

DOC # 0214522

01/22/2010

03:26 PM

Official Record

Recording requested By
EUREKA COUNTY NV

Eureka County - NV
Mike Rebaleati - Recorder

Fee: Page 1 of 4
RPTT: Recorded By: FES
Book- 497 Page- 0159



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Recording Requested by:

Eureka County Public Works
P.O. Box 714
Eureka, NV 89316

Grant of Easement
For Underground
Utility Facilities

This document supersedes the Grant of Easement for Underground Utility Facilities,
Document #0214519 recorded on January 22, 2010 due to expiration of Notary Stamp.

A.P.N. 05-240-13
W.O. # 09-40470

After Recordation Return To:
NV ENERGY
Land Operations – S4B20
P.O. Box 10100
Reno, Nevada 89520

**GRANT OF EASEMENT
FOR UNDERGROUND
UTILITY FACILITIES**

THIS GRANT OF EASEMENT, made and entered into this 22 day of January, 2010 by and between **County of Eureka, a political subdivision of the State of Nevada, by and through its Board of County Commissioners, on behalf of the Unincorporated Town of Crescent Valley**, hereinafter referred to as "Grantor"), and **SIERRA PACIFIC POWER COMPANY, a Nevada corporation d/b/a NV ENERGY**, (hereinafter referred to as "Grantee"),

WITNESSETH:

GRANTOR, for and in consideration of the sum of Ten Dollars (\$10.00), in hand paid by Grantee, and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant to Grantee, its successors, assigns and agents, permanent easements and rights of way to construct, alter, maintain, inspect, repair, reconstruct, add to and operate one or more underground communication facilities and electric, consisting of one or more circuits, together with wires, cables, fibers underground foundations, conduits, pull boxes, vaults, surface-mounted transformers, switchgear, pipes, valve boxes, meters, fixtures, and other appurtenances connected therewith, (hereinafter called "Utility Facilities"), across, over, under, and through the following described property situate in the County of Eureka, State of NEVADA, to-wit:

All that certain real property situate in the County of Eureka, State of Nevada, that is described as follows: The Southwest quarter of the Southwest quarter of the Southwest quarter of the Southwest quarter of Section 33; Township 30 North, Range 48 East, M.D.B.&M.

Legal description previously shown on document number 53214 recorded in Book36, Page 482, on September 15, 1970, County of Eureka, State of Nevada.

Said Utility Facilities are to be installed at locations mutually agreed upon by Owner of Record at time of installation and Utility Company.

With respect to all underground utility facilities as described herein, after installation of said underground utility facilities, said easement and right-of-way as herein granted will be deemed to be a strip of land ten (10) feet in width, being five (5) feet on each side of the centerline of said underground utility facilities as installed on the above-described premises.

With respect to all surface mounted transformers and/or switchboxes as described herein, after installation of said transformers and/or switchboxes, said easement and right-of-way as herein granted will be deemed to encompass an area around said transformers and/or switchboxes of three (3) feet extending in all directions from the perimeter of said transformers and/or switchboxes as installed on the above-described premises.

IT IS FURTHER AGREED:

1. Grantee shall have a perpetual right and easement for the unrestricted passage of vehicles and pedestrians within, on, over and across the Easement Area;

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2. Grantee shall have a perpetual right and easement for the ingress of vehicles and pedestrians to and the egress of vehicles and pedestrians from, the Easement Area; and
3. Grantee shall have a perpetual right and easement for the removal, clearance, cutting and *trimming of any obstructions and materials* (including trees and other vegetation) from the surface or subsurface of the Easement Area as Grantee may deem necessary or advisable for the safe and proper use and maintenance of the electric line systems and communication facilities in the Easement Area.

Grantee will be responsible for any damages caused by Grantee constructing, operating, adding to, maintaining, and removing the Utility Facilities, to any tangible, personal property or improvements owned by Grantor and located on the Easement Area on the date Grantor signs the Grant of Easement. Grantee agrees to return County (Grantor) personal property, which includes but is not limited to, pavement on roadways, fencing, and water lines if encountered, to their original condition prior to construction before contractor demobilizes from the site at the expense of the Grantee.

Grantor covenants for the benefit of Grantee, its successors and assigns, that no building, structure or other real property improvements will be constructed or placed on or within the Easement Area without the prior written consent of Grantee, such structures and improvements to include, but not be limited to, drainage, trees, bridges, signage, roads, fencing, storage facilities, parking canopies, and other covered facilities. Grantor retains, for its benefit, the right to maintain, use and otherwise landscape the Easement Area for its own purposes; provided, however, that all such purposes and uses do not interfere with Grantee's rights herein and are in all respects consistent with the Grantee's rights herein, Grantee's electrical practices, and the National Electrical Safety Code.

