

APN# 1319-30-310-022 and 1319-30-310-023



KAREN ELLISON, RECORDER

Recording Requested by/Mail to:

Name: The Law Firm LLC

Address: PO Box 2800

City/State/Zip: Minden, NV 89423

Mail Tax Statements to:

Name: _____

Address: _____

City/State/Zip: _____

RECIPROCAL GRANT OF EASEMENTS FOR FIRE SEPARATION BUILDING SET-BACK

Title of Document (required)

------(Only use if applicable)-----

The undersigned hereby affirms that the document submitted for recording
DOES contain personal information as required by law: (check applicable)

___ Affidavit of Death – NRS 440.380(1)(A) & NRS 40.525(5)

___ Judgment – NRS 17.150(4)

___ Military Discharge – NRS 419.020(2)

Signature

Printed Name

This document is being (re-)recorded to correct document # _____, and is correcting

**RECIPROCAL GRANT OF EASEMENTS FOR
FIRE SEPARATION BUILDING SET-BACK**

THIS INDENTURE is made effective this 6th day of June, 2019, by and between **James R. DeArkland and Gunilla DeArkland, Trustees of The DeArkland Family Intervivos Trust dated March 8, 1989** (hereinafter, “**DeArkland**”), and **James S. Cho and Sophia J. Kim**, husband and wife (hereinafter, “**Cho**”), the separate owners of the two (2) contiguous parcels of property described below.

The consideration contained in this instrument is based on the following factual recitals which constitute a material part of this agreement:

A. DeArkland is the owner of a certain parcel of land in Douglas County, Nevada, commonly known as Lot 9 of the Whitebark Townhouses Subdivision filed for record as Document No. 522371 and located at 1630 Needle Peak Road, Nevada, bearing Douglas County APN **1319-30-310-022**, and more particularly described in **Exhibit A** attached hereto and incorporated herein by reference (hereinafter, the “**DeArkland Property**”).

B. Cho is the owner of a certain parcel of land in Douglas County, Nevada, commonly known as Lot 10 of the Whitebark Townhouses Subdivision filed for record as Document No. 522371 and located at 1634 Needle Peak Road Nevada, bearing Douglas County APN **1319-30-310-023**, and more particularly described in **Exhibit B** attached hereto and incorporated herein by reference (hereinafter, the “**Cho Property**”).

C. The DeArkland Property and Cho Property are contiguous parcels and the parties desire to grant easements to the other to confirm and establish adequate fire separation set-backs on

their respective properties for the benefit of the other and in anticipation of current and future construction of residences on said properties.

NOW THEREFORE, the parties hereby agree as follows:

1. James R. DeArkland and Gunilla DeArkland, Trustees of The DeArkland Family Intervivos Trust dated March 8, 1989, as Grantor, hereby grants to James S. Cho and Sophia J. Kim, husband and wife, as joint tenants, an irrevocable, exclusive easement appurtenant to the Cho Property establishing a fire separation set-back within which no structure or other improvement may be constructed, and as specifically described in **Exhibit C-1** and depicted in **Exhibit C-2**, which exhibits are attached hereto and incorporated herein by reference. The set-back easement granted herein by DeArkland is a burden on the DeArkland Property (the “Servient Estate”) and shall run with the land in perpetuity for the benefit of the Cho Property (the “Dominant Estate”) and any successors and assigns of the Cho Property.

2. James S. Cho and Sophia J. Kim, husband and wife, as Grantor, hereby grants to James R. DeArkland and Gunilla DeArkland, Trustees of The DeArkland Family Intervivos Trust dated March 8, 1989, an irrevocable, exclusive easement appurtenant to the DeArkland Property establishing a fire separation set-back within which no structure or other improvement may be constructed, and as specifically described in **Exhibit D-1** and depicted in **Exhibit D-2**, which exhibits are attached hereto and incorporated herein by reference. The set-back easement granted herein by Cho is a burden on the Cho Property (the “Servient Estate”) and shall run with the land in perpetuity for the benefit of the DeArkland Property (the “Dominant Estate”) and any successors and assigns of the DeArkland Property.

