

Assessor's Parcel Number: 1419-10-001-021

Date: MAY 25, 2018

Recording Requested By:

Name: ANN DAMIAN, COMMUNITY DEVELOPMENT

Address: _____

City/State/Zip: _____

Real Property Transfer Tax: \$ N/A



00074057201809148230100107

KAREN ELLISON, RECORDER

**GRANT OF PUBLIC UTILITY EASEMENT
#2018.089**

(Title of Document)

FILED

2018.084

2018 MAY 25 PM 3: 24

APN: 1419-10-001-021

Recording Requested by and
Return Recorded Original to:
Douglas County, Nevada
District Attorney's Office
Post Office Box 218
Minden, Nevada 89423

DOUGLAS COUNTY
CLERK
BY *[Signature]*

The undersigned hereby affirms that this document, including any exhibits, submitted for recording does not contain the social security number of any person or persons. (N.R.S. Chapter 239)

GRANT OF PUBLIC UTILITY EASEMENT

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **LC VANGUARD L.L.C.**, a Nevada limited liability company, as "**Grantor**" and owner of that certain real property in the County of Douglas, State of Nevada, described in **Exhibit "A"** attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Servient Property**"), does hereby grant to the County of Douglas, State of Nevada, as "**Grantee**", a perpetual, non-exclusive, easement in gross over and under certain portions of the Servient Property as more particularly described in **Exhibit "B"** attached hereto and incorporated herein by this reference, and depicted in **Exhibit "B-1"** attached hereto and incorporated herein by this reference (hereinafter referred to as the "**Easement Area**"). Said easement shall be an interest in land for the following purposes: (i) the construction, installation, use, operation, maintenance, repair, and/or replacement of underground sanitary sewer facilities and underground utility improvements (including, without limitation, water, electrical, cable, gas, and telecommunication lines and conduit), and any appurtenant structures, improvements, infrastructure, and facilities over, under, across and through the Easement Area; (ii) a perpetual, appurtenant, non-exclusive easement over and upon the Easement Area for access as may be needed to enjoy the foregoing rights.

Grantee's rights hereunder are subject to the following, all of which Grantee shall be deemed to have agreed to by its use of the rights granted hereunder:

(A) Grantee's covenant, evidenced by Grantee's use of the rights conveyed herein, to maintain in good order and repair any improvements related to the easements granted herein, which maintenance shall be performed so as to avoid any unreasonable interference with

Grantor's use and enjoyment of the Servient Property, and which maintenance shall include the obligation to restore to its prior condition any asphalt surface area or native vegetation on the Easement Area damaged in connection with Grantee's activities thereon, but shall not include the obligation to restore any concrete, decorative pavement, or landscaping placed by Grantor upon the Easement Area.

(B) Grantee's covenant, evidenced by Grantee's use of the rights conveyed herein, to defend, protect, indemnify and hold harmless Grantor against any and all damages, losses, expenses, assessments, fines, costs and liabilities (including without limitation, all interest, penalties and attorney's fees) based upon or arising out of any claim of personal injury, property damage, or other claim resulting from Grantee's exercise of its rights hereunder.

(C) Grantor's reservation of the right to alter, modify, replace, remove, or place any item or improvement upon any portion of the Servient Property; provided, however, that at no time shall Grantor undertake any activity in relation to or the construction or modification of any improvement upon the Easement Area in any manner that may impose any additional cost or expense upon Grantee, or otherwise negatively impact Grantee's use of the sewer and water line improvements or related facilities constructed and/or installed by Grantor or Grantee upon the Easement Area.

All provisions of this Grant shall be binding upon the successors and assigns of Grantor and Grantee and shall be deemed to run with the Servient Property as covenants running with the land or as equitable servitudes, as the case may be, and shall constitute benefits and burdens to the Servient Property, and to all persons hereafter acquiring or owning any interest therein, however such interest may be obtained.

No breach of any covenant or duty hereunder shall entitle any party to cancel, rescind or otherwise terminate the rights and duties set forth herein, but such limitation shall not affect in any manner any other rights or remedies which may be available to such party at law or in equity.

