

RECORDING REQUESTED BY:

**NV Energy**

WHEN RECORDED RETURN TO:

**NV Energy**

**Property Services (S4B20)**

**P.O. Box 10100**

**Reno, NV 89520**



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KAREN ELLISON, RECORDER

C30- 24183

APN 1219-11-001-011

WORK ORDER # 3000685101

Grant of Easement for Electric

Grantor : Ronald and Marilyn Durkin Family Trust

This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fee applies)

The undersigned hereby affirms that the attached document, including any exhibits, hereby submitted for recording does not contain the personal information of any person or persons. (Per NRS 239B.030)

Nate Hastings  
Senior Right of Way Agent

APN(s): 1219-11-001-011

WHEN RECORDED MAIL TO:

Property Services  
NV Energy  
P.O. Box 10100 MS S4B20  
Reno, NV 89520

GRANT OF EASEMENT

Ronald L. Durkin and Marilyn J. Durkin, Trustees or their successors in trust, under the Ronald and Marilyn Durkin Family Trust, dated January 9, 1995, ("Grantor"), for One Dollar (\$1.00) and other good and valuable consideration – receipt of which is hereby acknowledged – and on behalf of itself and its successors and assigns, grants and conveys to Sierra Pacific Power Company, a Nevada corporation, d/b/a NV Energy ("Grantee") and its successors and assigns a perpetual right and easement:

1. to construct, operate, add to, modify, maintain and remove communication facilities and electric line systems for the distribution of electricity underground, consisting of cables, conduit, duct banks, manholes, vaults, and other equipment, fixtures, apparatus, and improvements ("Underground Utility Facilities") upon, over, under and through the property legally described and generally depicted in Exhibit A attached hereto and by this reference made a part of this Grant of Easement ("Easement Area 1");
2. to construct, operate, add to, modify, maintain and remove communication facilities and electric line systems for the distribution of electricity underground, consisting of transformers (aboveground or underground), service boxes/meter panels (aboveground or underground), cabinets (aboveground or underground), bollards (aboveground), and other equipment, fixtures, apparatus, and improvements ("Additional Utility Facilities") upon, over, under and through the property legally described and generally depicted in Exhibit B attached hereto and by this reference made a part of this Grant of Easement ("Easement Area 2");
3. for the unrestricted passage of vehicles and pedestrians within, on, over and across Easement Area 1, Easement Area 2, and the property legally described in Exhibit C attached hereto and by this reference made a part of this Grant of Easement ("Easement Area 3");
4. for the ingress of vehicles and pedestrians to and the egress of vehicles and pedestrians from, the Easement Area 1, Easement Area 2, and Easement Area 3; and
5. to remove, clear, cut or trim any obstruction or material (including trees, other vegetation and structures) from the surface or subsurface of Easement Area 1 and Easement Area 2 as Grantee may deem necessary or advisable for the safe and proper use and maintenance of

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Reference Document: 828412  
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the Underground Utility Facilities in Easement Area 1 or the Additional Utility Facilities in Easement Area 2.

Grantee will be responsible for any damages, proximately caused by Grantee negligently constructing, operating, adding to, maintaining, or removing the Underground Utility Facilities and/or the Additional Utility Facilities, to any tangible, personal property or improvements owned by Grantor and located on Easement Area 1 and/or Easement Area 2 on the date Grantor signs the Grant of Easement. However, this paragraph does not apply to, and Grantee is not responsible for, any damages caused when Grantee exercises its rights under numbered paragraph 5 above.

Grantor covenants for the benefit of Grantee, its successors and assigns, that no building, structure or other real property improvements will be constructed or placed on or within the Easement Area 1 or Easement Area 2 without the prior written consent of Grantee, such structures and improvements to include, but not be limited to, drainage, trees, bridges, signage, roads, fencing, storage facilities, parking canopies, and other covered facilities. Grantee and Grantor must document Grantee's consent by both signing Grantee's standard, recordable use agreement. Grantor retains, for its benefit, the right to maintain, use and otherwise landscape Easement Area 1 and Easement Area 2 for its own purposes; provided, however, that all such purposes and uses do not interfere with Grantee's rights herein and are in all respects consistent with the Grantee's rights herein, Grantee's electrical practices, and the National Electrical Safety Code. Grantee may use this easement to provide service to any of its customers.