3. The rights and obligations created by this instrument shall not be further assignable by the property owners except as an appurtenance to and in conjunction with the respective sale of the DeArkland Property and the Cho Property as described herein. This instrument may be executed in one or more separate counterparts and, if so, shall be binding on the parties hereto and their respective properties.

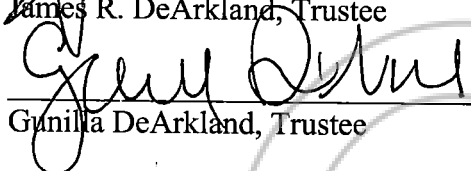
IN WITNESS WHEREOF, the undersigned have executed this instrument as of the date first set forth above.

**The DeArkland Family Intervivos Trust
dated March 8, 1989**



James R. DeArkland, Trustee

James S. Cho



Gunilla DeArkland, Trustee

Sophia J. Kim

[NOTARY ACKNOWLEDGMENTS ON NEXT PAGE]

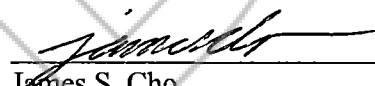
3. The rights and obligations created by this instrument shall not be further assignable by the property owners except as an appurtenance to and in conjunction with the respective sale of the DeArkland Property and the Cho Property as described herein. This instrument may be executed in one or more separate counterparts and, if so, shall be binding on the parties hereto and their respective properties.

IN WITNESS WHEREOF, the undersigned have executed this instrument as of the date first set forth above.

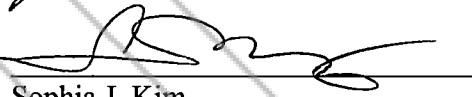
**The DeArkland Family Intervivos Trust
dated March 8, 1989**

James R. DeArkland, Trustee

Gunilla DeArkland, Trustee



James S. Cho



Sophia J. Kim

[NOTARY ACKNOWLEDGMENTS ON NEXT PAGE]

STATE OF _____)
) ss:
COUNTY OF _____)

On _____, 2017, before me, a notary public, personally appeared **James R. DeArkland** and **Gunilla DeArkland**, personally known (or proved) to me to be the Trustees of The DeArkland Family Intervivos Trust dated March 8, 1989, and the persons whose names are subscribed to the above instrument who acknowledged that they executed the instrument.

Notary Public

STATE OF California)
) ss:
COUNTY OF Santa Clara)

On 7th day of JUNE, 2019, before me, a notary public, personally appeared **James S. Cho** and **Sophia J. Kim**, personally known (or proved) to me to be the persons whose names are subscribed to the above instrument who acknowledged that they executed the instrument.

Michelle Li
Notary Public



EXHIBIT A

DESCRIPTION Adjusted Lot 9

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

All of Lot 9 of Whitebark Townhouses Subdivision filed for record as Document Number 522371 and that portion of Lot 13 of said Whitebark Townhouses, more particularly described as follows:

Beginning at the Northwest corner of said Lot 9;
thence North $66^{\circ}06'41''$ East 71.67 feet;
thence along a curve concave to the Northeast with a radius of 167.50 feet, a central angle of $11^{\circ}01'43''$, and an arc length of 32.24 feet, the chord of said curve bears South $14^{\circ}47'00''$ East 32.19 feet;
thence along a curve concave to the Northeast with a radius of 317.50 feet, a central angle of $07^{\circ}42'51''$, and an arc length of 42.75 feet, the chord of said curve bears South $24^{\circ}09'16''$ East 42.71 feet;
thence South $66^{\circ}06'41''$ West 66.78 feet;
thence North $23^{\circ}53'19''$ West 74.50 feet to the Point of the Beginning.

The Basis of Bearing for this description is the above reference Whitebark Townhouses Subdivision.

[In compliance with NRS 111.312, the above legal description was taken from instrument recorded on December 6, 2002, as Document No. 559964, Official Records of Douglas County, Nevada.]

