

APN: 1021-00-001-011

Mail tax statements to:
Bently Family, LLC
1597 Esmeralda Avenue
Minden, NV 89423

When Recorded, Mail to:
Bently Family, LLC
1597 Esmeralda Avenue
Minden, NV 89423



00162225202209916150120121

KAREN ELLISON, RECORDER

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

I, the undersigned, hereby affirm that this document submitted for recording does not contain the Social Security number of any person or persons. (Per NRS 239B.030)

AMENDED AND RESTATED PRIVATE AND PUBLIC ACCESS AND PUBLIC UTILITY EASEMENT AND IRREVOCABLE AND PERPETUAL OFFER TO DEDICATE PUBLIC ACCESS AND PUBLIC UTILITY EASEMENT

THIS AMENDED AND RESTATED PRIVATE AND PUBLIC ACCESS AND PUBLIC UTILITY EASEMENT AND IRREVOCABLE AND PERPETUAL OFFER TO DEDICATE PUBLIC ACCESS AND PUBLIC UTILITY EASEMENT is made this 9th day of November, 2022, by and between BENTLY FAMILY, LLC, a Nevada limited liability company, f/k/a Bently Family Limited Partnership, a Nevada limited partnership (hereinafter referred to as "GRANTOR"), and BENTLY FAMILY LLC, a Nevada limited liability company, f/k/a Bently Family Limited partnership, a Nevada limited partnership (hereinafter referred to as "GRANTEE"), and amends, restates, and replaces in its entirety, that Access Easement Deed, dated July 20, 2022, by and between GRANTOR and GRANTEE, which was recorded on July 22, 2022, as Document Number 2022-987778, in the Official Records of the Recorder's Office for Douglas County, Nevada ("Easement").

This Amendment is for purposes of amending said Easement to designate certain described access as private access and other certain described access as public access and to

further grant a public utilities easement and an Irrevocable and Perpetual Offer to Dedicate the Public Access and Public Utility Easement among other things.

WITNESSETH:

THAT IN AND FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, GRANTOR, as owner of Douglas County, Nevada Assessor's Parcel Number APN# 1021-00-001-011(hereinafter the "Real Property"), has this day, bargained and sold, and by these presents does bargain and sell, transfer and deliver unto the GRANTEE, and its successors and assigns forever, a certain perpetual private access and a certain perpetual public access for ingress and egress and a public utility easement to, through and over and under a portion of that real property as described herein below, including to utilize, construct, maintain, use, improve, repair, replace and rebuild certain private and public access roads and public utility facilities and related improvements and infrastructure, and for access to and from other real property owned by GRANTEE, including its benefitted real property commonly identified as Douglas County, Nevada Assessor's Parcel Number APN# 1021-00-001-011 and other real property owned by GRANTEE, for private access at the sole cost and expense of GRANTEE, and for other public access and public utilities. To have and to hold said private and public access and public utility easement unto the GRANTEE and unto its successors and assigns forever. Said real property and the lands affected by the Easement are located in the County of Douglas, State of Nevada as more particularly described and delineated as set forth in **Exhibits A, B, C, D, E and F**, attached hereto and incorporated herein by reference (hereinafter collectively the "Easement Areas"), and consisting of and described as follows:

- (1) A 63,556 square foot (more or less) private access and public utility easement as more particularly described in **Exhibit "A"** and as depicted in that Map as set forth in **Exhibit "B"**, which are attached hereto and incorporated herein by reference.
- (2) A 60-foot-wide strip (more or less) public access easement for ingress and egress and public utility facilities as more particularly described in **Exhibit "C"** and as

depicted in that Map as set forth in **Exhibit “D”**, which are attached hereto and incorporated herein by reference.

- (3) Two, 30-foot-wide strips (more or less) private access and public utility easements for ingress and egress and public utility facilities as more particularly described in **Exhibit “E”** and as depicted in that Map as set forth in **Exhibit “F”**, which are attached hereto and incorporated herein by reference.

