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OFFICIAL RECORD  
Requested By:  
TOWN OF GARDNERVILLE

APN: 1320-33-402-061

RECORDING REQUESTED BY AND  
MAIL TO:

The Town of Gardnerville  
c/o Rowe Hales Yturbide, LLP  
P.O. Box 2080  
1638 Esmeralda Avenue  
Minden, NV 89423

Douglas County - NV  
Karen Ellison - Recorder  
Page: 1 Of 11 Fee: 24.00  
BK-0512 PG- 3658 RPTT: 0.00



**NOTICE AND ORDER OF ABANDONMENT OF PUBLIC ACCESS EASEMENT**

**NOTICE IS HEREBY GIVEN** that the Town of Gardnerville ("the Town") is abandoning any and all interests, easement rights, or any other right which may vest, or be vested, in the Town in and to that Public Access Easement ("Easement") described in **Exhibit A**, attached hereto, and more specifically described in **Exhibits B** and **C**, attached hereto, and incorporated herein. Further, pursuant to paragraphs 7 and 12 of the Easement to be abandoned, CLE Hospitality, LLC, a Colorado limited liability company ("CLE Hospitality"), and the Town hereby terminate the Easement.

The Easement was recorded in the Douglas County Recorder's Office on January 6, 2010, as Document Number 0756782, Book 0110, page 909. The Easement was a public access easement for a public bench and public ingress and egress thereto. Exhibits A thru C hereto provide a description of the property subject to the Easement, which Easement is hereby abandoned and terminated by this Notice. Specifically, the Easement to be abandoned includes that property described more fully in Exhibit B and Exhibit C hereto. In other words, the Easement, described as the "PROPOSED BENCH LOCATION" and the "PROPOSED PUBLIC

EASEMENT AREA" in Exhibit C hereto, is hereby abandoned by the Town, in agreement with CLE Hospitality.

CLE Hospitality is the current owner of record of the property subject to the Easement, pursuant to that "Grant, Bargain, and Sale Deed", Document Number 797913, recorded in the Douglas County Recorder's Office on February 24, 2012, for APN 1320-33-402-061. Pursuant to the terms of the Easement, specifically paragraphs 7 and 12 of the Easement, the Easement runs with the land, is binding upon successors and assigns of the Grantor and Grantee of the Easement, and the Easement may only be terminated by execution and recording of a written instrument signed by both Grantor and Grantee or their successors.

Only the property specifically described in the Easement and Exhibits A through C hereto is the subject of this Notice and Order of Abandonment.

The property described in the Easement and Exhibits A through C hereto shall revert to the abutting property owner or owners, or to their successor or successors in interest, who dedicated the property described in the Easement and Exhibits A through C hereto to the Town.

The Town does not and will not maintain any of the property described in the Easement and Exhibits A through C hereto, as such property is hereby abandoned and terminated.

IN WITNESS WHEREOF, the Town and CLE Hospitality have agreed to and executed this Notice and Order of Abandonment of Public Access Easement.

DATED this 16th day of May, 2012.

DATED this 16th day of May, 2012.

Kathy Donoghue  
CLE Hospitality, LLC  
KATHY DONOGHUE

Tom Dallaire  
The Town of Gardnerville  
TOM DALLAIRE

By Its: Amc

By Its: Town Manager

**ACKNOWLEDGEMENT**

STATE OF NEVADA )

) ss.

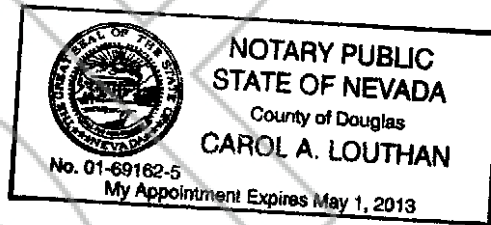
COUNTY OF Douglas )

On May 16th 2012, before me, the undersigned, a Notarial Officer in and for said County and State, personally appeared Kathy Donoghue known to me to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same.

WITNESS my hand and official seal.

