

APN: 001-195-03

Eureka, Nevada

**GRANT OF TEMPORARY CONSTRUCTION EASE  
CHANNEL IMPROVEMENTS**



THIS GRANT OF EASEMENT made this 18<sup>th</sup> day of AUGUST, 2011 and by and between ANTHONY ROWLEY and CAROLYN RAE ROWLEY (hereinafter referred to as "Grantors") and Eureka County, a political subdivision of the State of Nevada (hereinafter referred to as "Grantee").

WITNESSETH:

WHEREAS, the Grantors are the owners of that certain parcel located in Eureka County, Nevada generally described as a Portion of Block 49 of the Plat of the Townsite of Eureka Nevada as approved by the United States Department of the Interior, General Land Office on November 19, 1937 and recorded as Document Number 127447 in the Official Records of the County of Eureka, State of Nevada, (hereinafter referred to as "Property").

NOW THEREFORE, the undersigned Grantors, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant to Grantee, its successors and assigns, a temporary easement for channel improvements across a portion of the Property more particularly described in Exhibits "A" and "B", which are incorporated by this reference as if fully set forth herein.

IT IS FURTHER AGREED:

1. Grantee, its successors and assigns, shall have at all times ingress and egress to the above described channel improvements for the purpose of constructing them.
2. Grantee, its successors and assigns, shall indemnify and hold Grantors harmless of and from damages to persons, property, or improvements suffered by Grantors or third parties by reason of Grantee's construction of the channel improvements, provided Grantee is apprised as soon as possible of any claim of damages.
3. Grantors, their successors and assigns, shall not erect or construct, nor permit to be erected or constructed, any building or obstruction on the easement in a manner to interfere or be inconsistent with Grantee's use of said easement.
4. This easement shall expire on December 31, 2011, unless Grantee approves of an extension of time in writing.

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 hereunto signed on the day and year first above written.

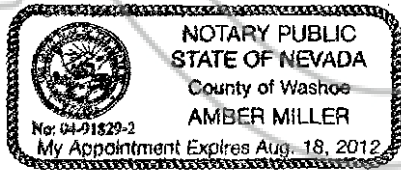
GRANTORS:

Anthony Rowley  
ANTHONY ROWLEY

Carolyn Rae Rowley  
CAROLYN RAE ROWLEY

STATE OF Nevada )  
Washoe ) : ss.

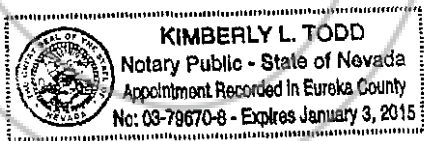
On this 18 day of Aug, 2011, before me, the undersigned, a Notary Public in and for Washoe County and State of Nevada, appeared ~~ANTHONY ROWLEY~~ and CAROLYN RAE ROWLEY known to me to be the persons who executed the above and foregoing instrument, and who acknowledged to me that they did so freely and voluntarily and for the purposes therein mentioned.



Amber Miller  
NOTARY PUBLIC

State of Nevada  
County of Eureka

This instrument was acknowledged before me on August 30, 2011 by Anthony Rowley.  
Kimberly Todd  
Notary Public



## EXHIBIT "A"

### A PORTION OF BLOCK 49, EUREKA TOWNSITE

All that real property situate within a portion of the Northwest One-Quarter (NW 1/4) of Section Twenty-Four (24), Township Nineteen (19) North, Range Fifty-Three (53) East, Mount Diablo Meridian (M.D.M.), County of Eureka, State of Nevada, being a portion of Block 49, lying easterly of the Eureka Canyon Channel, as shown on the Plat of the Townsite of Eureka Nevada as approved by the United States Department of the Interior, General Land Office on November 19, 1937 and recorded as Document Number 127447 in the Official Records of the County of Eureka, State of Nevada, being more particularly described as follows:

**BEGINNING** at the northerly intersection of the easterly line of said Eureka Canyon Channel and said Block 49, said point lying on the southerly line of Silver West Street as shown on said Plat of the Townsite of Eureka;

**THENCE** easterly following said southerly line of Silver West Street, North 81°30'00" East, 9.00 feet;

**THENCE** leaving said line, South 32°01'00" West, 36.75 feet;

**THENCE** South 15°47'00" West, 47.24 feet;

**THENCE** South 09°51'00" West, 40.42 feet;

**THENCE** South 05°30'00" East, 35.75 feet to the northerly line of Richmond Street as shown on said Plat of the Townsite of Eureka;

**THENCE** northwesterly along said northerly line of Richmond Street, North 63°00'00" West, 28.37 feet to the intersection of the said easterly line of the Eureka Canyon Channel;

**THENCE** leaving said line of Richmond Street northerly along the said easterly line of the Eureka Canyon Channel, North 03°50'00" East, 38.44 feet;

**THENCE** continuing northerly along the said easterly line of the Eureka Canyon Channel, North 26°31'00" East, 111.16 feet to the **POINT OF BEGINNING** and the end of this description.

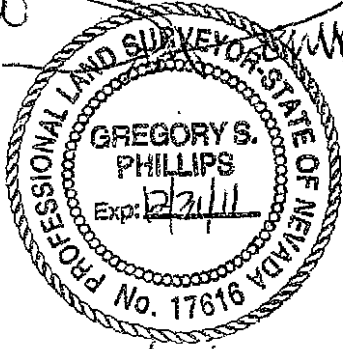
Containing 2,036 square feet, more or less.

The basis of bearing for this description is identical to that said Plat of the Townsite of Eureka Nevada, recorded as Document Number 127447, in the Official Records of the County of Eureka, State of Nevada.



Prepared by:

**Lumos & Associates**  
800 East College Parkway  
Carson City, NV 89706



06/06/11

Gregory S. Phillips, P.L.S.  
Nevada Certificate No. 17616

COPY



SILVER WEST STREET

POINT OF BEGINNING

N 81°30'00" E  
9.00'

BLOCK 49

EUREKA CANYON CHANNEL

S 32°01'00" W  
38.75'

N 26°31'00" E  
111.16'

S 15°47'00" W  
47.24'

BLOCK 49

EASEMENT AREA  
2,036± SQ. FT.

40.42'

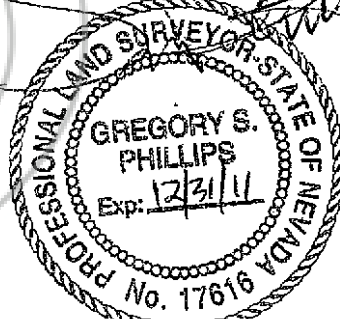
S 09°51'00" W

N 03°50'00" E  
38.44'

N 65°00'00" E  
28.37'

S 05°30'00" E  
35.75'

RICHMOND STREET



06/06/11



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**LUMOS**  
& ASSOCIATES  
800 E. COLLEGE PARKWAY  
CARSON CITY, NEVADA 89705  
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EUREKA COUNTY  
**EXHIBIT "B"**  
PORTION OF BLOCK 49, EUREKA TOWNSITE  
EUREKA COUNTY NEVADA

Date: JUNE 2011  
Scale: 1" = 20'  
Job No: 7790.001