To the fullest extent permitted by law, Grantor and Grantee waive any right each may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this Grant of Easement. Grantor and Grantee further waive any right to consolidate any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

*[signature page follows]*

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**ACKNOWLEDGMENT**

State of California  
County of Riverside

On November 7, 2014 before me, Catherine E. Esparza, Public Notary  
(insert name and title of the officer)

personally appeared Ronald L. Durkin and Marilyn J. Durkin,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)

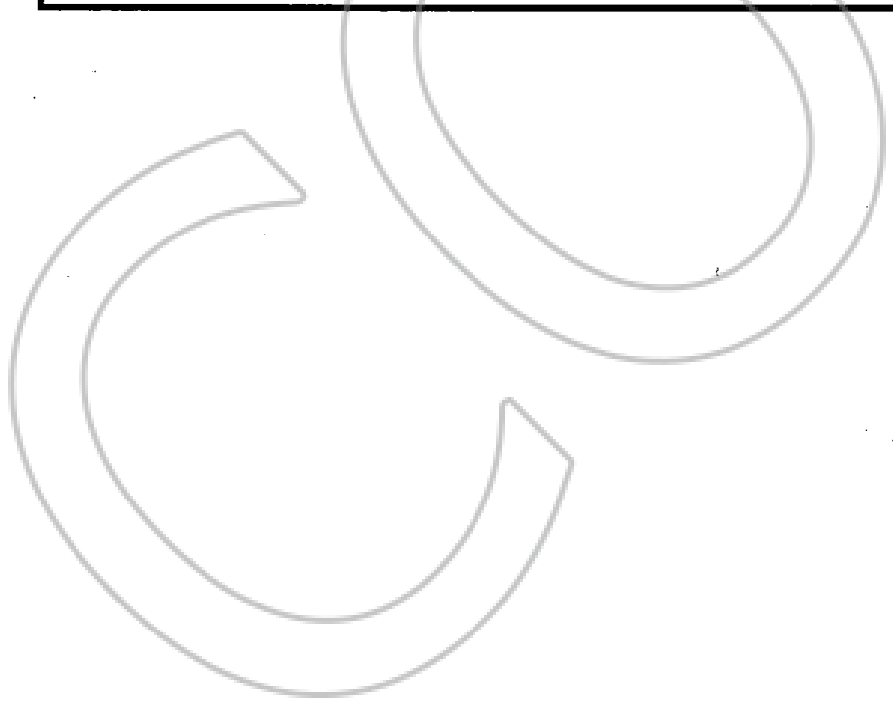


Exhibit A

**ADJUSTED PARCEL 2A-4, AS SET FORTH ON THAT CERTAIN PARCEL MAP LDA #03-032 FOR MOTTSVILLE MEADOWS FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF DOUGLAS COUNTY, NEVADA ON JUNE 15, 2004 IN BOOK 0604, AT PAGE 7430, AS DOCUMENT NO. 616151.**

Per NRS 111.312, this legal description was previously recorded in the County Recorder of Douglas County, State of Nevada, on August 5, 2013 in Book 0813, Page 1565 as Document No. 828412.

Notwithstanding the foregoing, with respect to the Underground Utility Facilities, Easement Area 1 shall be reduced to an area ten (10) feet in width, being five (5) feet on each side of the centerline of the Underground Utility Facilities originally installed in connection with Sierra Pacific Power Company Project ID 3000685101.

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**Exhibit B**

**ADJUSTED PARCEL 2A-4, AS SET FORTH ON THAT CERTAIN PARCEL MAP LDA #03-032 FOR MOTTSVILLE MEADOWS FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF DOUGLAS COUNTY, NEVADA ON JUNE 15, 2004 IN BOOK 0604, AT PAGE 7430, AS DOCUMENT NO. 616151.**

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Notwithstanding the foregoing, with respect to the Additional Utility Facilities, Easement Area 2 shall be reduced to an area that includes the Additional Utility Facilities plus three (3) feet in all directions around the perimeter of the Additional Utility Facilities.

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Exhibit C

**ADJUSTED PARCEL 2A-4, AS SET FORTH ON THAT CERTAIN PARCEL MAP LDA #03-032 FOR MOTTSVILLE MEADOWS FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF DOUGLAS COUNTY, NEVADA ON JUNE 15, 2004 IN BOOK 0604, AT PAGE 7430, AS DOCUMENT NO. 616151.**

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