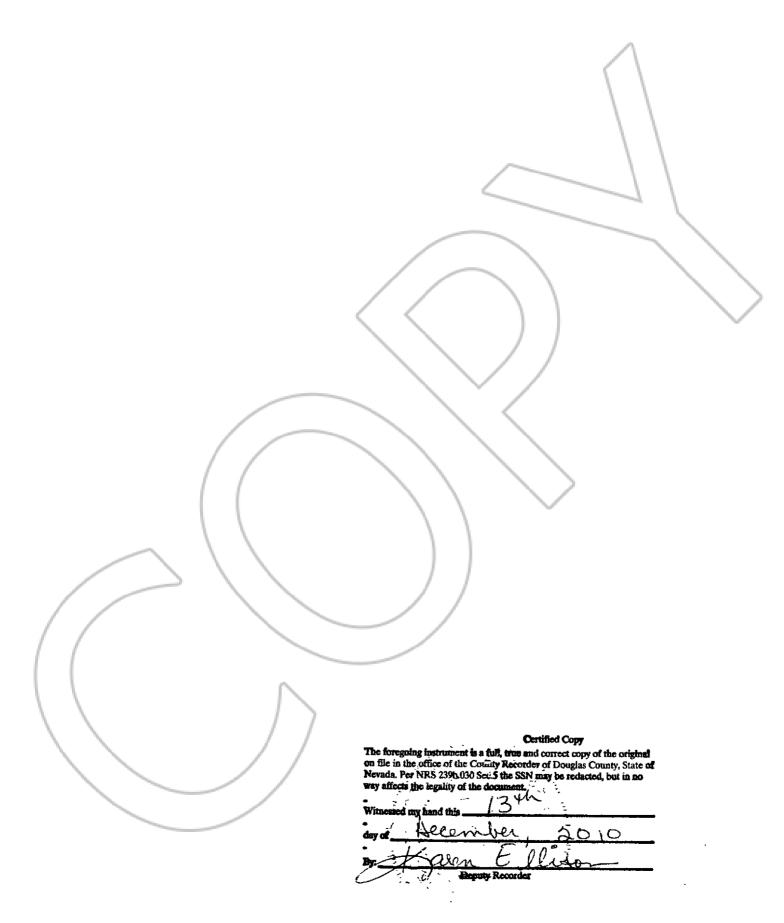


0770075 Page: 12 Of 12 09/09/2010

IN WITNESS WHEREOF, the parties hereto have caused this Settlement Agreement for permanent underground access easements on APN 1420-08-501-001 and APN 1420-08-501-002, to be signed and intend to be legally bound thereby.

On behalf of the Douglas County Board of County Commissioners:
By: Man level 2/1
Michael Olcon Ch. September 2. 2010
Attest:
ad food
Ted Thran, Douglas County Clerk date
BY: Laure ludice date
Clerk to the Board
On behalf of the Conway Family Trust / Denuis and Marcia Conway, husband and wife and owners of APN 1420-08 501 001 and APN 1420-08 505
wife and owners of APN 1420-08-501-001 and APN 1420-08-501-002:
By: 8-18-10
Dennis Conway date
By: Marcial Daniel 8-10-10
Marcia Conway date
STATE OF NEVADA
DOUGLAS COUNTY) ss .
On the 8 day of August, 2010, Dennis and Marcia Conway, personally appeared before me, a notary public and were personally because the second of the secon
appeared before me, a notary public, and were personally known or proved to me to be the persons whose name are subscribed on the formula for
the persons whose name are subscribed on the foregoing instrument and who acknowledged to me that they executed the foregoing Settlement Agreement.
D.
Milian (dr. 4 th
Notary's Signature On at Canaria II
/ /
en in the state of
WORK DAY OF THE PARTY OF THE PA
CERTIFIED COPY The document to which this certificate is attached is a strached is a strached in the original on file and or
full, true and correct copy of the original of
record in my office.
DATE: Judicial District Cou
dritte State of Neyeda in application country of Douglas
By Bull Cultre Depu
-1

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1210 3172

EXHIBIT "A" TEMPORARY CONSTRUCTION EASEMENT LEGAL DESCRIPTION

A strip of land, situate in the North ½ of Section 8, Township 14 North, Range 20 East, MDM, Douglas County, Nevada, over a portion of that Parcel shown as Parcel B, on that Record of Survey Map No. 8-14-20, Official Records of Douglas County, Nevada, as Document No. 375266, and being more particularly described as follows:

THE EAST 80 feet of said Parcel B, parallel with the East line, and the North 70 feet of said Parcel B, parallel with the North line. Excepting therefrom the East 30 feet of said Parcel B, parallel with the East line of said Parcel B, and the North 20 feet, parallel with the North line of said Parcel B

CONTAINING: 3.02 acres of land, more or less!