*Carol A. Louthan*

NOTARIAL OFFICER



**ACKNOWLEDGEMENT**

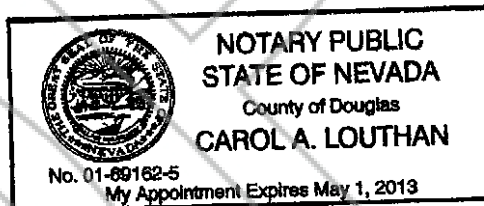
STATE OF NEVADA )  
 ) ss.  
COUNTY OF Douglas )

On May 16th, 2012, before me, the undersigned, a Notarial Officer in and for said County and State, personally appeared THOMAS A. DALLAIRE known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same.

WITNESS my hand and official seal.

*Carol A. Louthan*

NOTARIAL OFFICER



COPY

***EXHIBIT "A"***

Exhibit "A"

DESCRIPTION

All that certain lot, piece or parcel of land situate in the County of Douglas, State of Nevada, described as follows:

PARCEL 1:

All that certain lot, piece or parcel of land being a portion of Section 33, Township 13 North, Range 20 East, M.D.B.&M., Douglas County, Nevada.

Commencing at the Record location of the Dattling Town Monument, as shown on the Map for Mrs. Augustine Borda, Dated May, 1948; thence North 42°41'46" West, 752.00 feet to a found cross in sidewalk; thence North 46°19'20" East, 5.78 feet to the Southwest corner of Assessor's Parcel No. 1320-33-402-016 (Old A.P.N. 25-322-23); said point being the TRUE POINT OF BEGINNING; thence North 46°19'20" East, 87.00 feet; thence North 43°40'40" West, 1.46 feet; thence North 45°39'10" East, 63.26 feet; thence South 45°57'40" East, 52.97 feet; thence South 44°02'20" West, 151.28 feet to a point on the Northerly right of way line of U.S. Highway 395; thence along said right of way North 44°54'00" West, 56.77 feet to the TRUE POINT OF BEGINNING.

A.P.N. 1320-33-402-016 (Old A.P.N. 25-322-23)

PARCELS 2 and 3:

All that certain lot, piece or parcel of land being a portion of Section 33, Township 13 North, Range 20 East, M.D.B.&M., Douglas County, Nevada.

Commencing at the record location of the Dattling Town Monument, as shown on the Map for Mrs. Augustine Borda, Dated May, 1948; thence North 42°41'46" West, 752.00 feet to a found cross in sidewalk; thence North 46°19'20" East, 5.78 feet to a point on the Northerly right of way line of U.S. Highway 395; thence along said right of way line South 44°54'00" East, 56.77 feet to the Southwest corner of Assessor's Parcel No. 1320-33-402-017 (Old A.P.N. 25-322-25); said point being the TRUE POINT OF BEGINNING; thence North 44°02'20" East, 83.28 feet; thence South 45°57'40" East, 75.80 feet to a point on the Westerly right of way line of Eddy Street; thence along said right of way line South 46°07'01" West, 84.68 feet to a point on the Westerly right of way line of Eddy Street and the Northerly right of way line of U.S. Highway 395; thence along said U.S. Highway 395 right of way line North 44°54'00" West, 72.74 feet to the TRUE POINT OF BEGINNING.

A.P.N. 1320-33-402-017 (Old A.P.N. 25-322-25)

PARCEL 4:

All that certain lot, piece or parcel of land being a portion of Section 33, Township 13 North, Range 20 East., M.D.B.&M., Douglas County, Nevada.

Commencing at the record location of the Dattling Town Monument, as shown on the Map for Mrs. Augustine Borda, Dated May, 1948; thence North 42°41'46" West, 752.00 feet to a found cross in sidewalk; thence North 46°19'20" East 92.78 feet; thence North 43°40'40" West, 1.46 feet; thence North 45°39'10" East, 63.26 feet to the Southwest  
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corner of Assessor's Parcel No. 1320-33-402-019 (Old A.P.N. 25-322-21); said point being the TRUE POINT OF BEGINNING; thence North 45°39'10" East, 60.01 feet; thence South 45°57'40" East, 131.72 feet to a point on the Westerly Right of way line of Eddy Street; thence along said right of way line South 46°07'01" West, 60.02 feet; thence North 45°57'40" West, 131.24 feet to the TRUE POINT OF BEGINNING.