GRANTOR covenants for the benefit of GRANTEE and its heirs, successors and assigns, that it shall not interfere with GRANTEE’S Easement as to private and public access and public utilities, and that no building, structure, landscaping or other real property improvements will be constructed on, under, over or through the Easement Areas without the prior written consent of GRANTEE. Such structures include, but are not limited to, drainage, irrigation, facilities, trees, fencing, buildings, structures and walls. GRANTEE shall be under no obligation to maintain, restore or repair any landscaping and improvements that may be damaged by the road and its maintenance, repairs and improvements within the Easement Areas, unless as a result of the gross negligence of GRANTEE.

Further, GRANTOR, as owner of the Real Property, and GRANTEE, as holder and beneficiary of the Easement as identified in **Exhibits “C”** and **“D”**, hereby offer to grant, convey and forever assign to Douglas County, a political subdivision of the State of Nevada (hereinafter “County”), an IRREVOCABLE AND PERPETUAL OFFER TO DEDICATE PUBLIC ACCESS AND PUBLIC UTILITY EASEMENT for a perpetual public access and public utility easement, for public road and pedestrian walkway and public utility purposes and to allow for ingress and egress to, through and over and under a portion of the Real Property as described hereinabove and as more specifically identified and set forth in **Exhibits “C”** and **“D”** hereto, and to construct, maintain, repair, replace, and rebuild public road and pedestrian walkway access and public utility facilities and improvements and other incidental uses.

The particular portion of land affected by this Irrevocable and Perpetual Offer to Dedicate Public Access and Public Utility Easement is located in the County of Douglas, State

of Nevada, and is more particularly described in the above referenced **Exhibit “C”** hereto, and in the survey, map illustrating this easement attached as **Exhibit “D”** hereto.

This offer of dedication is made pursuant to Title 20 of the Douglas County Code (DCC) and, in accordance with DCC 100.090.

It is understood that this instrument transfers to the County the specific Easement hereby offered only at such time the County accepts said Easement and until acceptance by the County it shall not assume any responsibility for the land that is subject to said Easement. It is further understood that all ordinary uses of said land are reserved to GRANTOR and GRANTEE as provided herein, until such time as said Easement and offer of dedication are accepted by County.

This Irrevocable and Perpetual Offer to Dedicate Public Access and Public Utility Easement for road and pedestrian walkway access and public utilities facilities shall be irrevocable and shall be binding on the GRANTOR and GRANTEE, their heirs, executors, administrators, successors and assigns.

All rights and obligations granted by this Easement shall run with the land and shall be binding upon GRANTOR and GRANTEE, and their respective heirs, successors, agents and assigns forever. This Easement, including any Exhibits incorporated herein by reference, sets forth all (and is intended by the parties to be an integration of all) of the representations, promises, agreements, and understandings among the parties hereto with respect to the rights, privileges and obligations of the parties. There are no draft representations, promises, agreements, or understandings, oral or written, express or implied, among the parties other than as set forth or incorporated herein.

[Continued on Next page]

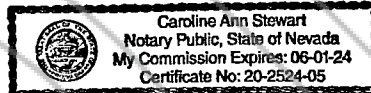
IN WITNESS WHEREOF, the GRANTOR and GRANTEE have executed this Amended and Restated Public and Private Access and Public Utility Easement the day and year first above written.

GRANTOR:

BENTLY FAMILY, LLC
A Nevada limited liability company, f/k/a
Bently Family Limited Partnership, a Nevada
limited partnership

By: Jeff Jarboe
Name: Jeff Jarboe
Title: Chief Financial Officer

STATE OF NEVADA)
 :SS.
COUNTY OF DOUGLAS)




On the 9TH day of November, 2022, before me personally appeared Jeff Jarboe, as Chief Financial Officer of Bently Family, LLC, f/k/a Bently Family Limited Partnership, known to me (or proved to me) to be the person whose name is subscribed to the within instrument and who acknowledged that he executed the same freely and voluntarily and for the uses and purposes therein contained.

Caroline A. Stewart
NOTARY PUBLIC

[Signatures continued on Next Page]

GRANTEE:

BENTLY FAMILY, LLC,
a Nevada limited liability company,
f/ka BENTLY FAMILY LIMITED PARTNERSHIP,
a Nevada limited partnership

By: 
Name: Jeff Jarboe
Title: Chief Financial Officer

STATE OF NEVADA)
 :SS.
COUNTY OF DOUGLAS)



On the ____ day of November, 2022, before me personally appeared Jeff Jarboe, as Chief Financial Officer of Bently Family, LLC, f/k/a Bently Family Limited Partnership, known to me (or proved to me) to be the person whose name is subscribed to the within instrument and who acknowledged that he executed the same freely and voluntarily and for the uses and purposes therein contained.