EXHIBIT B

DESCRIPTION Adjusted Lot 10

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

All that portion of Lot 10 of Whitebark Townhouses Subdivision filed for record as Document Number 522371 and that portion of Lot 13 of said Whitebark Townhouses, more particularly described as follows:

Beginning at a point which bears South $06^{\circ}30'07''$ East 10.00 feet from the Northwest corner of said Lot 10;
thence North $83^{\circ}29'53''$ East 67.43 feet;
thence along a curve concave to the East with a radius of 345.50 feet, a central angle of $01^{\circ}29'55''$, and an arc length of 9.04 feet, the chord of said curve bears South $01^{\circ}45'50''$ East 9.04 feet;
thence along a curve concave to the West with a radius of 482.50 feet, a central angle of $03^{\circ}37'59''$, and an arc length of 30.59 feet, the chord of said curve bears South $0^{\circ}41'48''$ East 30.59 feet;
thence along a curve concave to the East with a radius of 167.50 feet, a central angle of $10^{\circ}23'20''$, and an arc length of 30.37 feet, the chord of said curve bears South $04^{\circ}04'28''$ East 30.33 feet;
thence South $66^{\circ}06'41''$ West 65.29 feet;
thence North $06^{\circ}30'07''$ West 89.25 feet to the Point of Beginning.

The Basis of Bearing for this description is the above reference Whitebark Townhouses Subdivision.

[In compliance with NRS 111.312, the above legal description was taken from instrument recorded on December 6, 2002, as Document No. 559964, Official Records of Douglas County, Nevada.]

June 10, 2019
19089

EXHIBIT C1 DESCRIPTION

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

All that portion of that property described in that Grant, Bargain and Sale Deed, Document # 559964 per the Official Records of Douglas County, Nevada more particularly described as follows:

Beginning at the Northeast corner of Lot 9 per said Document # 559964, being a point on the Westerly Right of Way of Needle Peak Rd. per Record of Survey Doc #559965; Official Records, Douglas County, Nevada,

thence along the said Westerly Right of Way of Needle Peak Rd., a curve concave to the East having a radius of 167.50 feet, a central angle of $02^{\circ}08'36''$, an arc length of 6.27 feet and the chord of said curve bears South $10^{\circ}20'26''$ East 6.27 feet;

thence leaving said Westerly Right of Way of Needle Peak Rd., along a curve concave to the North having a radius of 10.00 feet, a central angle of $53^{\circ}11'27''$, an arc length of 9.28 feet and the chord of said curve bears South $56^{\circ}54'09''$ West 8.95 feet;

thence South $66^{\circ}06'41''$ West 48.49 feet;

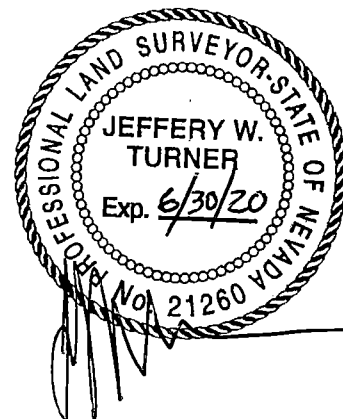
thence North $06^{\circ}31'41''$ West 5.24 feet;

thence North $66^{\circ}06'41''$ East 65.29 feet to the Point of Beginning.

Containing 360 Square Feet, more or less.

The Basis of Bearing for this description is that Grant, Bargain and Sale Deed, Document # 559964.

Prepared by: Turner & Associates, Inc.
Land Surveying
P.O. Box 5067
Stateline, NV 89449





TURNER & ASSOCIATES, INC.