GRANTOR:

County of Eureka, a political subdivision of the State of Nevada, by and through its Board of County Commissioners, on behalf of the Unincorporated Town of Crescent Valley

Leonard Fiorenzi
SIGNATURE

By: Leonard Fiorenzi
PRINT NAME

Title: Chairman, County Commissioners

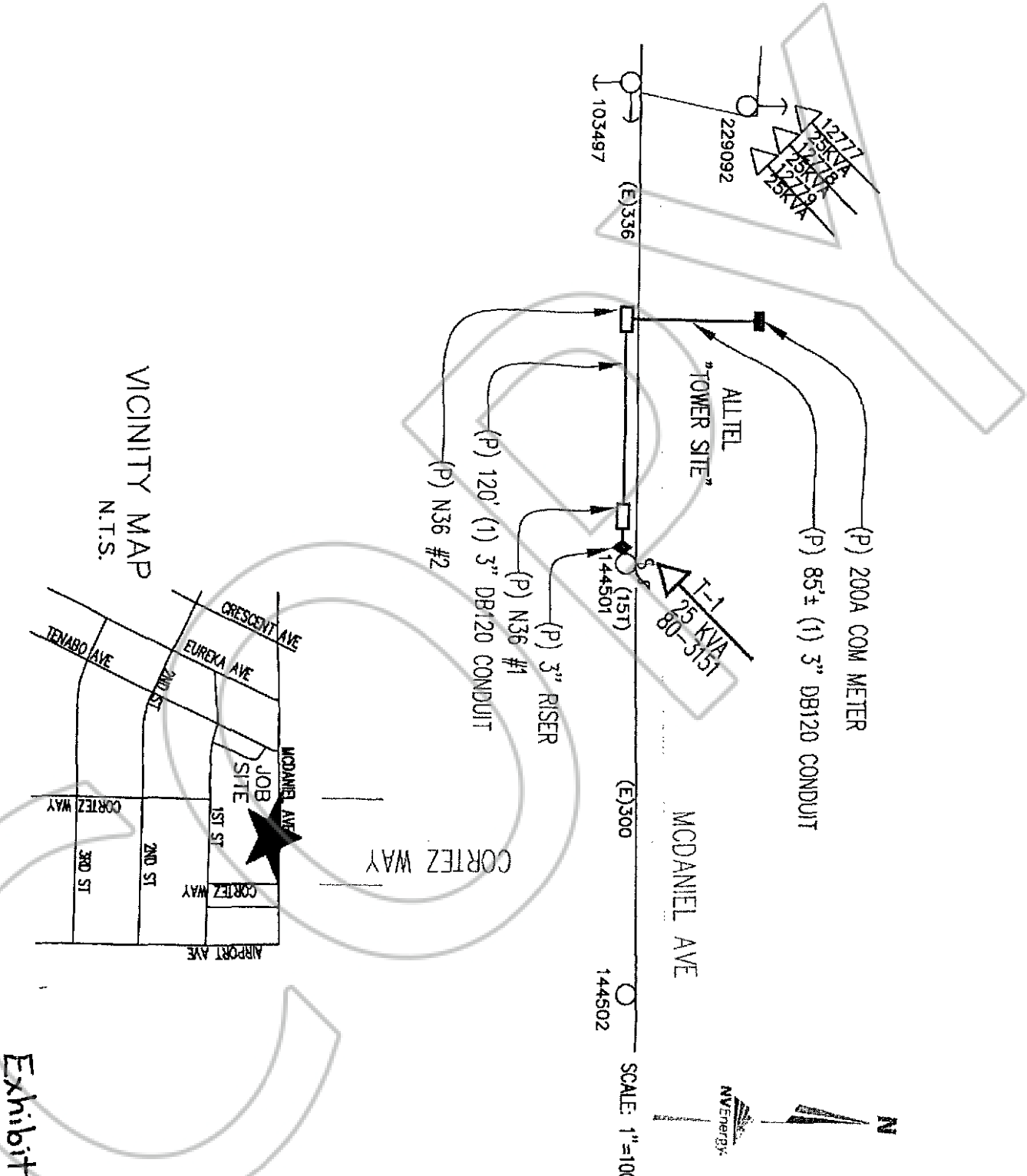
STATE OF Nevada)
COUNTY OF Eureka)

This instrument was acknowledged before me on January 22, 2010 by Leonard Fiorenzi as Chairman of Eureka County Commissioners

Kimberly L. Todd
Signature of Notarial Officer



Notary Statement and/or Seal



VICINITY MAP
N.T.S.

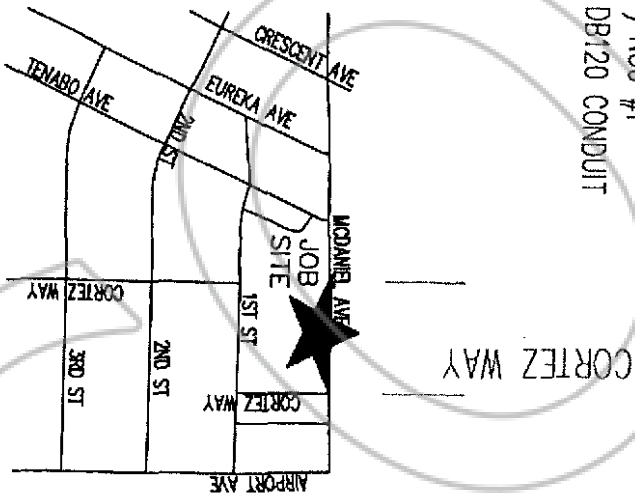


Exhibit Map



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