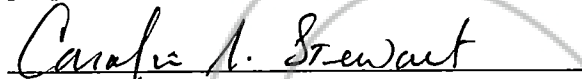

NOTARY PUBLIC

EXHIBIT 'A'
DESCRIPTION
PRIVATE ACCESS & PUBLIC UTILITY EASEMENT
(OVER A.P.N. 1021-00-001-011)

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

A parcel of land located within a portion of Section 1, Township 10 North, Range 21 East, Mount Diablo Meridian, Douglas County, Nevada, more particularly described as follows:

COMMENCING at the northeast corner of Parcel V1-A per the Parcel Map # 2 for ABC Investments Co. filed for record April 6, 1993 in the office of Recorder, Douglas County, Nevada as Document No. 303884, said point falling on the west right-of-way line of U.S. Highway 395;

thence along said west right-of-way line of U.S. Highway 395, North 28°58'19" West, 998.80 feet;

thence North 61°01'41" East, 25.00 feet;

thence North 28°58'19" West, 3,843.69 feet to the **POINT OF BEGINNING**;

thence South 64°06'36" West, 357.76 feet;

thence North 26°23'20" West, 228.15 feet;

thence North 63°36'40" East, 50.00 feet;

thence South 26°23'20" East, 50.00 feet;

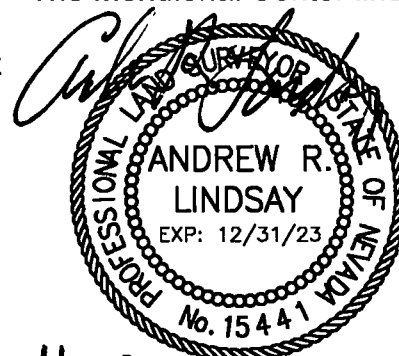
thence North 63°36'40" East, 300.07 feet;

thence along the arc of a curve to the left, having a radius of 10,075.00 feet, central angle of 00°34'22", arc length of 100.73 feet; and chord bearing and distance of South 28°41'08" East, 100.73 feet;

thence South 28°58'19" East, 80.70 feet to the **POINT OF BEGINNING**, containing 66,066 square feet or 1.52 acres, more or less.