LAND SURVEYING

(775) 588-5658

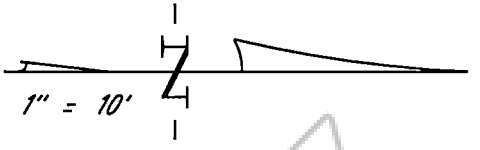
308 DORLA COURT, SUITE 203

ROUND HILL, NEVADA

P.O. BOX 5067 - STATELINE, NEVADA 89449

DATE 12 JUNE 2019 JOB No. 19089
PROJECT EASEMENT EXHIBIT
BY JMT PAGE 1 OF 1

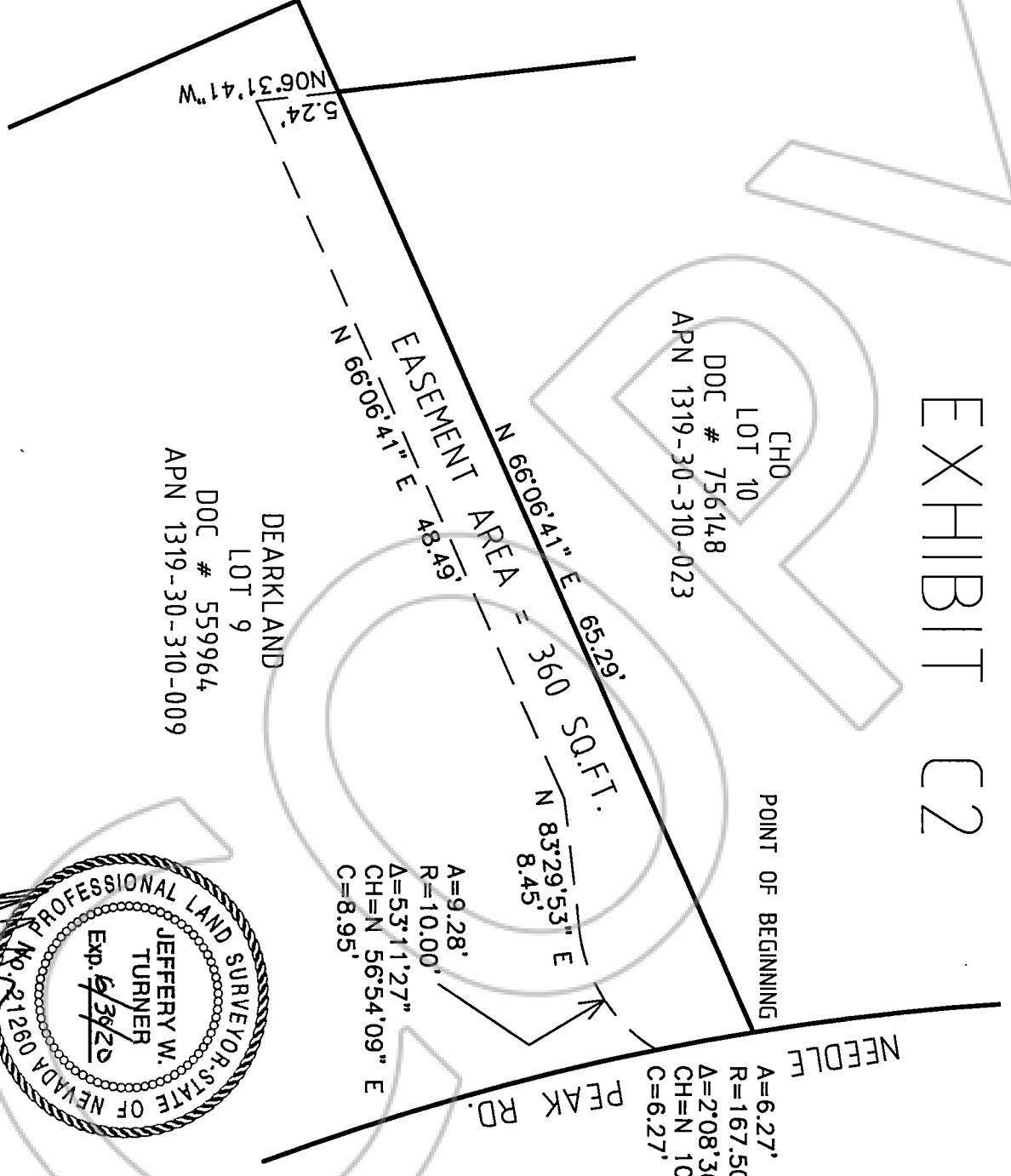
EXHIBIT C2



COMMON
AREA
LOT 13

CHD
LOT 10
DOC # 756148
APN 1319-30-310-023

DEARLAND
LOT 9
DOC # 559964
APN 1319-30-310-009

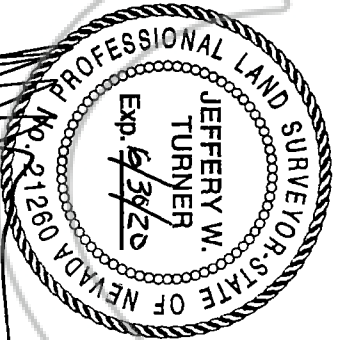


POINT OF BEGINNING

NEEDLE PEAK RD.

A=6.27'
R=167.50'
Δ=2°08'36"
CH=N 10°20'26" W
C=6.27'

A=9.28'
R=10.00'
Δ=53°11'27"
CH=N 56°54'09" E
C=8.95'



June 10, 2019
19089

EXHIBIT D1 DESCRIPTION

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

All that portion of that property described in that Grant, Bargain and Sale Deed, Document # 756148 per the Official Records of Douglas County, Nevada more particularly described as follows:

Beginning at the Southwest corner of Lot 10, per said Document # 756148 Official Records, Douglas County, Nevada,

