

DOUGLAS COUNTY, NV **2022-992079**
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\$40.00 Pgs=10 12/02/2022 10:16 AM
FIRST CENTENNIAL - RENO (MAIN OFFICE)
KAREN ELLISON, RECORDER

APN: 1420-05-443-026

The undersigned hereby affirms that this document, including any exhibits, hereby submitted for recording DOES NOT contain the personal information of a person or persons as required by law.

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:

JC VALLEY KNOLLS, LLC
5400 Equity Ave.
Reno, NV 89502

SPACE ABOVE FOR RECORDERS USE

RIGHT OF WAY RELOCATION AGREEMENT

This RIGHT OF WAY RELOCATION AGREEMENT (the “**Agreement**”) is made by and between JC VALLEY KNOLLS, LLC, a Nevada limited liability company (“**Grantor**”) and FRONTIER COMMUNICATIONS OF NEVADA (“**Grantee**”). The last date of a party’s signature to this Agreement is the “**Effective Date**” of this Agreement.

RECITALS

A. Reference is made to the right-of-ways (each, a “**Right-of-Way**” and collectively, the “**Right-of-Ways**”) granted by the U.S. Bureau of Land Management pursuant to three (3) right-of-way grants having serial numbers N-353, N31119, and N-32152 (each, a “**Grant**” and collectively the “**Grants**”). The Right-of Ways and Grants are identified in that land patent (“**Patent**”), Patent Number 27-2006-0090, recorded on June 1, 2006 in the real property records of the Recorder’s Office of Douglas County, Nevada (“**Official Records**”) as Document No. 0676354. The location of the Right-of-Ways are described and depicted in **Exhibit A** and **Exhibit A-1** attached to this Agreement.

B. Grantee is the successor-in-interest to (i) each grantee identified in each Grant, and (ii) Verizon of California, Inc., as identified in the Patent; and Grantee is the current owner and holder, as grantee thereunder, of all right, title and interest in and to each Right-of-Way pursuant to each Grant.

C. Grantor and Grantee have agreed to relocate each Right-of-Way, and the parties enter into this Agreement for the purpose of effecting such relocation.

NOW THEREFORE, the parties agree as follows:

1. Relocation. Grantor and Grantee hereby relocate each Right-of-Way, such that the resultant placement and location of each Right-of-Way is as described in **Exhibit B** and depicted in **Exhibit B-1** to this Agreement.

2. Continued Effect of Grant. Except for the relocation of each Right-of-Way as set forth in **Section 1** of this Agreement, each Grant, and the terms and conditions therein, remains in full force and effect, and is not amended, modified or changed by this Agreement.

3. Binding Nature. This Agreement shall inure to and be binding upon the respective successors and assigns of each party. The relocation of each Right-of-Way constitutes a covenant running with the land and binding upon all persons hereafter acquiring or owning any right, title, or interest in the Right-of-Ways and Grants.

4. Miscellaneous. Without limiting other terms in this Agreement, from time to time, each party agrees to execute and deliver such additional documents as may be reasonably requested by the other party to carry out the purpose and intent of this Agreement. Each party executing this Agreement warrants and represents to the other party that the individual executing this Agreement on behalf of such party is fully authorized to do so. This Agreement may be executed and delivered in any number of counterparts, each of which, when so executed and delivered, shall be deemed to be an original and all of which shall constitute one and the same instrument. Grantee acknowledges that Grantor will record this Agreement in the Official Records upon execution hereof by each party. The cost for the recording of this Agreement shall be paid by Grantor.

[SIGNATURES FOLLOW]

IN WITNESS WHEREOF, the parties hereto have executed this RIGHT OF WAY RELOCATION AGREEMENT as of the date last below written.