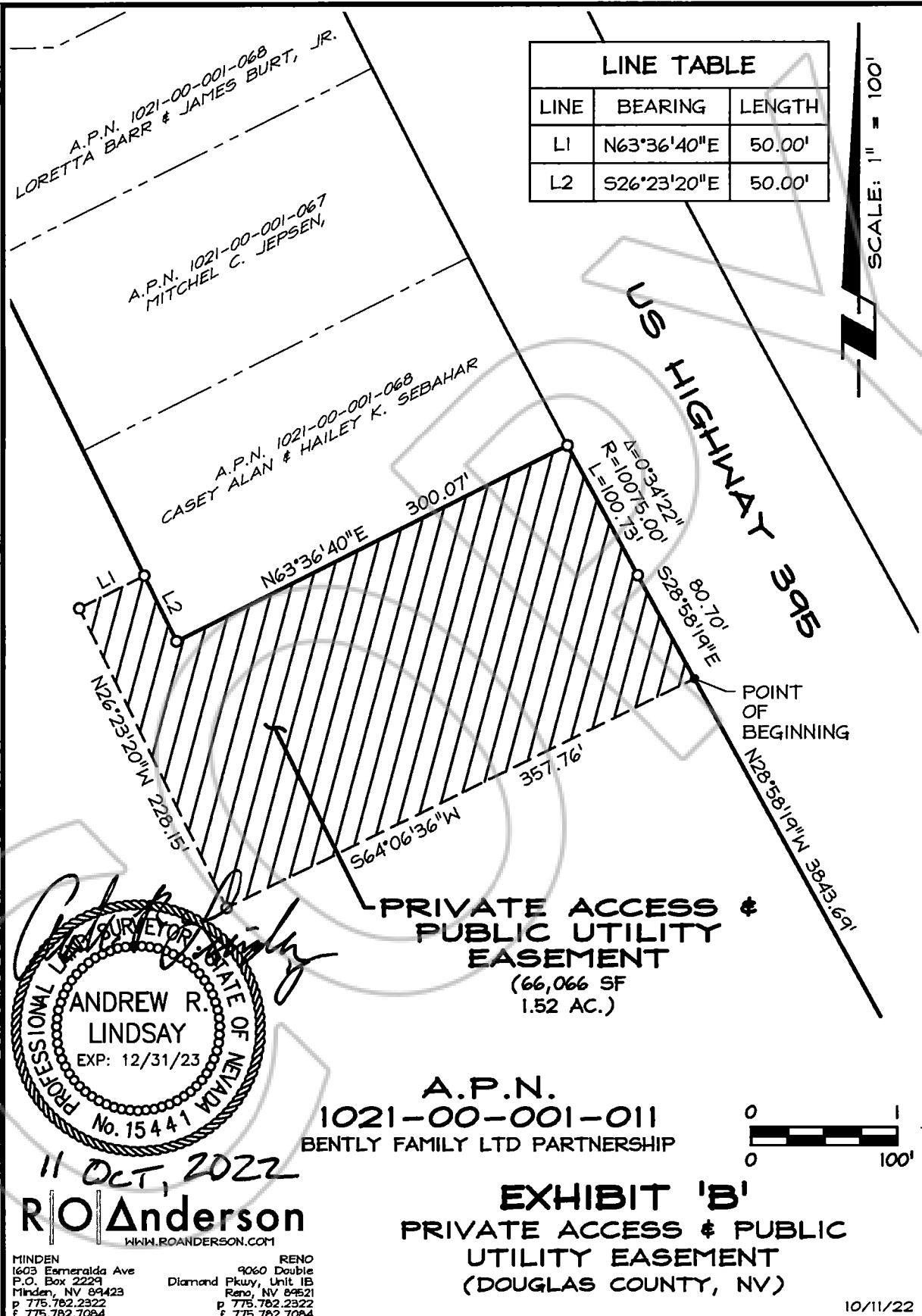
The basis of bearing of this description is N00°39'00"W – The Meridional Center line of Sections 1 as shown on the United States Department of the Interior Bureau of Land Management, Dependent Resurvey and Subdivision for Township 10 North, Range 21 East, of the Mount Diablo Meridian, Nevada Sheet 2 Filed for Record February 15, 2017.

Prepared By: R.O. ANDERSON ENGINEERING, INC.
Andrew R. Lindsay, P.L.S. 15441
P.O. Box 2229
Minden, Nevada 89423

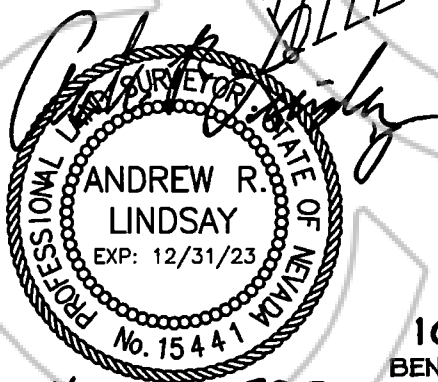


11 Oct, 2022

Y:\Client Files\1640\1640-044\CAD\Survey\Final Map\1640-044BLA.dwg 10/11/2022 3:26:26 PM Rina Kampy



LINE TABLE		
LINE	BEARING	LENGTH
L1	N63°36'40"E	50.00'
L2	S26°23'20"W	50.00'



PRIVATE ACCESS & PUBLIC UTILITY EASEMENT
(66,066 SF
1.52 AC.)

