

When Recorded Return to:

Town of Gardnerville  
1407 Highway 395 N  
Gardnerville, NV 89410  
Portion APN: 1320-32-614-002



KAREN ELLISON, RECORDER

**PRIVATE STORM DRAIN EASEMENT AND AGREEMENT**

THIS GRANT OF EASEMENT AND AGREEMENT, made and entered into this  
10<sup>th</sup> day of JUNE, 2022, by and between  
**Gilman Ave LLC**, Party of the First Part, hereinafter referred to as “Grantee”; and the **TOWN  
OF GARDNERVILLE**, a political subdivision of the State of Nevada, Party of the Second Part,  
hereinafter referred to as “Grantor”.

**WITNESSITH:**

For and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, Grantor hereby grants to Grantee a permanent Private Drainage Easement and right of entry for private drainage facilities upon, over, across and through the land herein described, together with perpetual right to construct, reconstruct, maintain and repair said facilities and the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction and maintenance of said facilities.

The easement and right of entry hereby granted is situate in the County of Douglas, State of Nevada, more particularly described in Exhibit “A” and as depicted on Exhibit “A-1” attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD, said easement and right of entry, unto the Grantee and unto its successors and assigns forever.

Grantor covenants and agrees for his, her, or their heirs, successors and assigns, to release, and does hereby release, Grantee, its successors and assigns, of and from any and all claims, liability, obligation and responsibilities for any loss, damage or destruction of any kind or

character whatsoever, to the property and improvements within the above described easement of Grantor, by reason of or resulting from construction, reconstruction, maintenance, or repair upon, over, across or through the property described herein.

Permission is hereby granted to Gilman Ave LLC, its authorized agents and/or its contractors to enter in and upon said easement described in Exhibit "A" and depicted on Exhibit "A-1" and made a part hereof, for the purpose of constructing, reconstructing, maintaining, or servicing the drainage facilities on the Grantors property and to accomplish all necessary incidents thereto in the case the grantor does not maintain the property in a manner which allows for the passage of stormwater.

This permission is granted with the understanding that the Grantor agrees to hold harmless and indemnify the Grantee from any loss or liability to Grantor, financial or otherwise resulting from any removal of landscaping or other obstructions caused by the performance of work under this agreement.

This is a non-exclusive easement and to the extent that other uses do not interfere with the use of said easement by Grantee as permitted hereunder, Grantor, its successors and assigns, shall be permitted to use the same for any purpose they may desire.

The covenants and agreements herein contained shall inure to the benefit of and shall be binding upon the executors, administrators, heirs, successors and assigns of the parties and shall be, and are, covenants running with the land binding upon said property of Grantors and for the benefit of Grantee as described in Exhibit "A" and as depicted on Exhibit "A-1".

IN WITNESS WHEREOF, The Grantor and Grantee each on behalf of itself and its successors and assigns have executed this instrument.

Accepted and Agreed:

Grantee  
Gilman Ave LLC

BY: *[Signature]*

Name: MATTHEW CARTER

Title: MANAGER

Witness my hand this 10 Day of June, 2022

STATE OF NEVADA )

) SS:

COUNTY OF DOUGLAS )

On the 10 day of June, 2022, personally  
appeared before me, a Notary Public, Matthew Carter, who  
acknowledged that she/he executed the above instrument.



*[Signature]*  
NOTARY PUBLIC

TOWN OF GARDNERVILLE

By: *Mike Henningsen*  
Mike Henningsen, Chair  
Gardnerville Town Board

STATE OF NEVADA        )  
  ) SS:  
COUNTY OF DOUGLAS    )

On the 5th day of July, 2022, personally  
appeared before me, a Notary Public, Mike Henningsen, who acknowledged that he executed the  
above instrument.