As used herein, the term "Grantor" means only a current owner of fee title to the Servient Property at the time in question. Each Grantor is obligated to perform the obligations of Grantor hereunder only during the time such Grantor owns such title. Any Grantor who transfers all of its interests in the Servient Property is relieved of all liability with respect to the obligations of Grantor hereunder to be performed on or after the date of transfer. Furthermore, no Grantor hereunder shall be liable at any time to any party for any lost profits, special, incidental, punitive, exemplary or consequential damages.

[SIGNATURE PAGE FOLLOWS]

GRANTOR:

**LC Vanguard L.L.C.,
a Nevada limited liability company**

By: *Andrea Ling Hui*
Andrea Ling Hui Wilkerson, Manager

STATE OF Nevada)
)
COUNTY OF Washoe)

This instrument was acknowledged before me on April 10, 2018, by Andrea Ling Hui Wilkerson as Manager of LC Vanguard L.L.C., a Nevada limited liability company.

Georgia R. Chase
Notary Public
My Commission Expires: 5/6/2021

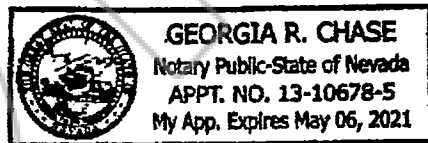


Exhibit "A"
Legal Description of the Servient Property

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

Lot 16 as shown on that Final Map of Clear Creek Tahoe – Phase 1A & 1B, recorded November 18, 2016 as File No. 2016-890939 in the official records of Douglas County, Nevada.