A.P.N. 1021-00-001-011
BENTLY FAMILY LTD PARTNERSHIP



11 OCT, 2022
RO Anderson
WWW.ROANDERSON.COM

EXHIBIT 'B'
PRIVATE ACCESS & PUBLIC UTILITY EASEMENT
(DOUGLAS COUNTY, NV)

MINDEN 1605 Emeralds Ave P.O. Box 2229 Minden, NV 89423 p 775.782.2322 f 775.782.7084
RENO 9060 Double Diamond Pkwy, Unit 1B Reno, NV 89521 p 775.782.2322 f 775.782.7084

10/11/22

**EXHIBIT 'C'
DESCRIPTION
60' PUBLIC ACCESS & PUBLIC UTILITY EASEMENT
(OVER A.P.N. 1021-00-001-011)**

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

A sixty foot (60') wide strip of land located within portions of Section 1, 12 and 7, Township 10 North, Range 21 and 22 East, Mount Diablo Meridian, lying thirty feet (30') on both sides of the following described centerline;

COMMENCING at the northeast corner of Parcel V1-A per the Parcel Map # 2 for ABC Investments Co. filed for record April 6, 1993 in the office of Recorder, Douglas County, Nevada as Document No. 303884, said point falling on the west right-of-way line of U.S. Highway 395;

thence along said west right-of-way line of U.S. Highway 395, North 28°58'19" West, 723.89 feet to the **POINT OF BEGINNING**;

thence South 61°14'16" West, 44.45 feet;

thence along the arc of a curve to the right, having a radius of 500.00 feet, central angle of 45°03'28", arc length of 393.20 feet; and chord bearing and distance of South 83°46'00" West, 383.15 feet;

thence North 73°42'17" West, 507.28 feet;

thence along the arc of a curve to the right, having a radius of 500.00 feet, central angle of 60°24'37", arc length of 527.18 feet; and chord bearing and distance of North 43°29'58" West, 503.10 feet;

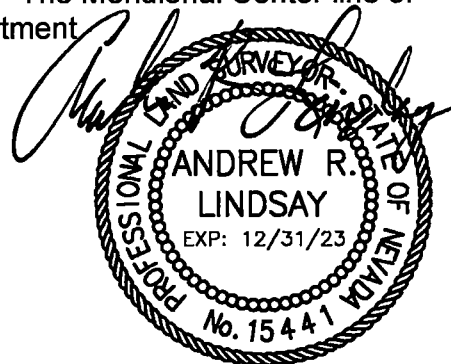
thence North 13°17'40" West, 2,099.55 feet;

thence along the arc of a curve to the right, having a radius of 400.00 feet, central angle of 67°39'32", arc length of 472.35 feet; and chord bearing and distance of North 20°32'06" East, 445.38 feet to the **POINT OF TERMINATION**,

containing 5.57 acres, more or less.

The basis of bearing of this description is N00°39'00"W – The Meridional Center line of Sections 1 and 12 as shown on the United States Department of the Interior Bureau of Land Management, Dependent Resurvey and Subdivision for Township 10 North, Range 21 East, of the Mount Diablo Meridian, Nevada Sheet 2 Filed for Record February 15, 2017.

Prepared By: R.O. ANDERSON ENGINEERING, INC.
Andrew R. Lindsay, P.L.S. 15441
P.O. Box 2229
Minden, Nevada 89423



11 OCT, 2022

Y:\Client Files\1640\1640-044\CAD\Survey\Final_Map\1640-044BLA.dwg 10/11/2022 1:42:27 PM Rina Kampy

60' PUBLIC ACCESS & PUBLIC UTILITY EASEMENT (5.57 AC.)

A.P.N. 1021-00-001-030
U S FOREST SERVICE

LINE TABLE		
LINE	BEARING	LENGTH
LI	S61°14'16"W	44.45'

50' ACCESS & UTILITY EASEMENT PER DOC. NO. 3175

A.P.N 1021-00-001-011
BENTLY FAMILY LTD PARTNERSHIP



R|O|Anderson
WWW.ROANDERSON.COM

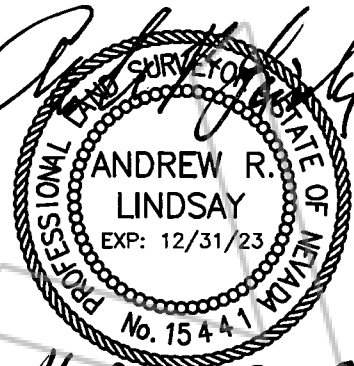
MINDEN
1603 Esmeralda Ave
P.O. Box 2229
Minden, NV 89423
p 775.782.2322
f 775.782.7084