A.P.N. 1320-33-402-019 (Old A.P.N. 25-322-22)

PARCEL 5:

All that certain lot, piece or parcel of land being a portion of Section 33, Township 13 North, Range 20 East, M.D.B.64., Douglas County, Nevada.

Commencing at the record location of the Dattling Town Monument, as shown on the Map for Mrs. Augustina Borda, Dated May, 1948; thence North 42°41'46" West, 752.00 feet to a found cross in sidewalk; thence North 46°19'20" East, 92.78 feet; thence North 43°40'40" West, 1.46 feet; thence North 45°39'10" East, 123.27 feet to the Southwest corner of Assessor's Parcel No. 1320-33-402-020 (Old A.P.N. 25-322-21); said point being the TRUE POINT OF BEGINNING; thence North 45°39'10" East, 40.00 feet, thence South 45°47'51" East, 132.05 feet to a point on the Westerly right of way line of Eddy Street; thence along said right of way line South 46°07'01" West, 40.02 feet; thence North 45°57'40" West, 131.72 feet to the TRUE POINT OF BEGINNING.

A.P.N. 1320-33-402-020 (Old A.P.N. 25-322-21)

PARCEL 6:

All that certain lot, piece or parcel of land being a portion of Section 33, Township 13 North, Range 20 East, M.D.B.64., Douglas County, Nevada.

Commencing at the record location of the Dattling Town Monument, as shown on the Map for Mrs. Augustina Borda, Dated May, 1948; thence North 42°41'46" West, 752.00 feet to a found cross in the sidewalk; thence North 46°19'20" East, 92.78 feet; thence North 43°40'40" West, 1.46 feet; thence North 45°39'10" East, 163.27 feet to the Southwest corner of Assessor's Parcel No. 1320-33-402-021 (Old A.P.N. 25-322-20); SAID POINT BEING THE TRUE POINT OF BEGINNING; thence North 45°39'10" East, 24.23 feet to a point on the Southerly right of way line of Courthouse Alley; thence continuing along said right of way South 45°17'30" East, 132.20 feet to a point on the Southerly right of way line of Courthouse Alley and the Westerly right of way line of Eddy Street; thence along said Eddy Street right of way South 46°07'01" West, 22.68 feet, thence North 45°57'51" West, 132.05 feet to the TRUE POINT OF BEGINNING.

A.P.N. 1320-33-402-021 (Old A.P.N. 25-322-20)

PARCEL 7:

All that certain lot, piece or parcel of land being a portion of Section 33, Township 13 North, Range 20 East, M.D.B.64., Douglas County, Nevada.

Commencing at the record location of the Dattling Town Monument, as shown on the Map for Mrs. Augustina Borda, Dated May 1948; thence North 42°41'46" West, 752.00 feet to a found cross in sidewalk; thence North 46°19'20" East, 5.78 feet to a point on the Northerly right of way line of U.S. Highway 395; thence along said right of way line South 44°54'00" East, 56.77 feet; thence North 44°02'20" East, 83.28 feet to the Southwest corner of Assessor's Parcel No. 1320-33-402-018 (Old A.P.N. 25-322-24); said point being the TRUE POINT OF BEGINNING; thence North 44°02'20" East 68.00 feet; thence South 45°57'40" East, 78.27 feet to a point on the Westerly right of way line of Eddy Street; thence along said right of way line South 46°07'01" West, 68.04 feet; thence North 45°57'40" West, 75.80 feet to the TRUE POINT OF BEGINNING.

A.P.N. 1320-33-402-018 (Old A.P.N. 25-322-24)

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***EXHIBIT "B"***



## Exhibit B

### PUBLIC ACCESS EASEMENT DESCRIPTION

Commencing from the Southeast corner of APN: 1320-33-402-061, as shown on a record of survey map for Nevada Johnson Ventures, Inc., document number 476063, in the official record for Douglas County, Nevada, at the set 5/8" rebar and plastic cap, property corner;

Thence, North 44°54'00" West, a distance of 3.66 feet; along the Highway 395 right of way line

Thence, leaving said right of way line, South 45°06'00" West, a distance of 2.10 feet;

Thence, North 00°41'48" West, a distance of 3.34 feet;

