

BOOK 438 PAGE 165-167
OFFICIAL RECORDS
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Eureka County
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EUREKA COUNTY, NEVADA
M.N. REBALEATI, RECORDER
FILE NO. FEES None

APN: 007-250-11 205304

Eureka, Nevada

June
~~May~~ 19, 2006

**GRANT OF DEDICATED EASEMENT AND RIGHT-OF-WAY
FOR PUBLIC ROAD**

THIS GRANT OF EASEMENT AND RIGHT-OF-WAY is made and entered into the date and year written above by and between JAMES E. GALLAGHER, and SUSAN M. GALLAGHER, husband and wife (hereinafter referred to as GRANTORS) and EUREKA COUNTY, a political subdivision of the State of Nevada (hereinafter referred to as GRANTEE).

GRANTORS, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant to GRANTEE, its successors and assigns, a permanent easement and right-of-way to construct, maintain, and repair a public road, known as 12th Street in Diamond Valley, Eureka County, Nevada, for use by the public across, over, upon, under, and through the following described property situated in the County of Eureka, State of Nevada, *to-wit*:

A strip of land, eighteen (18) feet in width, situate in the Northeast Quarter of Section 4, Township 21 North, Range 54 East, Mount Diablo Meridian; the North Line of which is described as follows:

Beginning at the Northeast Corner of said Section 4, thence along the North Line of said section North 89°50'28" West 2670.70 feet to the North 1/4 Corner of said Section 4, thence along the North line of said Section 4 North 89°56'50" West 1333.71 feet to the Northeast Corner of Lot 4 of said Section 4, the side lines of said easement to be shortened or lengthened to terminate along the Easterly and Westerly lines of said parcel.

Said Easement consists of 1.65 acres, more or less, and is depicted on that Record of Survey filed in the Eureka County Recorder's Office the 19 day of ~~May~~, 2006, Number 205301. June

IT IS FURTHER AGREED:

1. GRANTEE, its successors and assigns, shall have at all time ingress and egress to the above-described lands for the purpose of constructing, maintaining, and repairing the public road placed on the easement.

2. GRANTEE, its successors and assigns, shall be responsible for any damage to personal property or improvements, suffered by GRANTORS, their successors or assigns, not by the use the public makes of the public road, but by reason of constructing, maintaining, and repairing the road.

3. GRANTORS, their successors and assigns, shall not erect or construct, nor permit to be erected or constructed, any building or obstruction on or near the easement in a manner to interfere or be inconsistent with GRANTEE's and the public's use of said easement.

THIS GRANT OF EASEMENT shall be binding upon the heirs, executors, administrators, successors in title, successors and assigns of GRANTORS and GRANTEE.

TO HAVE AND TO HOLD all and singular the said premises, granted together with the appurtenances, unto GRANTEE, its successors and assigns forever.

IN WITNESS WHEREOF, GRANTORS have caused these presents duly to be executed the day and year first above written.

GRANTORS:

James E. Gallagher
JAMES E. GALLAGHER

State of Nevada)
: ss.
County of Eureka)

This instrument was acknowledged before me on this 18th day of May, 2006, by James E. Gallagher, Grantor.

Kimberly L. Todd
Notary Public

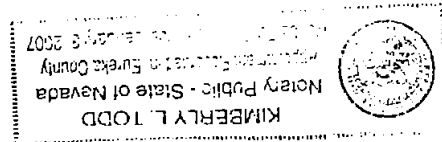


Susan M. Gallagher
SUSAN M. GALLAGHER

State of Nevada)
: ss.
County of Eureka)

This instrument was acknowledged before me on this 18th day of May, 2006, by Susan M. Gallagher, Grantor.

Kimberly L. Todd
Notary Public



205304