RENO
9060 Double
Diamond Pkwy, Unit 1B
Reno, NV 89521
p 775.782.2322
f 775.782.7084

EXHIBIT 'D'
60' PUBLIC ACCESS & PUBLIC UTILITY EASEMENT (DOUGLAS COUNTY, NV)

10/11/22

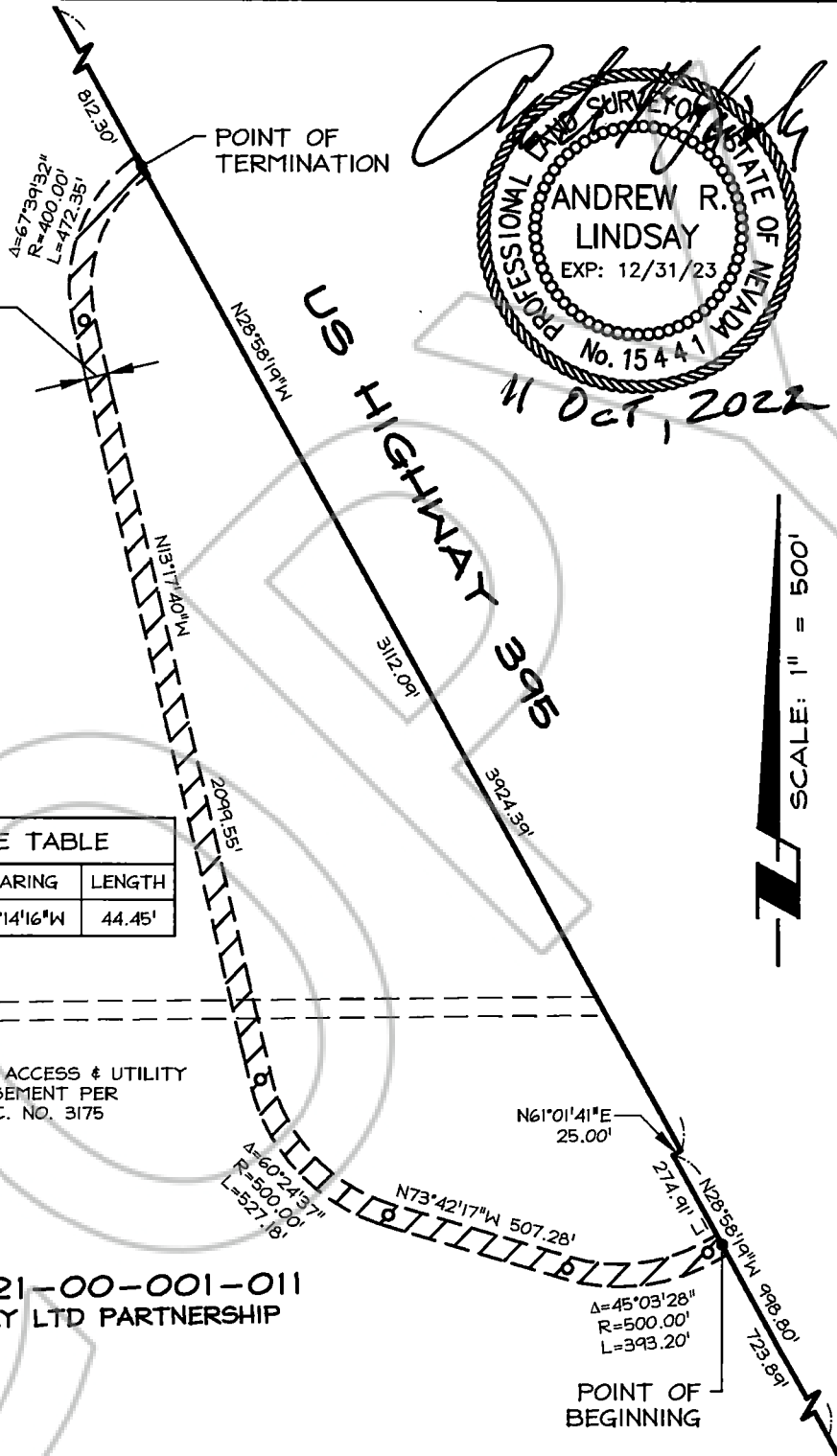
POINT OF TERMINATION



11 Oct, 2022

SCALE: 1" = 500'

