

Official RecordRecording requested By
EUREKA COUNTYEureka County - NV
Mike Rebaleati - RecorderFee: Page 1 of 4
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APN: 001-103-05

Eureka, Nevada

**GRANT OF TEMPORARY CONSTRUCTION EASEMENT
CHANNEL IMPROVEMENTS**

THIS GRANT OF EASEMENT made this 28 day of July, 2011 and by and between GARY GARAVENTA and MELODY GARAVENTA (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 Lots 14 and 15 of Block 15 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:

Gary Garaventa
GARY GARAVENTA

Melody Garaventa
MELODY GARAVENTA

STATE OF Nevada)

: ss.

County of Eureka)

On this 28 day of July, 2011, before me, the undersigned, a Notary Public in and for Eureka County and State of Nevada, appeared GARY GARAVENTA and MELODY GARAVENTA 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.

Kimberly L. Todd
NOTARY PUBLIC

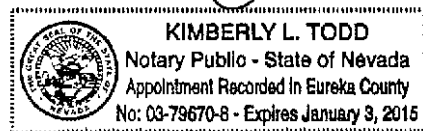


EXHIBIT "A"

PORTIONS OF LOT 15, BLOCK 15, EUREKA TOWNSITE

All that real property situate within a portion of the Southwest One-Quarter (SW 1/4) of Section Thirteen (13), 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 Lot 15 of Block 15 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, more particularly described as follows:

BEGINNING at the southeasterly most corner of said Lot 15, said point lying at the northwesterly corner of the intersection of Bateman Street and the Eureka Canyon Channel as shown on said Plat of the Townsite of Eureka;

THENCE westerly along the northerly right of way of said Bateman Street, South 72°10'00" West, 12.30 feet:

THENCE leaving said right of way line, North 19°52'55" East, 8.83 feet;

THENCE North 17°21'04" West, 23.31 feet to the northerly line of said Lot 15;

THENCE easterly along said northerly line, North 72°10'00" East, 6.70 feet to the westerly line of said Eureka Canyon Channel;

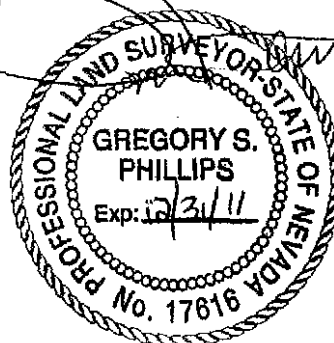
THENCE southerly along said westerly line, South 17°50'00" East, 30.30 feet to the **POINT OF BEGINNING** and the end of this description.

Containing 225 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



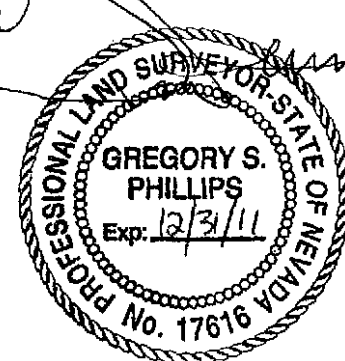
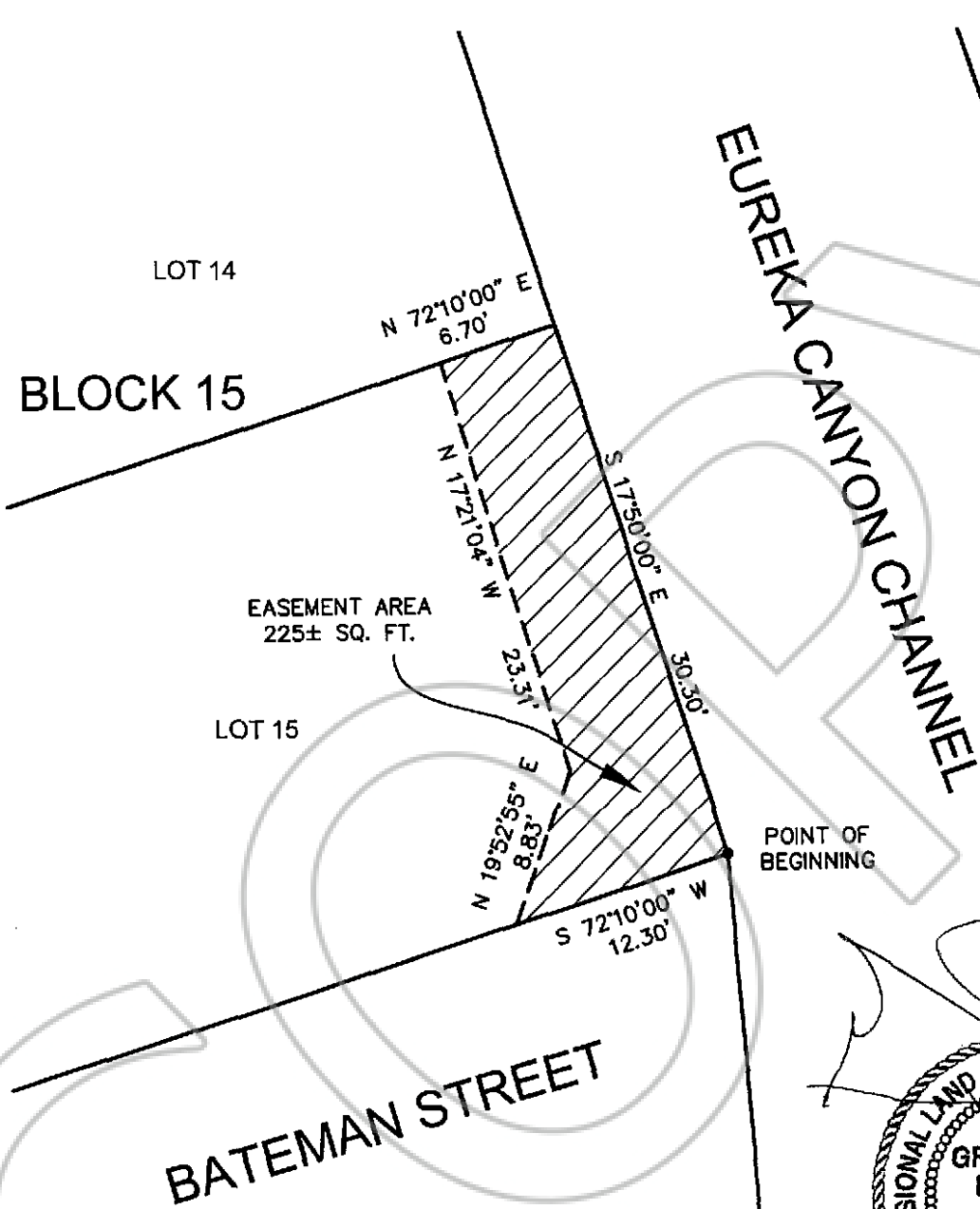
Gregory S. Phillips, P.L.S.
Nevada Certificate No. 17616



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EUREKA COUNTY

EXHIBIT "B"

PORTION OF LOT 15, BLOCK 15, EUREKA TOWNSITE

EUREKA COUNTY NEVADA

Date: JULY 2011
Scale: 1" = 10'
Job No: 7790.001