thence along the Westerly property line of said Lot 10, North $06^{\circ}30'07''$ West 10.48 feet;

thence leaving said Westerly property line of said Lot 10, North $66^{\circ}06'41''$ East 29.36 feet;

thence North $83^{\circ}29'53''$ East 26.71 feet;

thence North $48^{\circ}17'34''$ East 9.08 feet to a point on the Westerly Right of Way of Needle Peak Rd. per Record of Survey Doc #559965;

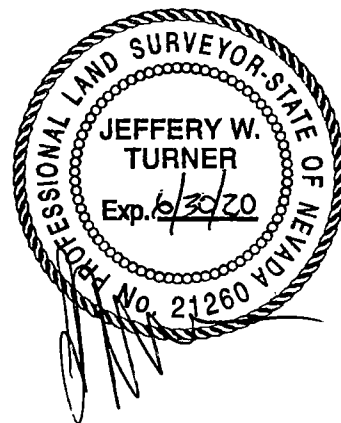
thence along the said Westerly Right of Way of Needle Peak Rd., a curve concave to the East having a radius of 167.50 feet, a central angle of $01^{\circ}42'11''$, an arc length of 4.98 feet and the chord of said curve bears South $08^{\circ}25'03''$ East 4.98 feet;

thence South $66^{\circ}06'41''$ West 65.29 feet to the Point of Beginning.

Containing 489 Square Feet, more or less.

The Basis of Bearing for this description is that Grant, Bargain and Sale Deed, Document # 756148.

Prepared by: Turner & Associates, Inc.
Land Surveying
P.O. Box 5067
Stateline, NV 89449



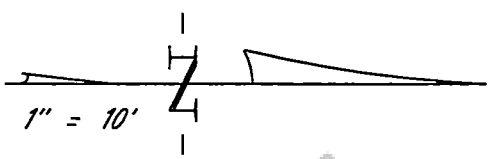


TURNER & ASSOCIATES, INC.