*Carol A. Louthan*  
NOTARY PUBLIC

**EXHIBIT "A"**

**STORM DRAIN PIPE EASEMENT (PRIVATE)  
APN: 1320-32-614-002**

A Public Storm Drain Easement situate within the Southwest One-Quarter (SW1/4) of Section Thirty-Three (Sec. 33), Township Thirteen North(T.13N.), Range Twenty East (R.20E.), Mount Diablo Meridian (MDM), Douglas County, State of Nevada, being a portion of Adjusted Lot "B", as shown on the Record of Survey to Support a Boundary Line Adjustment for The Ranch at Gardnerville 1 and Town of Gardnerville, as File No. 823143, filed May 8, 2013 in the Official Records of Douglas County, Nevada, and being more particularly described as follows:

**COMMENCING** at point on the South boundary line of said Adjusted Lot "B" also being the Northwest corner of said Lot 128, as shown on the Final Map FSM-1006 Chichester Estates Phase 1, as File No. 370215, filed September 12, 1995 in the Official Records of Douglas County, Nevada, from which the center of Section 33 bears South 89°20'30" East, 1417.42 feet;

**THENCE**, South 89°20'30" East, a distance 14.89 feet along the South boundary line of said Adjusted Lot "B" and the North boundary line of said Lot 128, to the **POINT OF BEGINNING**;

**THENCE**, leaving the South line North 10°28'25" West, 37.96 feet;

**THENCE**, North 79°31'35" East, 20.00 feet;

**THENCE**, South 10°28'25" East, 41.89 feet;

**THENCE**, North 89°20'30" West, 20.38 feet to the **POINT OF BEGINNING**.

Containing 799 square feet, more or less.

See Exhibit map to accompany description attached hereto and made a part hereof.

**Basis of Bearings:** Grid North, Modified Nevada State Plane Coordinate System, West Zone, North American Datum of 1983/1994 (NAD 83/94) Determined using Real Time Kinematic GPS (RTK GPS) observations of Nevada Department of Transportation (NDOT) Control Monuments 1584009 AND 1584008. Combined Grid to Ground Factor = 1.0002.  
All distances shown herein are ground values.

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

Lee H. Smithson  
Nevada PLS 5097  
For and on behalf of

 **Manhard**  
CONSULTING  
241 Ridge Street, Suite 400  
Reno, Nevada 89501  
(775) 746-3500

**BASIS OF BEARING**

GRID NORTH, MODIFIED NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983/1994 (NAD 83/94) - DETERMINED USING REAL TIME KINEMATIC GPS (RTK GPS) OBSERVATIONS OF NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) CONTROL MONUMENTS 1584009 AND 1584008. COMBINED GRID TO GROUND FACTOR = 1.0002. ALL DISTANCES SHOWN HEREIN ARE GROUND VALUES.

GARDNERVILLE, TOWN OF  
APN: 1320-32-614-002

5' PUBLIC UTILITY  
EASEMENT  
PER DOC. NO.  
714735

P.O.C.  
FOUND 5/8"  
REBAR/CAP  
PLS 6899

MEADOWCREEK INV PROP  
LLC ET AL  
APN: 1320-33-301-002



**EXHIBIT A-1**

**BASIS OF BEARING**

- EXISTING BOUNDARY LINE
- ADJACENT PARCEL LINE
- - - NEW EASEMENT LINE
- - - EXISTING EASEMENT LINE
- - - FLYTIE TO SECTION COR.
- MONUMENT AS NOTED

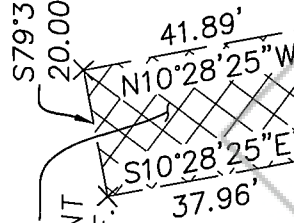
74' STORM  
DRAIN EASEMENT  
PER DOC. NO. PRIVATE  
714735

798 S.F. X  
DRAIN  
EASEMENT  
PER DOC. NO. PRIVATE  
714735

579'31'35" W

20.00'  
20' SEWER  
EASEMENT  
PER DOC. NO.  
370215

CENTER OF  
SEC. 33



14.89' 20.38'  
589'20'30" E 1417.42'

P.O.B.

5' PUBLIC UTILITY  
EASEMENT  
PER DOC. NO.  
370215

GILMAN AVE LLC,  
APN: 1320-33-310-001

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241 Ridge Street, Suite 400, Reno, NV 89501  
Civil Engineers | Surveyors | Water Resource Engineers | Water & Waste Water Engineers  
Construction Managers | Environmental Scientists | Landscape Architects | Planners

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ph:775.746.3500

APN 1320-32-614-002

GILMAN AVE. DOUGLAS COUNTY, NEVADA

PRIVATE STORM DRAIN EASEMENT

PROJ. MGR.: LHS  
DRAWN BY: ACP  
DATE: OCT/2021  
SCALE: 1" = 30'

PROJECT CODE  
CHHDCNVO1

SHEET 1  
OF 1