US HIGHWAY 395



**EXHIBIT 'E'
DESCRIPTION
30' PRIVATE ACCESS & PUBLIC UTILITY EASEMENTS
(OVER A.P.N. 1021-00-001-011)**

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

A parcel of land located within portions of Section 12 and 7, Township 10 North, Range 21 and 22 East, Mount Diablo Meridian, more particularly described as follows:

COMMENCING at the northeast corner of Parcel V1-A per the Parcel Map # 2 for ABC Investments Co. filed for record April 6, 1993 in the office of Recorder, Douglas County, Nevada as Document No. 303884, said point falling on the west right-of-way line of U.S. Highway 395;

thence North 55°27'08" West, 2,000.86 feet to the **POINT OF BEGINNING**;
thence South 76°42'20" West, 783.41 feet;
thence North 00°12'00" East, 30.85 feet;
thence North 76°42'20" East, 776.21 feet;
thence South 13°17'40" East, 30.00 feet to the **POINT OF BEGINNING**
containing 23,394 square feet or 0.54 acres, more or less.

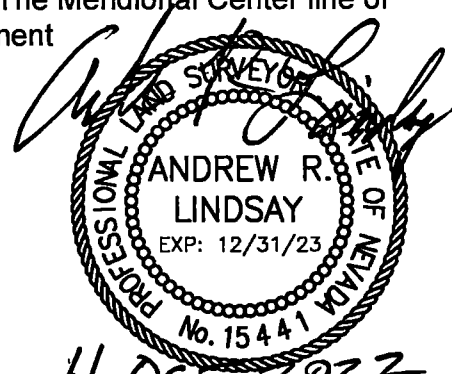
TOGETHER WITH:

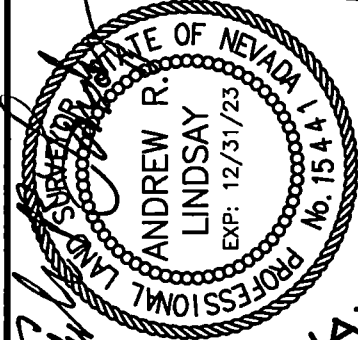
COMMENCING at the northeast corner of Parcel V1-A per the Parcel Map # 2 for ABC Investments Co. filed for record April 6, 1993 in the office of Recorder, Douglas County, Nevada as Document No. 303884, said point falling on the west right-of-way line of U.S. Highway 395;

thence North 61°21'48" West, 1,409.27 feet to the **POINT OF BEGINNING**;
thence South 21°48'13" West, 385.24 feet;
thence South 89°46'04" West, 32.36 feet;
thence North 21°48'13" East, 394.49 feet;
thence South 73°42'17" East, 30.14 feet to the **POINT OF BEGINNING**
containing 11,696 square feet or 0.27 acres, more or less.

The basis of bearing of this description is N00°39'00"W – The Meridional Center line of Sections 1 and 12 as shown on the United States Department of the Interior Bureau of Land Management, Dependent Resurvey and Subdivision for Township 10 North, Range 21 East, of the Mount Diablo Meridian, Nevada Sheet 2 Filed for Record February 15, 2017.

