

BOOK 408 PAGE 370-373  
OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
*Eureka County*  
2005 APR -1 PM 3:58

EUREKA COUNTY, NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO. FEES *No Fee*

**196686**

APN# 001-022-12

Recording Requested by:

Name Town of Eureka

Address \_\_\_\_\_

City/State/Zip Eureka, NV 89316

GRANT RIGHT OF WAY EASEMENT

(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2.  
(Additional recording fee applies)

This cover page must be typed or printed.

BOOK 408 PAGE 370

**GRANT RIGHT-OF-WAY EASEMENT**

(By an Individual)

KNOWN ALL MEN BY THESE PRESENTS: That **TOWN OF EUREKA** an individual, the "Grantor", whose address is **PO BOX 677, EUREKA, NV 89316** for a good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant unto **Mt. Wheeler Power, Inc.**, a Nevada corporation whose address is P.O. Box 1110, Great Basin Blvd., Ely, Nevada 89301, and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of **EUREKA**, State of **NEVADA**, more particularly described as follows:

A strip of land 25' wide and 200' in length along the north property line of Block 118 (Chinese Cemetery) located within the SE1/4 of sec. 14, T19N, R53E M.D.B.&M. This easement is for the new three-phase overhead power line installed per Eureka County School District. See attached 'Exhibit A'.

The said lines of said easement shall be lengthened or shortened so as to terminate @ end-lines.

and to locate, establish, grade, construct, reconstruct, rephase, repair, operate and maintain above, under, over, across, or on the above described lands and/or in, above, over across, under or upon all streets, roads or highways abutting said lands, an electric transmission and/or distribution line or system to use, or to license, permit, or otherwise agree to the use or occupancy of the line or system by other parties for electrification or telephone or communication purpose; to cut, trim and control the growth by machinery or otherwise of trees and shrubbery located within 12.5 feet on each side of the center line of said line or system, or that may interfere with or threaten to endanger the operation and maintenance of said line or system; and the right of ingress to and egress from said easement over and across the Grantor's lands by means of roads or lanes thereon, if such exist, otherwise by such route or routes as cause the least practicable damage and inconvenience to Grantor.

The Grantor agrees that all poles, wires, cables, conduits, crossarms, conductors, ducts, manholes, transformers, fixtures, and other appurtenances, installed above, over, under, across or on the above described lands at Mt. Wheeler Power, Inc. expense shall remain the property of Mt. Wheeler Power, Inc., upon termination of this Grant Right-of-Way Easement.

Mt. Wheeler Power, Inc., agrees that should Mt. Wheeler Power, Inc., cease to use or maintain the poles, wires, cables, conduits, crossarms, conductors, ducts, manholes, transformers, fixtures, and other appurtenances installed, the installed equipment shall be removed by Mt. Wheeler Power, Inc., and this grant of right-of-way easement shall terminate.

Mt. Wheeler Power, Inc., further agrees to hold Grantor harmless of and from any liability, and

Mt. Wheeler Power, Inc., further agrees to hold Grantor harmless of and from any liability, and further agrees to defend and indemnify Grantor from liability for any injury, sickness, or death arising out of Mt. Wheeler's activities and appurtenances in and along this easement.

IN WITNESS WHEREOF, the Grantor has executed this Easement.

**GRANTOR:**

Donna Bailey  
Signature

Chairman, Eureka County Commission  
Title

Attest: Frances Gale  
Clerk

STATE OF NEVADA

COUNTY OF EUREKA

This instrument was acknowledged before  
me on this 21<sup>st</sup> day of March, 2005, by

VERA BAUMANN

Vera Baumann

NOTARY PUBLIC VERA BAUMANN  
Notary Public, State of Nevada  
Appointment Recorded in Eureka County  
No. 99-56782-8 - Expires May 13, 2007

**TRUSTEE:**

SM

Hon. Steven L. Dobrescu  
District Judge, Dept. 1  
Seventh Judicial District

**UTILITY:**

Jesse Mordock  
MWP Representative

Engineering Manager  
Title

Work Order No. 405008

STATE NEVADA

COUNTY WHITE PINE

This instrument was acknowledged before  
me on this 21 day of March, 2005, by

JESSE MORDOCK

Gayle L. Ensign  
NOTARY PUBLIC

 **GAYLE L. ENSIGN**  
Notary Public - State of Nevada  
Appointment Recorded in White Pine County  
No. 00-61188-17 Expires: January 18, 2008

# EXHIBIT 'A'