GRANTOR

JC VALLEY KNOLLS, LLC, a Nevada limited liability company

By: *[Signature]*

Print Name: Kenneth D Hendrix

Title: Manager

GRANTOR ACKNOWLEDGEMENT

STATE OF NEVADA)
)ss.
COUNTY OF WASHOE)

This instrument was acknowledged before me on November 30, 2022, by Kenneth Hendrix as Manager of JC VALLEY KNOLLS, LLC, a Nevada limited liability company.

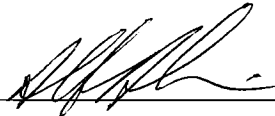
[Signature]
Notary Public



IN WITNESS WHEREOF, the parties hereto have executed this RIGHT OF WAY RELOCATION AGREEMENT as of the date last below written.

GRANTEE

FRONTIER COMMUNICATIONS OF NEVADA

By: 

Print Name: ALBERTO ALEMAN

Title: Dir, Construction and Eng

GRANTEE ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

STATE OF CALIFORNIA
COUNTY OF VENTURA

On November 17, 2022, before me, Maria Kidd (Notary Public) personally appeared Alberto Aleman, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his 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.

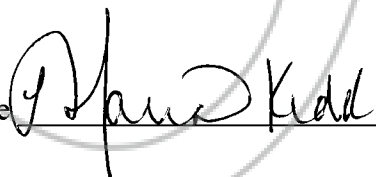
Signature  (Seal)



EXHIBIT "A"

**EXISTING EASEMENT
A PORTION OF 30' COMMUNICATIONS EASEMENT
B.L.M. GRANTS N-353, N-31119 AND N-32152**

A portion of said Grant being a of portion Parcel "A-1", as shown on the "Merger and Re-Subdivision Map, LDA 17-028, as modified under DP 20-0248 for Valley Knolls Phase 1, as Document No. 2021-978635, filed December 20, 2021 in the Official Records of Douglas County, Nevada, situate within the Southwest One-Quarter (SW1/4) of Section 5, and the Northwest One-Quarter (NW1/4) of Section 8, Township 14 North, Range 20 East, Mount Diablo Meridian, being more particularly described as follows:

COMMENCING at the Northeast corner of said Parcel "A-1";

THENCE, along the easterly line of said Parcel "A-1", South 01°04'34" West, 140.82 feet;

THENCE, continuing along the easterly line of said Parcel "A-1", South 89°19'35" East, 332.18 feet;

THENCE, continuing along the easterly line of said Parcel "A-1", South 01°06'44" West, 331.04 feet;

THENCE, continuing along the easterly line of said Parcel "A-1", North 89°24'08" West, 332.11 feet, the **POINT OF BEGINNING** for this description;

THENCE, leaving said **POINT OF BEGINNING**, and continuing along the easterly line of said Parcel "A-1", South 01°04'36" West, 12.80 feet, to the southerly line of the easement per B.L.M. Grants N-353, N-31119 and N-32152;

THENCE, leaving the easterly line of said Parcel "A-1", and along the southerly line of said easement, North 89°14'07" West, 304.50 feet;

THENCE, leaving the southerly line of said easement, North 00°47'00" West, 15.49 feet;

THENCE, North 01°05'19" East, 14.51 feet, , to the northerly line of said easement;

THENCE, along the northerly line of said easement, South 89°14'07" East, 284.63 feet;

THENCE, leaving the northerly line of said easement, South 01°04'36" West, 17.09 feet;

THENCE, South 88°55'24" East, 20.37 feet to the **POINT OF BEGINNING**.

Containing 8,797 square feet, more or less.

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

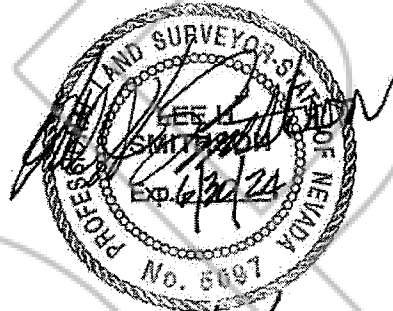
Basis of Bearings: Grid North, Modified Nevada State Plane Coordinate System, West Zone, North American Datum of 1983/1994 (NAD 83/94) determined using Real Time Kinematic GPS (RTK GPS) observations of Nevada Department of Transportation (NDOT) Control Monuments 158220X, and NGS Control Monument U316 Reset. The bearing between said points taken as North 01°23'22" East.