BASIS OF BEARINGS: Record of Survey Map No. 8-14-20, Document No. 375266, recorded November 20, 1995. Official Records of Douglas County, Nevada

SURVEYOR'S CERTIFICATE

I hereby certify that the attached legal description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

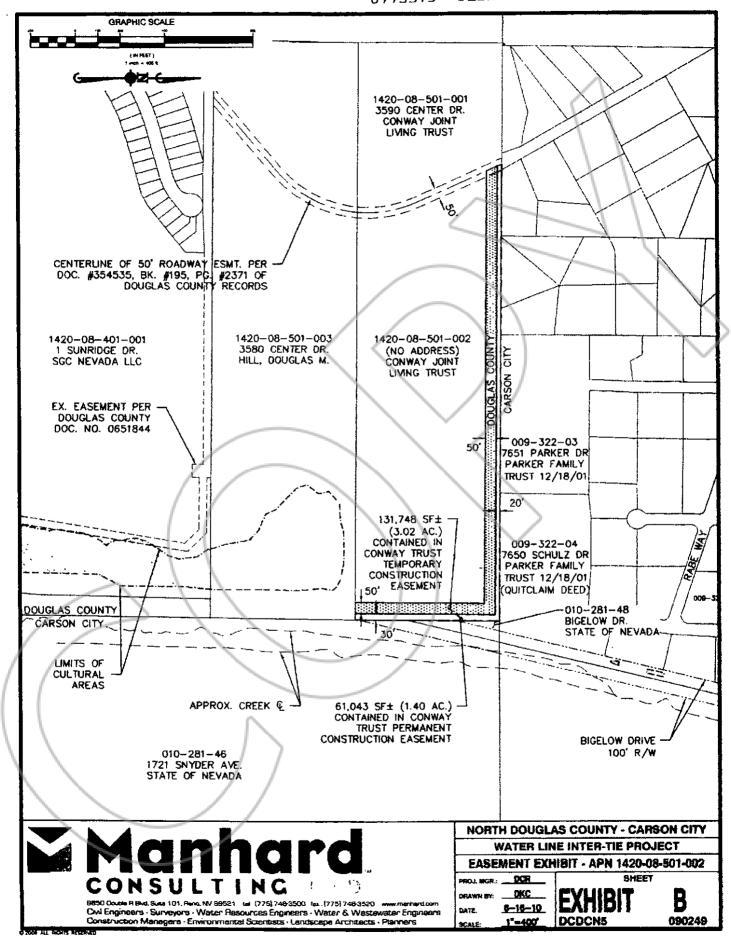
Daniel T. Kelsoe P.L.S. 18974 for and on behalf of





BK- 1210 PG- 3173

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3174

PG-

EXHIBIT "A" PERMANENT CONSTRUCTION EASEMENT **LEGAL DESCRIPTION**

A strip of land, situate in the North ½ of Section 8, Township 14 North, Range 20 East, MDM, Douglas County, Nevada, over a portion of that Parcel shown as Parcel B, on that Record of Survey Map No. 8-14-20, Official Records of Douglas County, Nevada, as Document No. 375266, and being more particularly described as follows:

THE EAST 30 feet of said Parcel B, parallel with the East line, and the North 20 feet of said Parcel B, parallel with the North line.

CONTAINING: 61,043 square feet of land, more or less.