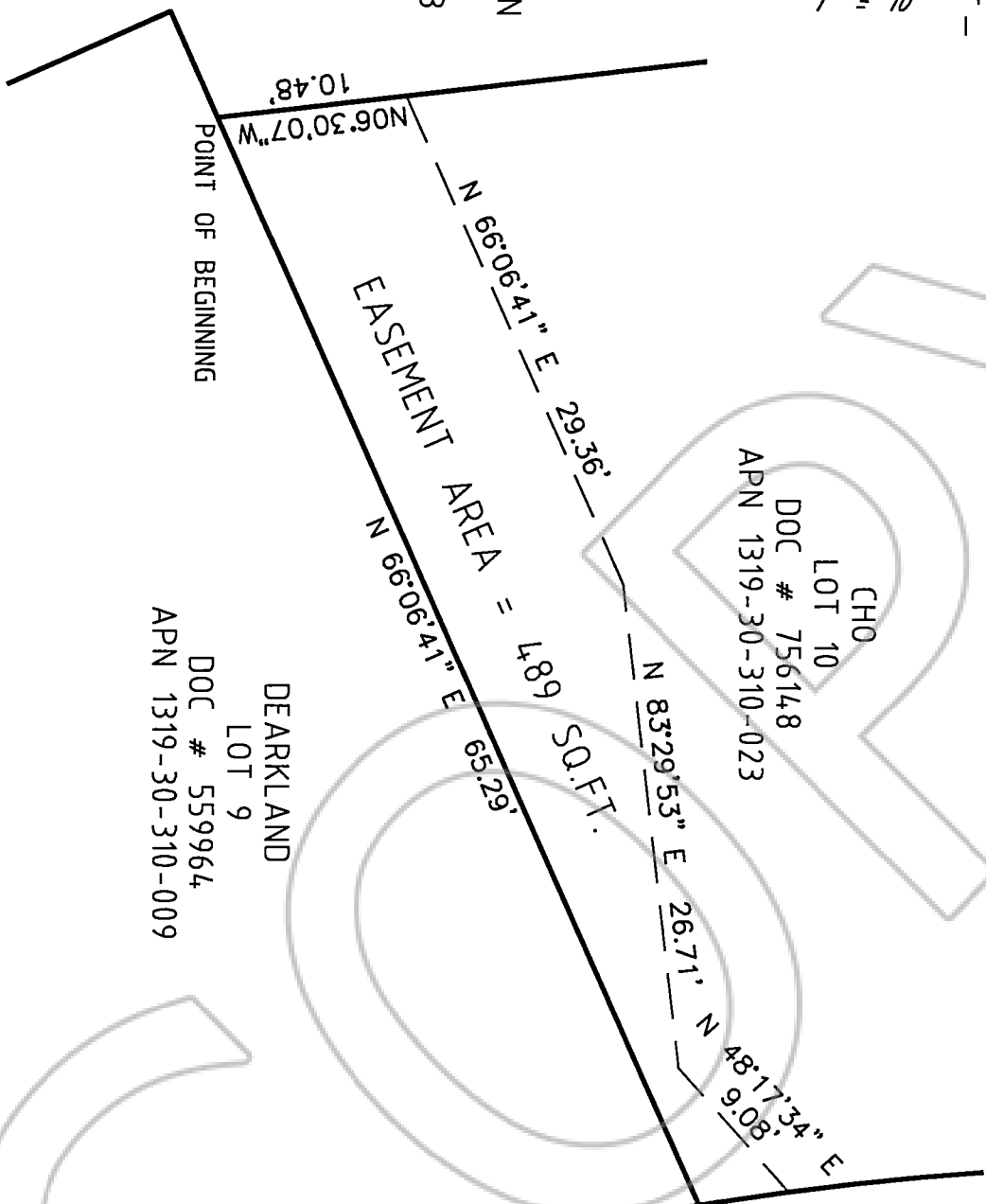
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DATE 12 JUNE 2019 JOB No. 19089
PROJECT EASEMENT EXHIBIT
BY JWT PAGE 1 OF 1

EXHIBIT D2



COMMON
AREA
LOT 13



CHO
LOT 10
DOC # 756148
APN 1319-30-310-023

DEARLAND
LOT 9
DOC # 559964
APN 1319-30-310-009

NEEDLE PEAK RD.
A=4.98'
R=167.50'
A=1°42'11"
CH=N 08°25'03" W
C=4.98'