Thence, South 89°18'12" East, a distance of 6.08 feet;


Thence, South 00°41'48" West, a distance of 2.53 feet; to the right of way line of Eddy Street;

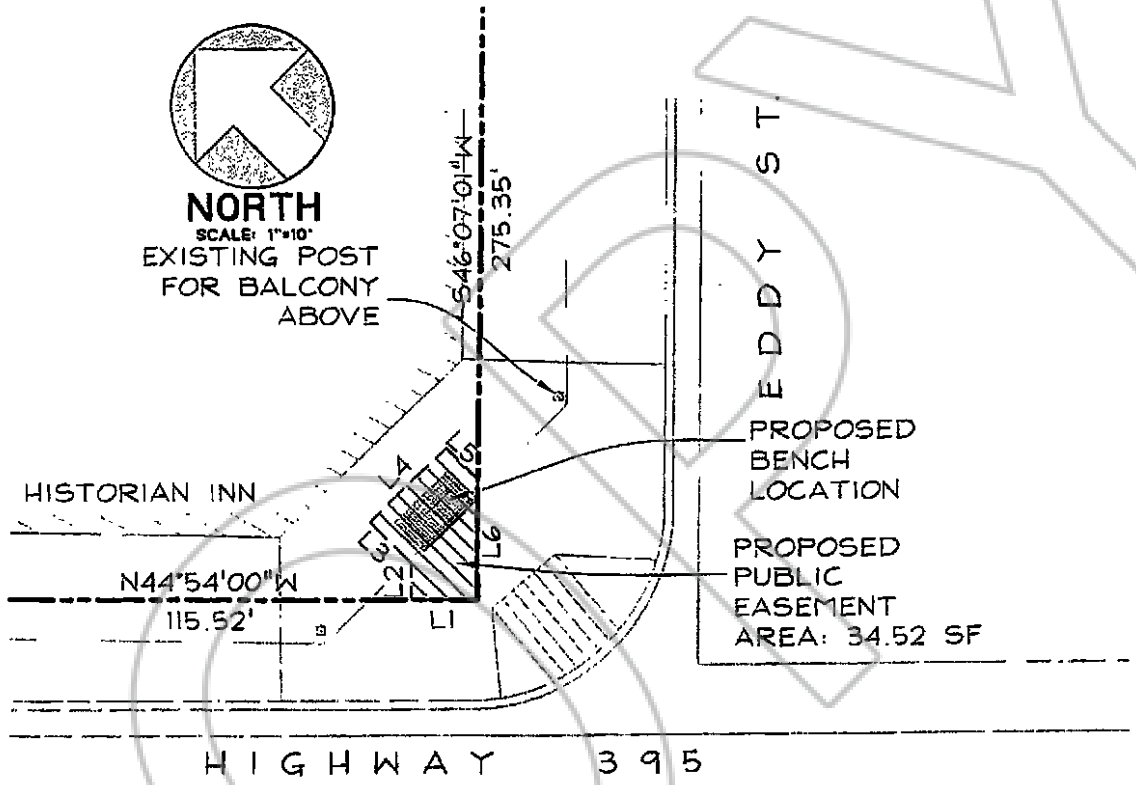
Thence along said Eddy Street right of way, South 46°07'01" West, a distance of 6.93 feet, to the point of beginning, containing 35.42 square feet of area for the Public Access and use of a bench, installed by the Town of Gardnerville.



COPY

***EXHIBIT "C"***

 <p>1407 Highway 395 N        Gardnerville NV 89410        P: 775.782.7134        F: 775.782.7135        www.gardnerville-nv.gov</p>	<p><b>HISTORIAN INN        PUBLIC ACCESS EASEMENT</b>        APN: 1320-33-402-061        1427 Highway 395</p>	DATE: 11-9-09
		PAGE: 1 OF 1 PAGES
Project: <b>EXHIBIT 'C'</b>		PROJECT No.:



LINE TABLE		
LINE	BEARING	LENGTH
L1	N44°54'00"W	3.66
L2	S45°06'00"W	2.10
L3	N00°41'48"E	3.34
L4	S89°18'12"E	6.08
L5	S00°41'48"W	2.53
L6	S46°07'01"W	6.93