BASIS OF BEARINGS: Record of Survey Map No. 8-14-20, Document No. 375266, recorded November 20, 1995. Official Records of Douglas County, Nevada

SURVEYOR'S CERTIFICATE

I hereby certify that the attached legal description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

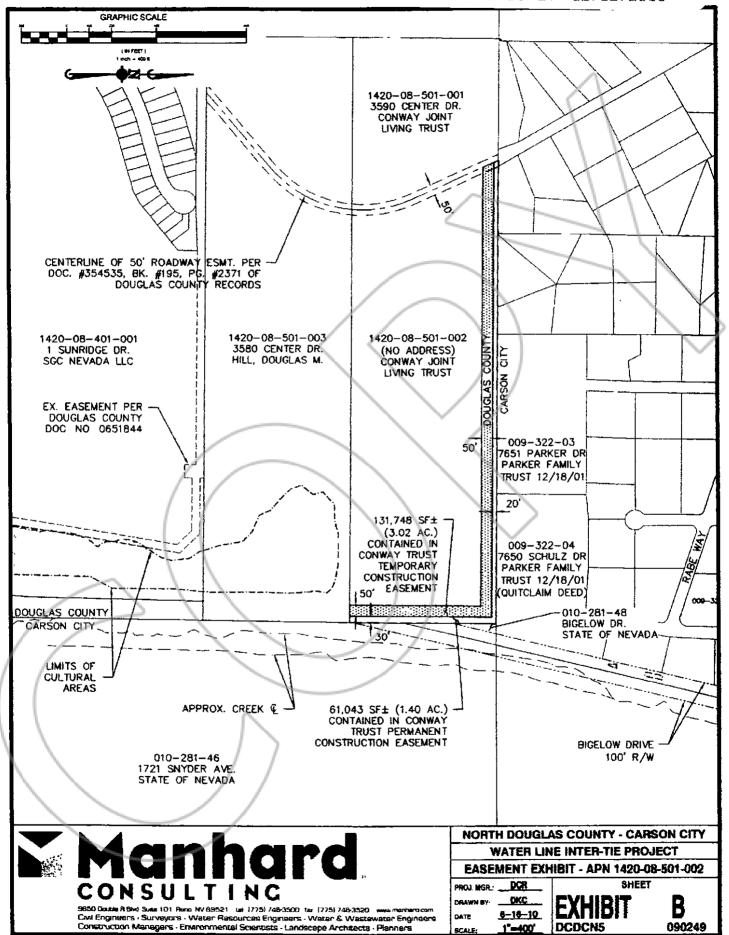
Daniel T. Kelsoe P.L.S. 18974 for and on behalf of