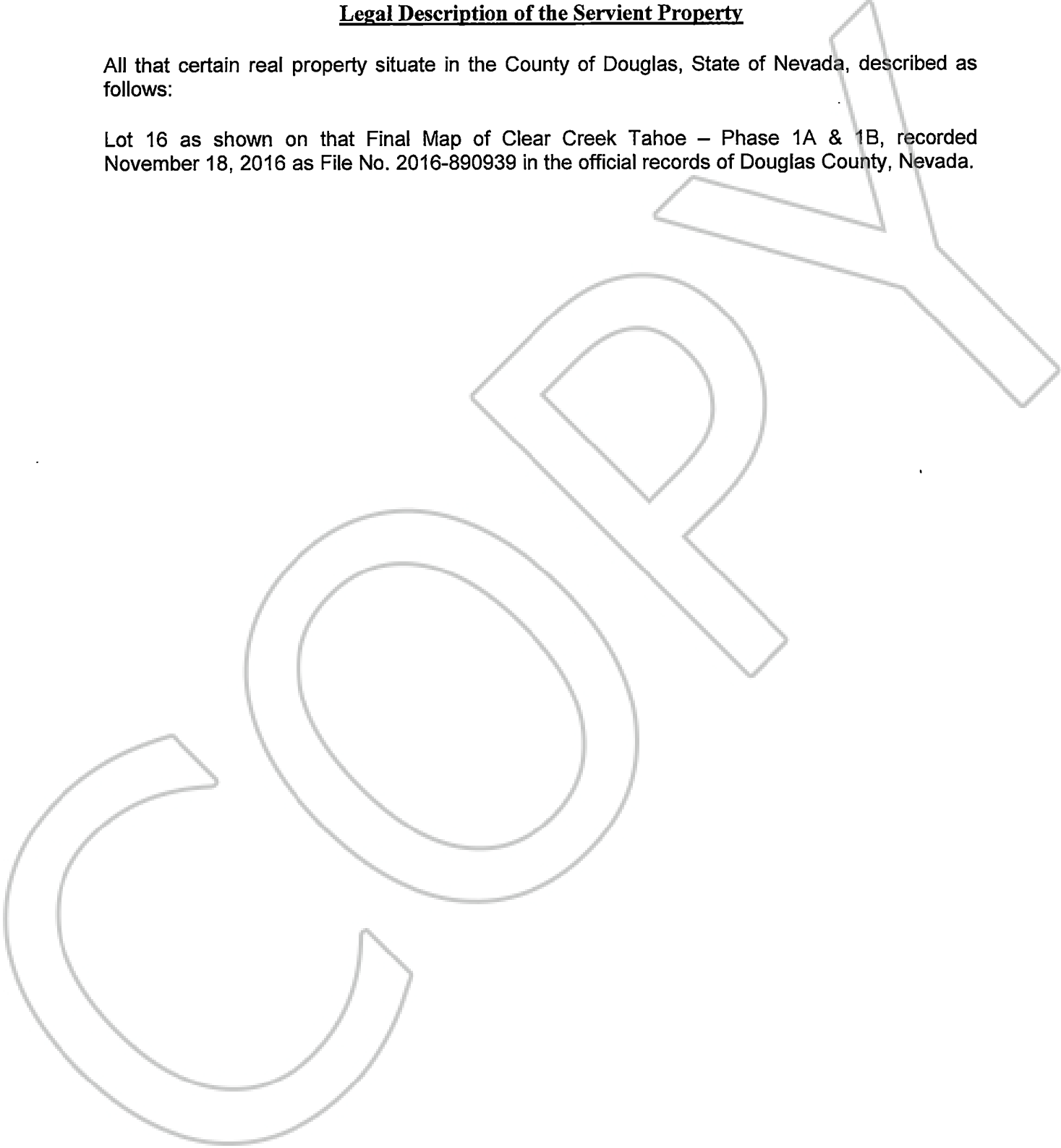


EXHIBIT "B"

**DESCRIPTION OF
LOT 16 PUE**

A portion of Lot 16 shown on the Final Map for Clear Creek Tahoe – Phase 1A & 1B, Document No. 2016-890939 recorded November 18, 2016 in the official records of Douglas County, Nevada situate within the Southwest One-Quarter of the Northwest One-Quarter (SW 1/4 NW 1/4) of Section Ten (10), Township Fourteen (14) North, Range Nineteen (19) East, Mount Diablo Meridian, Douglas County, Nevada:

COMMENCING at the West one-quarter (W 1/4) corner of Section 10, Township 14 North, Range 19 East, Mount Diablo Meridian, marked by a 3/4" rebar in a rock mound;
THENCE, North 76°13'19" East, 1257.14 feet, to the northwest corner of Lot 16 shown on the Final Map for Clear Creek Tahoe – Phase 1A & 1B, Document No. 2016-890939 recorded November 18, 2016 in the official records of Douglas County, Nevada, the **POINT OF BEGINNING**, said point also being the beginning of a non-tangent curve to the left, from the radius point bears North 40°53'15" West, a radial distance of 55.00 feet.
THENCE, northeasterly along the arc of said curve, through a central angle of 25°59'51", a distance of 24.96;
THENCE, South 66°53'05" East, 7.50 feet to the beginning a non-tangent curve to the left from which the radius point bears South 66°53'05" East, a radial distance of 17.50 feet;
THENCE, along the arc of said curve, through a central angle of 50°33'39", a distance of 15.44 feet to a point of reverse curve to the right having a radius of 230.00 feet and a central angle of 05°40'55";
THENCE, along the arc of said curve, a distance of 22.81 feet to a point on the westerly line of said Lot 16;
THENCE, along said westerly line, North 59°26'25" West, 36.63 feet to the **POINT OF BEGINNING**;

458 square feet of land, more or less.

See attached Exhibit "B-1", map to accompany legal description,

Basis of Bearings: North 89°12'38" East between the West 1/4 Corner and East 1/4 Corner of Section 10, Township 14 North, Range 19 East, Mount Diablo Base and Meridian as shown on record of survey document no. 484935.

Surveyor's Certificate: I hereby certify that the attached easement description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

