

**DOC # 0213689**

08/06/2009

02:23 PM

**Official Record**

Recording requested By  
EUREKA COUNTY

Eureka County - NV  
**Mike Rebaleati - Recorder**

Fee: \_\_\_\_\_ Page 1 of 4  
RPTT: \_\_\_\_\_ Recorded By: FES  
Book- 0491 Page- 0015



APN: 007-370-46

Eureka, Nevada

August 6, 2009

**GRANT OF DEDICATED EASEMENT AND RIGHT-OF-WAY  
FOR WATER MAIN LINE**

THIS GRANT OF EASEMENT AND RIGHT-OF-WAY is made and entered into the date and year written above by and between OWEN J. MILLER and CHERYL MILLER, husband and wife (hereinafter referred to as GRANTORS) and DEVIL'S GATE GENERAL IMPROVEMENT DISTRICT, 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 for utility purposes to construct, maintain, and repair a water system main line in Diamond Valley, Eureka County, Nevada, for use by GRANTEE across, over, upon, under, and through the following described property situated in the County of Eureka, State of Nevada, *to-wit*:

All that certain real property located within a portion of Sections 21 & 28, Township 20 North, Range 53 East, M.D.B.&M., being a portion of that Parcel of Land conveyed to Owen J. Miller and Cheryl Miller on December 11, 2000, recorded as Document #175672, Official Records of Eureka County, Nevada, more particularly described as follows:

The westerly 33.00 feet of the northwest 1/4 of said Section 28.

**TOGETHER WITH**

The southerly 50.00 feet of the westerly 33.00 feet of the southwest 1/4 of said Section 21.

Containing 2.06 acres, more or less;

As depicted on the Record of Survey for the Devil's Gate G.I.D. 33' Wide Waterline Easement recorded August 6, 2009.

The basis of bearings for this legal description is based on NAD 27 and the U.S. State Plane Coordinate System, Nevada Central. Between found monuments on the easterly line Section 28, measured as N.00°00'44"E. per this survey.

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 water main line 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 by reason of constructing, maintaining, and repairing the water main line.

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 use of said easement.

4. GRANTORS and GRANTEE acknowledge they are additionally restricted in their use of the Dedicated Easement and Right-of-Way by the terms of the AGREEMENT recorded July 6, 2009 as Document # 0213535.

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:


  
OWEN J. MILLER

State of Nevada )  
: ss.  
County of Eureka )

This instrument was acknowledged before me on this 16<sup>th</sup> day of July, 2009, by Owen J. Miller, Grantor.

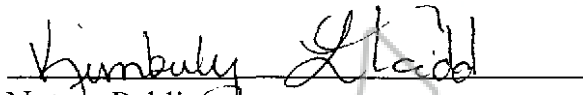
  
Notary Public



  
CHERYL MILLER

State of Nevada )  
: ss.  
County of Eureka )

This instrument was acknowledged before me on this 13<sup>th</sup> day of July, 2009, by Cheryl Miller, Grantor.

  
Notary Public



IN WITNESS WHERE, GRANTEE has caused these presents duly to be executed the day and year first above written.

GRANTEE

Leonard J. Fiorenzi

Leonard J. Fiorenzi, Chairman  
Devil's Gate General Improvement District

ATTEST:

Jackie Berg  
Jackie Berg, Clerk

COPY