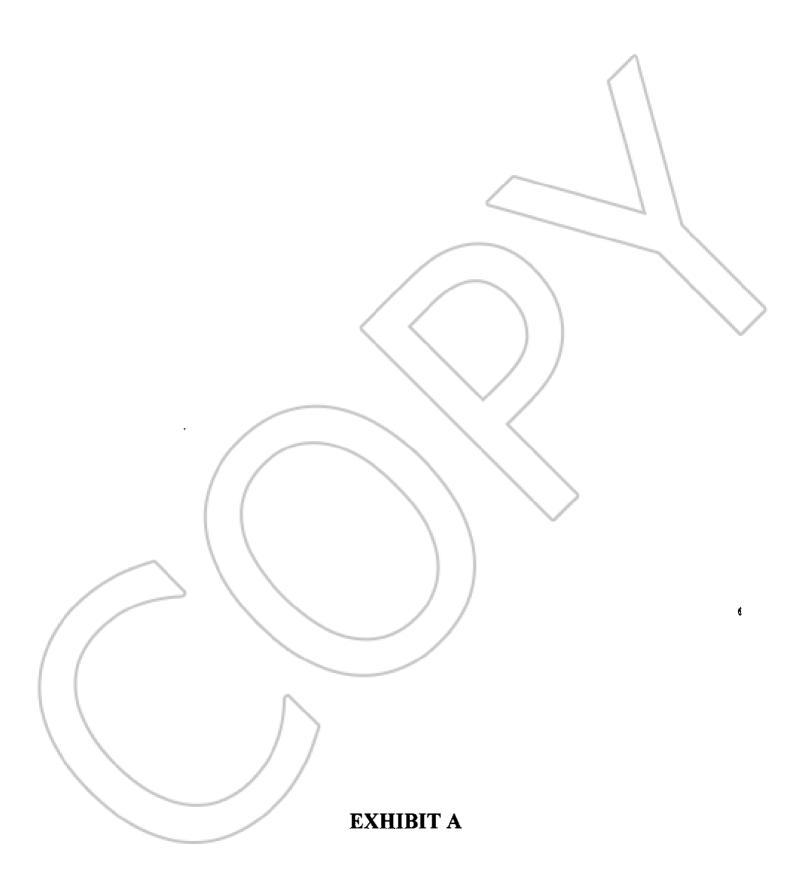
RENO, NEVADA 89521 (775) 746-3500



BK-1210 PG-3175 12/13/2010



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EXHIBIT "A" TEMPORARY CONSTRUCTION EASEMENT LEGAL DESCRIPTION

A strip of land, 50 feet in width, situate in the North ½ of Section 8, Township 14 North, Range 20 East, MDM, Douglas County, Nevada, over a portion of that Parcel shown as Parcel A, on that Record of Survey Map No. 8-14-20, Official Records of Douglas County, Nevada, as Document No. 375266, and being more particularly described as follows;

THE North 70 feet of said Parcel A, parallel with the North line. Excepting therefrom the North 20 feet, parallel with the North line of said Parcel A.

CONTAINING: 28,625 square feet of land, more or less.

BASIS OF BEARINGS: Record of Survey Map No. 8-14-20, Document No. 375266, recorded November 20, 1995. Official Records of Douglas County, Nevada

SURVEYOR'S CERTIFICATE

I hereby certify that the attached legal description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

Daniel T. Kelsoe P.L.S. 18974 for and on behalf of



9850 DOUBLE R BLVD, SUITE 101 RENO, NEVADA 89521 (775) 746-3500



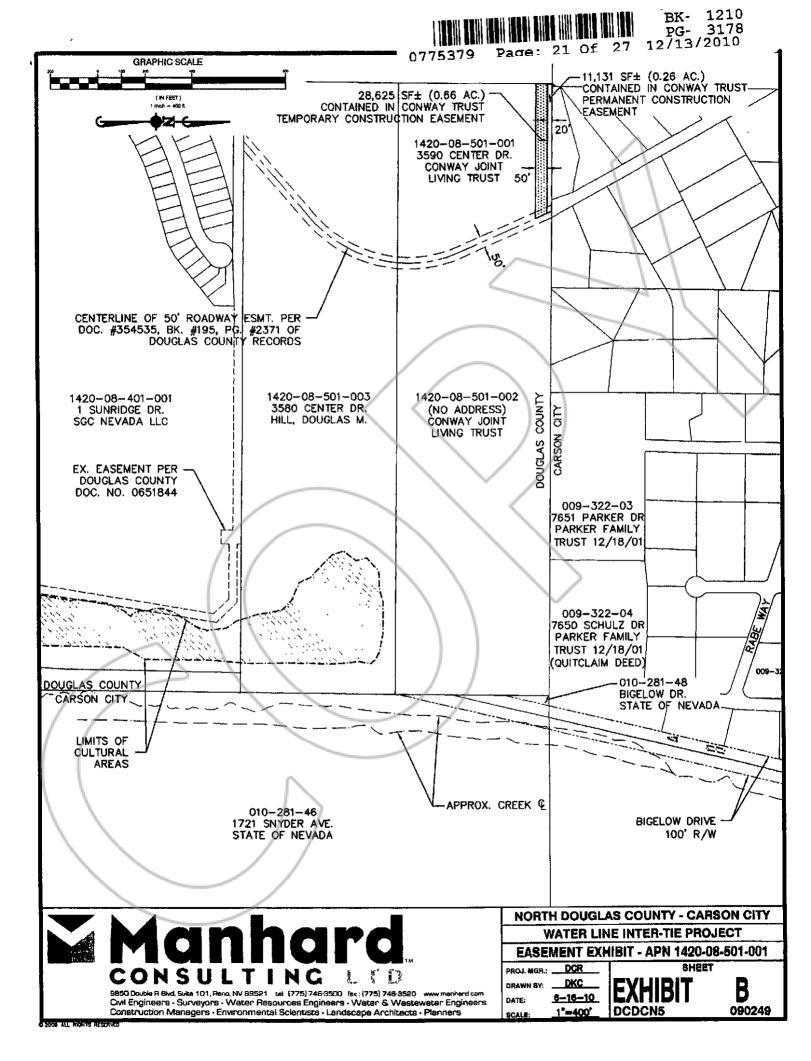




EXHIBIT "A" TEMPORARY CONSTRUCTION EASEMENT LEGAL DESCRIPTION

A strip of land, situate in the North ½ of Section 8, Township 14 North, Range 20 East, MDM, Douglas County, Nevada, over a portion of that Parcel shown as Parcel B, on that Record of Survey Map No. 8-14-20, Official Records of Douglas County, Nevada, as Document No. 375266, and being more particularly described as follows;