James R. Bedard
Nevada PLS 17044
For and on behalf of

 **Manhard**
CONSULTING
9850 DOUBLE R BLVD, SUITE 101
RENO, NEVADA 89521
(775) 743-3500

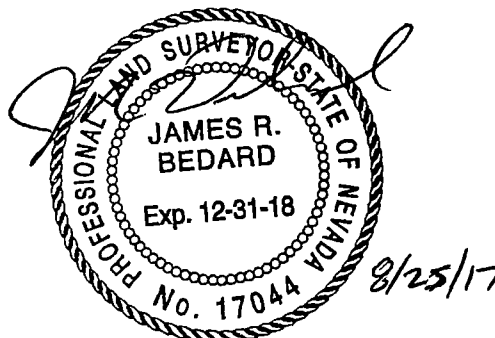
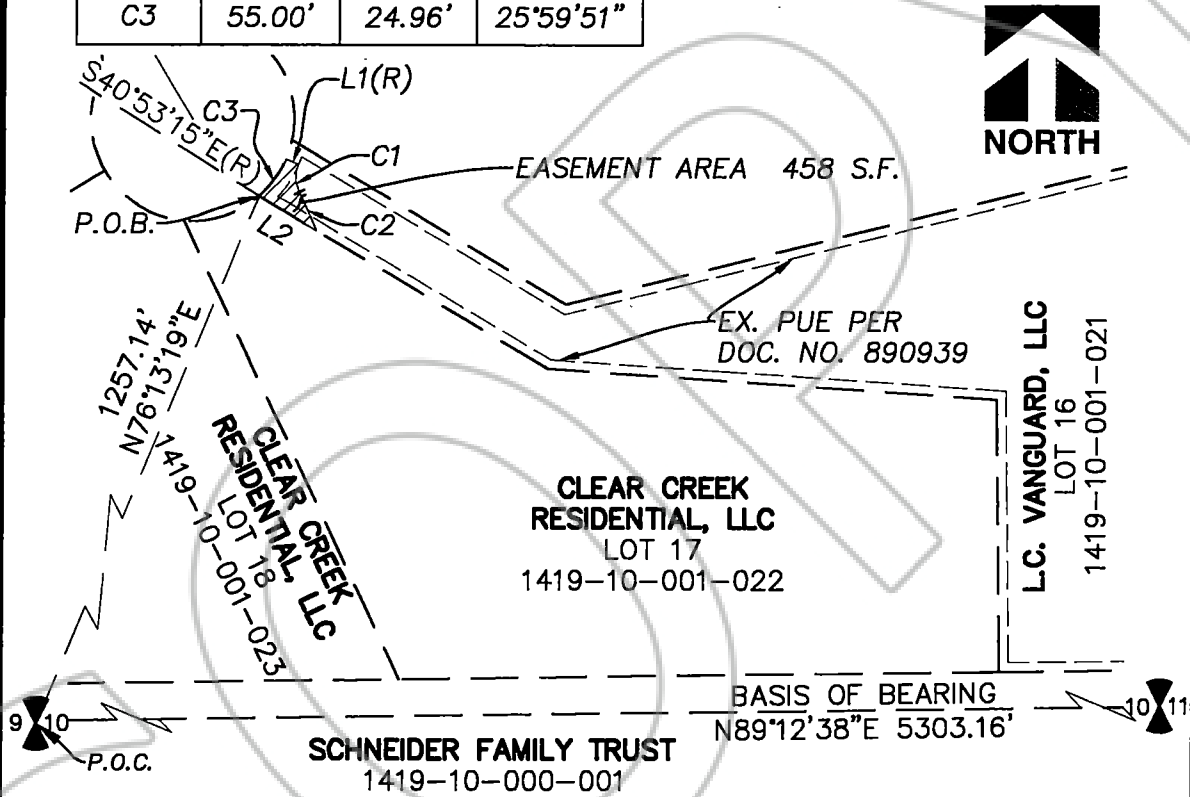


EXHIBIT "B-1"

CLEAR CREEK TAHOE - PHASE 1A & 1B

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	17.50'	15.44'	50°33'39"
C2	230.00'	22.81'	5°40'55"
C3	55.00'	24.96'	25°59'51"

LINE TABLE		
LINE	BEARING	LENGTH
L1	S66°53'05"E	7.50'
L2	N59°26'25"W	36.63'



BASIS OF BEARINGS

NORTH 89°12'38" EAST BETWEEN THE WEST 1/4 CORNER AND EAST 1/4 CORNER OF SECTION 10, TOWNSHIP 14 NORTH, RANGE 19 EAST, MOUNT DIABLO BASE AND MERIDIAN AS SHOWN ON RECORD OF SURVEY DOCUMENT NO. 484935. A COMBINED GRID TO GROUND SCALE FACTOR OF 1.0002 WAS USED TO DETERMINE GROUND DISTANCES. ALL DISTANCE SHOWN HEREON ARE GROUND DISTANCES.