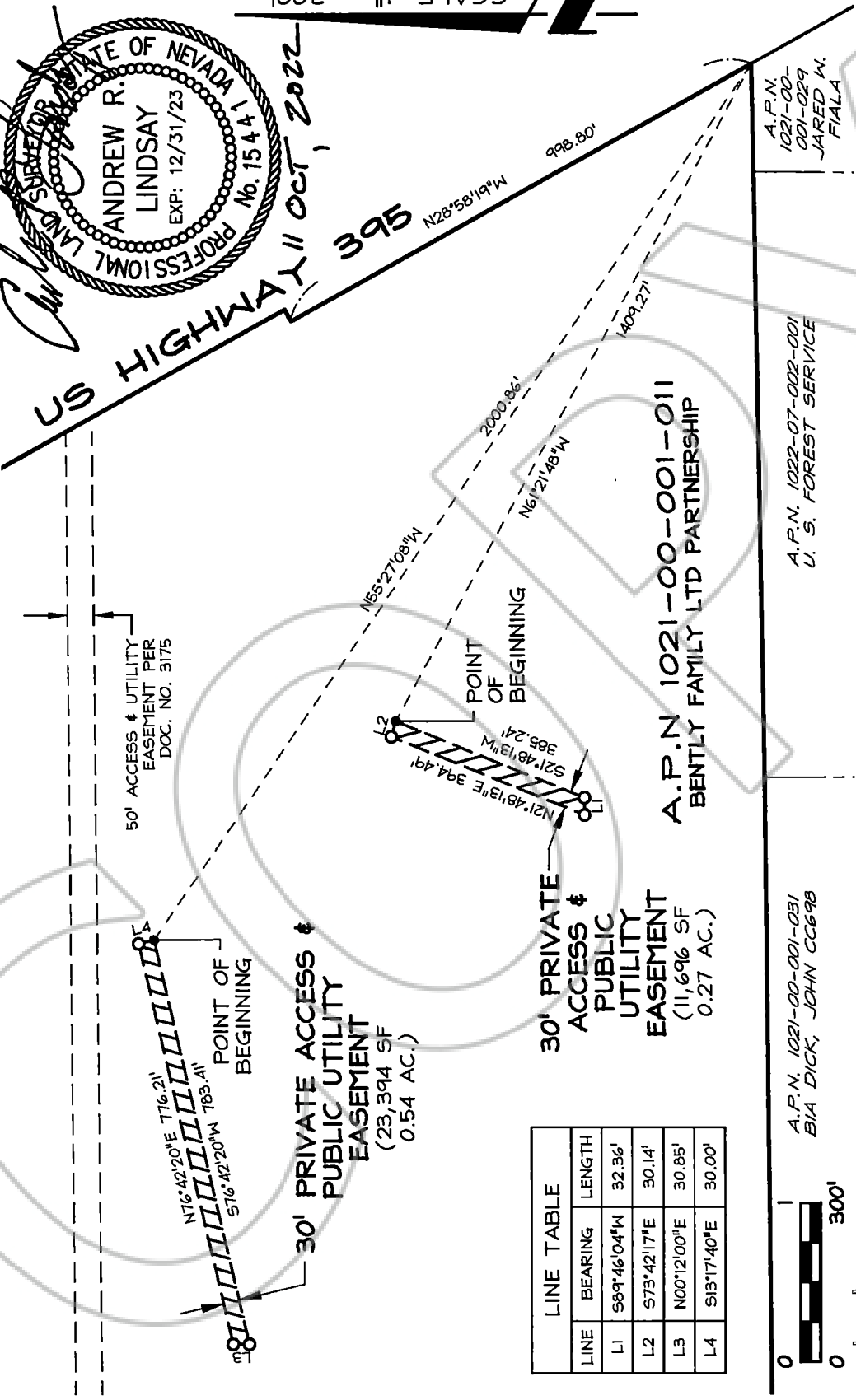
Prepared By: R.O. ANDERSON ENGINEERING, INC.
Andrew R. Lindsay, P.L.S. 15441
P.O. Box 2229
Minden, Nevada 89423





US HIGHWAY 11 OCT, 2022

SCALE: 1" = 300'



LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°46'04"W	32.36'
L2	S73°42'17"E	30.14'
L3	N00°12'00"E	30.85'
L4	S13°17'40"E	30.00'



R O Anderson
 RENO, NEVADA
 9060 Double Diamond Pkwy, Unit 1B
 Reno, NV 89521
 P. 775.782.7084
 F. 775.782.7084
 WWW.ROANDERSON.COM

MINDEN
 1605 Emerald Ave
 P.O. Box 2229
 Minden, NV 89423
 P. 775.782.7084
 F. 775.782.7084

EXHIBIT 'F'
30' PRIVATE ACCESS & PUBLIC UTILITY EASEMENTS
(DOUGLAS COUNTY, NV)