THE EAST 80 feet of said Parcel B, parallel with the East line, and the North 70 feet of said Parcel B, parallel with the North line. Excepting therefrom the East 30 feet of said Parcel B, parallel with the East line of said Parcel B, and the North 20 feet, parallel with the North line of said Parcel B.

CONTAINING: 3.02 acres of land, more or less.

BASIS OF BEARINGS: Record of Survey Map No. 8-14-20, Document No. 375266, recorded November 20, 1995. Official Records of Douglas County, Nevada

SURVEYOR'S CERTIFICATE

I hereby certify that the attached legal description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

Daniel T. Kelsoe P.L.S. 18974 for and on behalf of



9850 DOUBLE R BLVD, SUITE 101 RENO, NEVADA 89521 (775) 746-3500



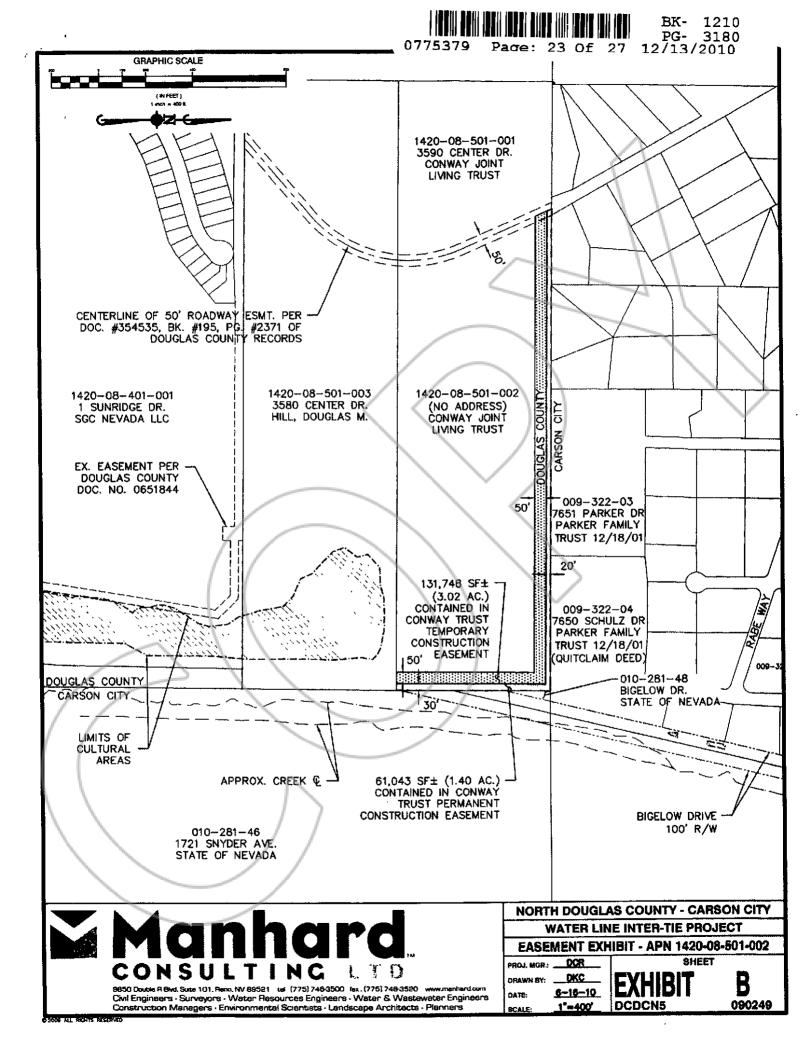




EXHIBIT "A" PERMANENT CONSTRUCTION EASEMENT **LEGAL DESCRIPTION**

A strip of land, 20 feet in width, situate in the North ½ of Section 8, Township 14 North, Range 20 East, MDM, Douglas County, Nevada, over a portion of that Parcel shown as Parcel A, on that Record of Survey Map No. 8-14-20, Official Records of Douglas County, Nevada, as Document No. 375266, and being more particularly described as follows:

THE North 20 feet of said Parcel A, parallel with the North line.