LEGEND

P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
(R) RADIAL BEARING

CLEAR CREEK TAHOE

DOUGLAS COUNTY

LOT 16 - PUE

PROJ. MGR.: JRB
 DRAWN BY: SDF
 DATE: 8/7/17
 SCALE: 1"=100'



Manhard
 CONSULTING LTD
 www.manhard.com
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 tel: (775) 746-3500 fax: (775) 746-3520

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SHEET

1 OF 1

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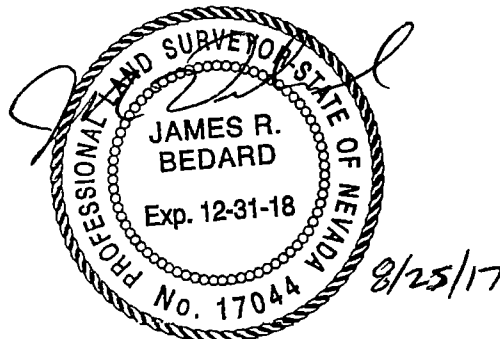
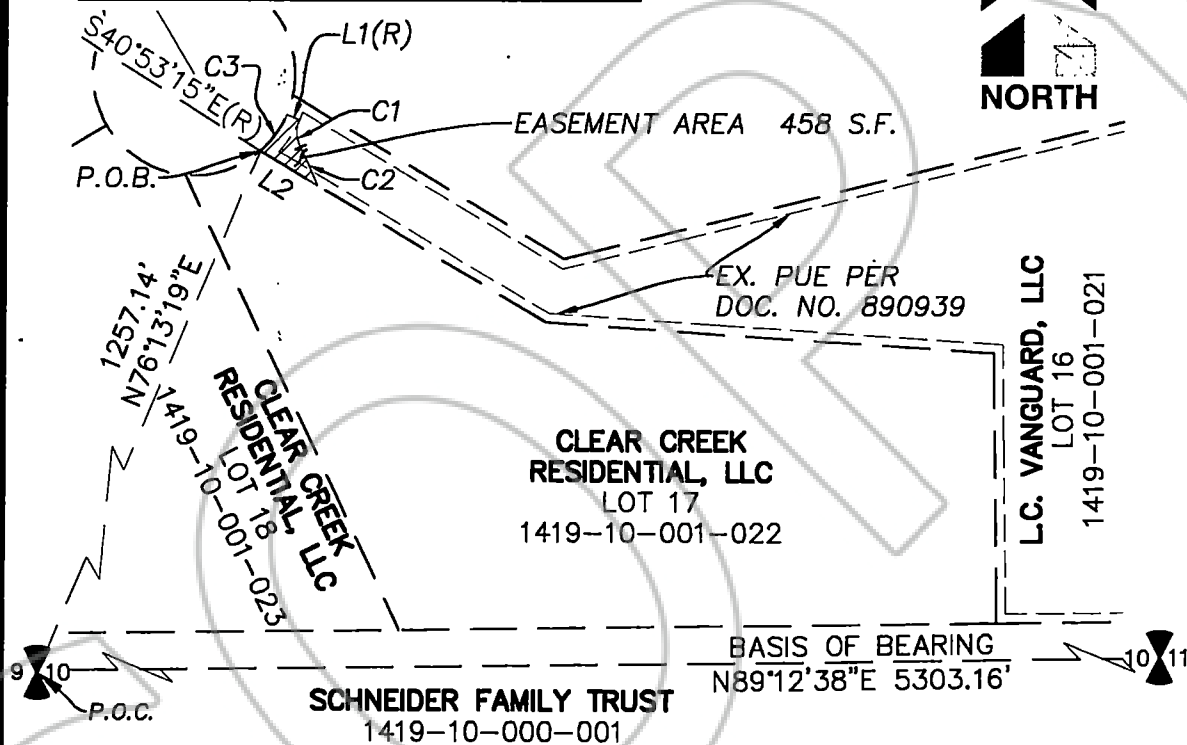


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- P.O.B.** POINT OF BEGINNING
- (R)** RADIAL BEARING

CLEAR CREEK TAHOE DOUGLAS COUNTY LOT 16 - PUE

PROJ. MGR.: JRB
 DRAWN BY: SDF
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1 OF **1**
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COPY

Douglas County

State of Nevada

CERTIFIED COPY

I certify that the document to which this certificate is attached is a full and correct copy of the original record on file in the Clerk-Treasurer's Office on this

25th day of May, 2018
By [Signature] Deputy