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

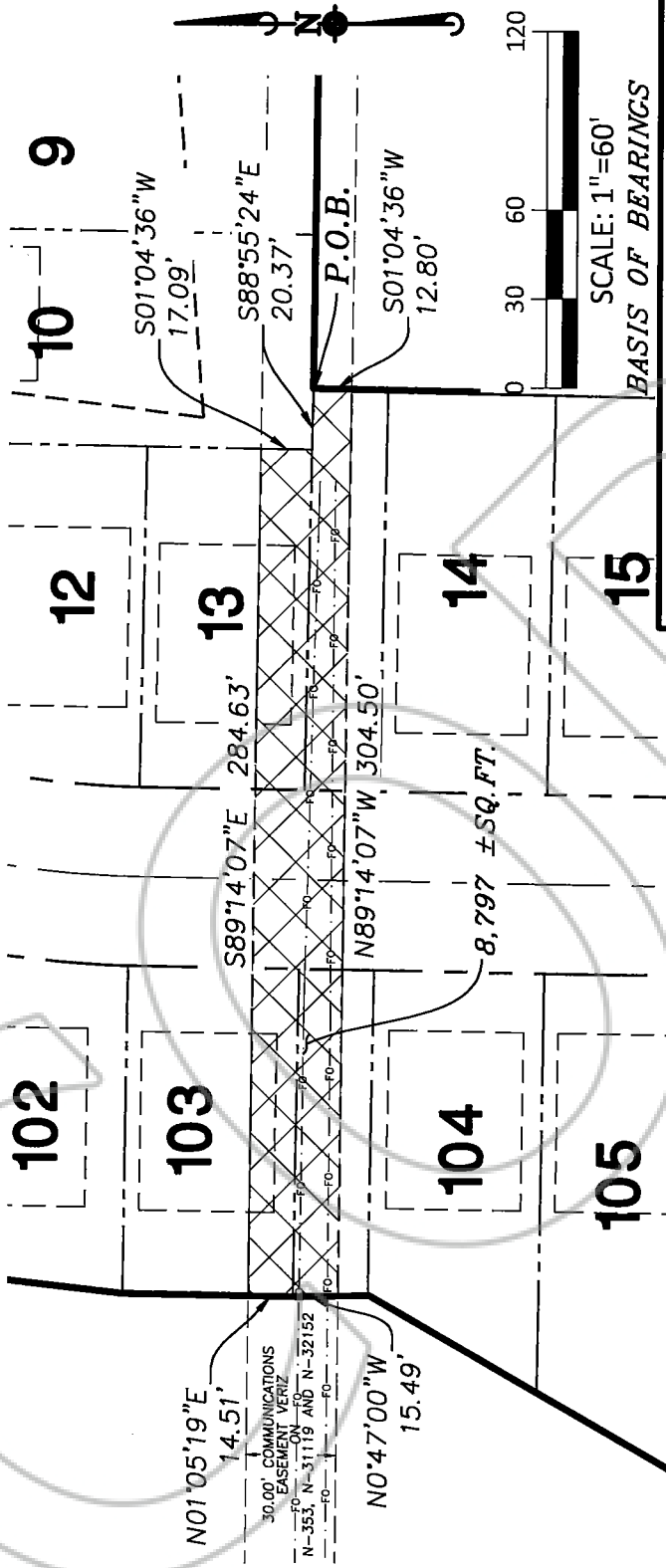


241 Ridge Street, Suite 400
Reno, Nevada 89501
(775) 887-5222



10/18/2022

EXHIBIT A-1



SCALE: 1"=60'
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 N.D.O.T. CONTROL MONUMENTS 158220X AND U316. THE BEARING OF WHICH IS NORTH 1°23'22" EAST. COMBINED GRID TO GROUND FACTOR = 1.0002. ALL DISTANCES SHOWN HEREIN ARE GROUND VALUES.