CONTAINING: 11,131 square feet of land, more or less.

BASIS OF BEARINGS: Record of Survey Map No. 8-14-20, Document No. 375266, recorded November 20, 1995. Official Records of Douglas County, Nevada

SURVEYOR'S CERTIFICATE

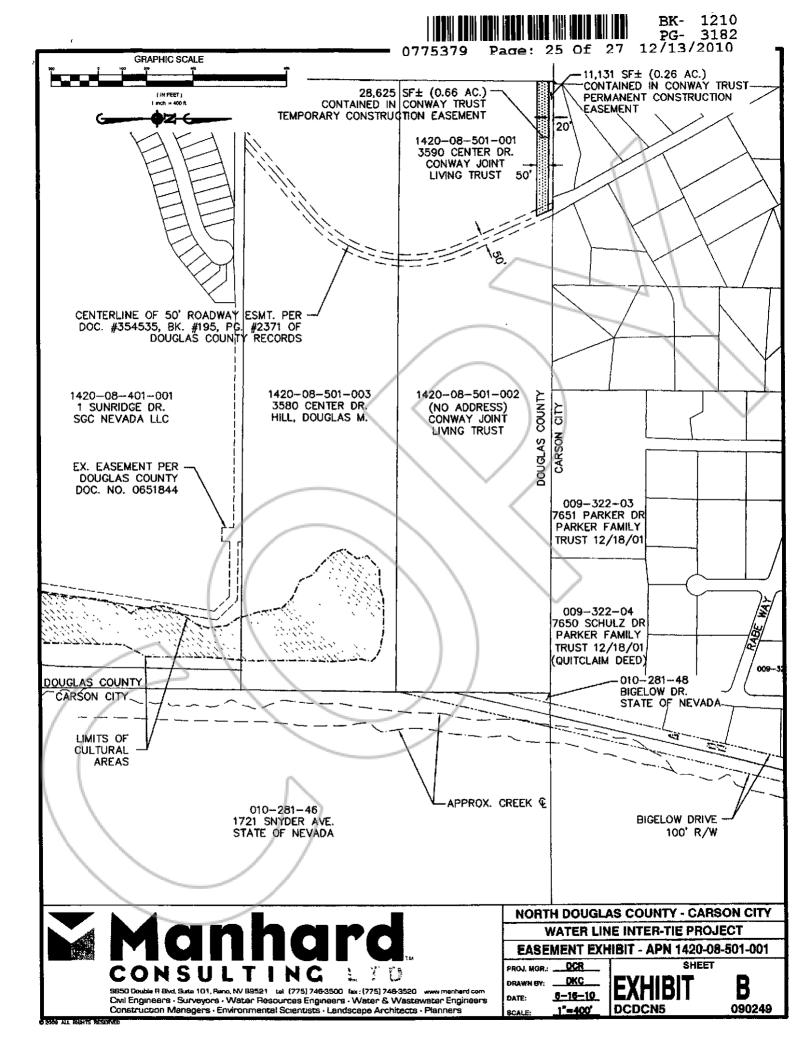
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Daniel T. Kelsoe P.L.S. 18974 for and on behalf of



RENO, NEVADA 89521 (775) 746-3500





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1210 3183

EXHIBIT "A"
PERMANENT CONSTRUCTION EASEMENT
LEGAL DESCRIPTION

A strip of land, situate in the North ½ of Section 8, Township 14 North, Range 20 East, MDM, Douglas County, Nevada, over a portion of that Parcel shown as Parcel B, on that Record of Survey Map No. 8-14-20, Official Records of Douglas County, Nevada, as Document No. 375266, and being more particularly described as follows;

THE EAST 30 feet of said Parcel B, parallel with the East line, and the North 20 feet of said Parcel B, parallel with the North line.

CONTAINING: 61,043 square feet of land, more or less.

BASIS OF BEARINGS: Record of Survey Map No. 8-14-20, Document No. 375266, recorded November 20, 1995. Official Records of Douglas County, Nevada

SURVEYOR'S CERTIFICATE

I hereby certify that the attached legal description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

Daniel T. Kelsoe P.L.S. 18974 for and on behalf of





