

READ AND APPROVE

892950

NON-EXCLUSIVE EASEMENT

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THIS INDENTURE, made this 15TH day of NOVEMBER, 1983, at Carson City, Nevada by the STATE OF NEVADA, acting by and through its Division of State Lands on behalf of the Division of State Parks, hereinafter referred to as GRANTOR, and DEAN C. SMITH, hereinafter referred to as GRANTEE:

WITNESSETH:

WHEREAS, on the 6th day of November, 1972, the State of Nevada purchased a parcel of land situate in Washoe County, State of Nevada; and

WHEREAS, said parcel was purchased with Land and Water Conservation Funds; and

WHEREAS, said parcel was purchased subject to existing easements and rights-of-way; and

WHEREAS, said parcel contains a portion of the old county road; and

WHEREAS, it has been determined that the public has a prescriptive right to use the old county road;

NOW, THEREFORE, in consideration of the mutual promises and consideration herein contained, and in acknowledgement of the existing easement in the public, the parties hereto agree as follows:

1. GRANT OF NON-EXCLUSIVE EASEMENT

GRANTOR hereby grants to GRANTEE a non-exclusive easement to use for the purposes of ingress and egress, subject to all the terms and conditions hereof, the following described property, to-wit:

A non-exclusive easement for roadway and utility purposes over a strip of ground, 25 feet wide, twelve and one-half feet each side of the following described centerline:

BEGINNING at a point on the center line of East Lake Boulevard projected southerly as shown on Record of Survey for NEVADA STATE PARK SYSTEM, Page No. 853-C, Washoe County Records, from which the South Quarter corner of Section 36, Township 16 North, Range 19 East, M.D.B.&M., bears North 60° 43' 03" East, a distance of 1269.79 feet; Thence along said centerline, South 20° 25' 39" West, a distance of 566.73 feet; Thence South 18° 43' 23" West, a distance of 183.24 feet; Thence South 14° 04' 03" West, a distance of 309.35 feet; Thence South 11° 28' 13" West, a distance of 339.66 feet; Thence on a curve to the left, with a central angle of 39° 24' 22" and a radius of 500.00 feet, an arc distance of 343.88 feet; Thence on a compound curve to the left with a central angle of 47° 39' 03" and a radius of 175.00 feet, an arc distance of 145.54 feet to a point on the east line of the SW¼ of the NW¼ of Section 36, and end of easement.

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2. LIMITATION ON USE OF EASEMENT

The property mentioned herein may be occupied and used by GRANTEE solely for ingress and egress and for incidental purposes related thereto including but not limited to the construction and maintenance of the roadway over the property.

3. TERMS AND CONDITIONS OF EASEMENT

It is the understanding of the parties hereto that:

- A. This easement shall be non-exclusive.
- B. That GRANTEE shall bear all costs related to the construction and maintenance of the roadway and related improvements.
- C. That GRANTEE will pave only that portion of the easement that Washoe County requires be paved. It is understood that this is limited to 12 feet wide.
- D. That GRANTEE shall hold harmless the State of Nevada against all claims which may arise from the use of said easement.
- E. That GRANTEE agrees to keep that portion of the prescriptive right-of-way on his property open for use of the public at all times.

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IN WITNESS WHEREOF, GRANTOR has caused this easement to be executed
the day and year first above written.

GRANTOR:

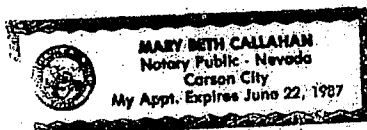
GRANTEE:

By P. B. WILCOX
PAMELA B. WILCOX
Administrator and Ex-Officio
Land Registrar, Division of
State Lands

By Dean C. Smith
DEAN C. SMITH

STATE OF NEVADA)
CITY OF CARSON CITY) ss.

On November 15th
1983, personally appeared before me,
a notary public, PAMELA B. WILCOX,
Administrator and Ex-officio Land
Registrar, Division of State Lands, who
acknowledged that she executed the
above instrument.



Mary Beth Callahan
NOTARY PUBLIC

I concur in the Foregoing Pursuant to
NRS 322.050.

Richard H. Bryan
RICHARD H. BRYAN
Governor of Nevada

APPROVED:

APPROVED as to Form:

By Roland Westergard
ROLAND WESTERGARD
Director, Department of
Conservation and Natural
Resources

BRIAN MCKAY
Attorney General

By A. Scott Bodeau
A. SCOTT BODEAU
Deputy Attorney General

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OFFICIAL RECORDS
STATE OF NEVADA
RECORDED BY
Dean C. Smith
83 NOV 28 4 9: 55

6155 Lakeview Dr.
Reno, NV 89509

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ATTORNEY GENERAL'S
OFFICE
CARSON CITY
NEVADA

COUNTY CLERK
FEE 700 DEF Jan