PARCEL "A-1" OF F.M. 2021-978635
 PROPOSED F.M. VALLEY KNOLLS
 PHASE 2 - A.P.N. 1420-05-443-026

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241 Ridge Street, Suite 400, Reno, NV 89501 | ph: 775-746-3500 | fx: 775-746-3520 | manhard.com
 Civil Engineers | Surveyors | Water Resource Engineers | Water & Waste Water Engineers
 Construction Managers | Environmental Scientists | Landscape Architects | Planners

PROPOSED VALLEY KNOLLS - PHASE 2

DOUGLAS COUNTY, NEVADA

EXISTING EASEMENT

| | | | |
|------------|-----------|--------------|-----------|
| PROJ. MGR: | LHS | PROJECT CODE | KDDDCNV01 |
| DRAWN BY: | LHS | SHEET | 1 |
| DATE: | OCT. 2022 | OF | 1 |
| SCALE: | 1"=60' | | |

EXHIBIT "B"

RELOCATED EASEMENT

A portion of Parcel "A-1", as shown on the "Merger and Re-Subdivision Map, LDA 17-028, as modified under DP 20-0248 for Valley Knolls Phase 1, as Document No. 2021-978635, filed December 20, 2021 in the Official Records of Douglas County, Nevada, situate within the Southwest One-Quarter (SW1/4) of Section 5, and the Northwest One-Quarter of Section 8, Township 14 North, Range 20 East, Mount Diablo Meridian, being more particularly described as follows:

COMMENCING at the Northeast corner of said Parcel "A-1";

THENCE, along the easterly line of said Parcel "A-1", South 01°04'34" West, 140.82 feet;

THENCE, continuing along the easterly line of said Parcel "A-1", South 89°19'35" East, 332.18 feet

THENCE, continuing along the easterly line of said Parcel "A-1", South 01°06'44" West, 331.04 feet;

THENCE, continuing along the easterly line of said Parcel "A-1", North 89°24'08" West, 332.11 feet, the **POINT OF BEGINNING** for this description;

THENCE , leaving said **POINT OF BEGINNING**, and continuing along the easterly line of said Parcel "A-1", South 01°04'36" West, 25.00 feet;

THENCE , leaving the easterly line of said Parcel "A-1", North 88°55'24" West, 195.00 feet;

THENCE , North 01°04'36" East, 0.63 feet;

THENCE , North 88°55'24" West, 109.18 feet;

THENCE , North 00°47'00" West, 25.01 feet;

THENCE , South 88°55'24" East, 109.99 feet;

THENCE , South 01°04'36" West, 0.63 feet;

THENCE , South 88°55'24" East, 195.00 feet to the **POINT OF BEGINNING**.

Containing 7,615 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 158220X, and NGS Control Monument U316 Reset. The bearing between said points taken as North 01°23'22" East.

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

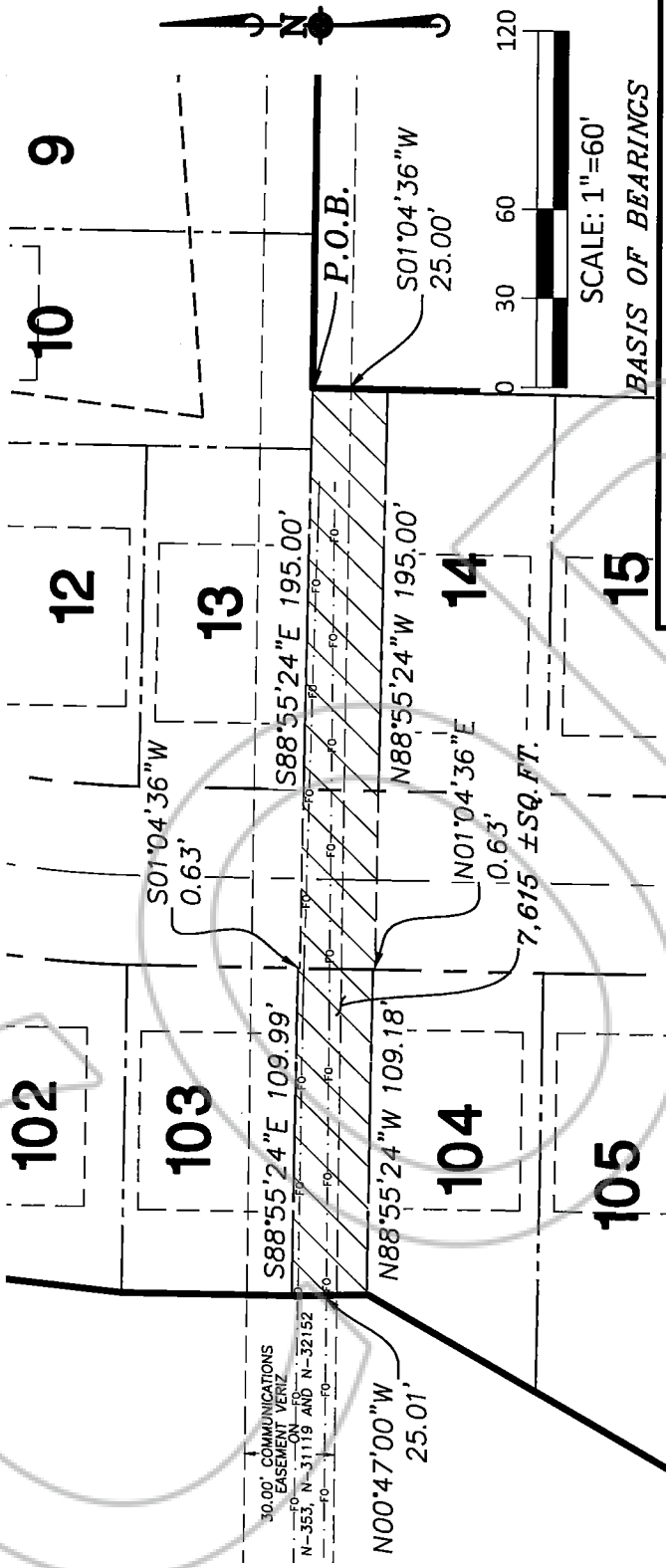


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EXHIBIT B-1



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 N.D.O.T. CONTROL MONUMENTS 158220X AND U316. THE BEARING OF WHICH IS NORTH 1°23'22" EAST. COMBINED GRID TO GROUND FACTOR = 1.0002. ALL DISTANCES SHOWN HEREIN ARE GROUND VALUES.

PARCEL "A-1" OF F.M. 2021-978635
 PROPOSED F.M. VALLEY KNOLLS
 PHASE 2 - A.P.N. 1420-05-443-026

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241 Ridge Street, Suite 400, Reno, NV 89501
 ph: 775.746.3500
 Civil Engineers | Surveyors | Water Resource Engineers | Water & Waste Water Engineers
 Construction Managers | Environmental Scientists | Landscape Architects | Planners

| | |
|----------------------------------|-------------------------|
| PROPOSED VALLEY KNOLLS - PHASE 2 | |
| DOUGLAS COUNTY, NEVADA | |
| RELOCATED EASEMENT | |
| PROJ. MGR.: LHS | PROJECT CODE: KDDDCNV01 |
| DRAWN BY: LHS | SHEET 1 OF 1 |
| DATE: OCT. 2022 | SCALE: 1"=60' |