

**Carson City Board of Supervisors  
Agenda Report**

**Date Submitted:** August 5, 2011

**Agenda Date Requested:** August 18, 2011

**Time Requested:** Consent

**To:** Mayor and Supervisors

**From:** Public Works

**For Possible Action:** To approve an agreement between the City and co-owners D & S L V, LLC, a Nevada Limited Liability Company, and L/C Holdings, LLC, a Nevada Limited Liability Company, for a property exchange whereby the City receives certain fee title property and easements in exchange for equal value fee title property, for the benefit of the Carson City East/West Water Transmission Main project. (Sharp)

**Staff Summary:** The City has a need to build an east/west water transmission main. The most cost-effective route for the pipeline was determined to cross private property between Butti Way and East Robinson Street. The proposed equal value property exchange will result in the necessary property rights for the City to construct, operate and maintain the desired water improvements.

**Type of Action Requested:** (check one)

Resolution

Ordinance

Formal Action/Motion

Other (Specify)

**Does This Action Require A Business Impact Statement:**  Yes  No

**Recommended Board Action:** I move to approve an agreement between the City and co-owners D & S L V, LLC, a Nevada Limited Liability Company, and L/C Holdings, LLC, a Nevada Limited Liability Company, for a property exchange whereby the City receives certain fee title property and easements in exchange for equal value fee title property, for the benefit of the Carson City East/West Water Transmission Main project.

**Explanation for Recommended Board Action:** An appraisal and consultation letter were prepared by Johnson-Perkins & Associates, Inc. dated December 20 and 21, 2010. As a result of the proposed agreement, the City will receive \$190,000 of appraised value in the form of 0.93 acres of fee title property, 1.61 acres of permanent water easements, and 1.88 acres of temporary construction easements from APNs 010-041-57 and 59. The agreement includes an equal value of City property to be given to the co-owners from APN 010-036-03, which amounts to 2.28 acres of fee title land worth an estimated \$190,000 appraised value.

**Applicable Statute, Code, Policy, Rule or Regulation:** N/A

**Fiscal Impact:** N/A

**Explanation of Impact:** N/A

**Funding Source:** N/A

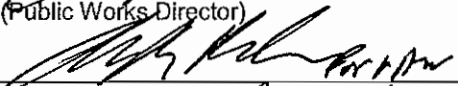
**Alternatives:** None.

**Supporting Material:** Agreement with Exhibits A through G;  
EW Water Transmission Main Phase 1 Easement Exhibit Map


**Prepared By:** Jeff Sharp, City Engineer

Reviewed By:   
(Public Works Director)

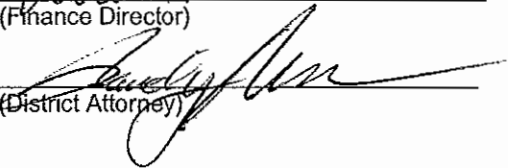
Date: 8-9-11

  
(City Manager)

Date: 8-9-11

  
(Finance Director)

Date: 8/9/11

  
(District Attorney)

Date: 8/9/11

Board Action Taken:

Motion: \_\_\_\_\_

- |          | Aye/Nay |
|----------|---------|
| 1) _____ | _____   |
| 2) _____ | _____   |
| 3) _____ | _____   |
| 4) _____ | _____   |
| 5) _____ | _____   |

\_\_\_\_\_  
(Vote Recorded By)

Ptn APN 010-041-57 and 59 and 010-036-03

AFTER RECORDING RETURN TO:  
KIM BELT  
CARSON CITY  
3505 BUTTI WAY  
CARSON CITY, NV 89701-3498

#### AGREEMENT

THIS AGREEMENT, made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between D & S L V, LLC A Nevada Limited Liability Company as to a one-third (1/3) interest and L/C Holdings, LLC, A Nevada Limited Liability Company as their interest appears of record, hereinafter called the OWNER, and CARSON CITY, NEVADA, A CONSOLIDATED MUNICIPALITY, hereinafter called the CITY,

#### WITNESSETH:

1. The OWNER, for and in consideration of the covenants and payments to be performed and paid as hereinafter provided agrees as follows:

(a) To convey all that certain real property to the CITY, its assigns; a portion of said real property (010-041-59) consisting of approximately 40,388 square feet situate, lying and being in Carson City, State of Nevada, and more particularly described in EXHIBIT "A" attached hereto and made a part hereof.

(b) To deliver to the CITY a deed for the property described in section 1 (a) of this agreement conveying all that said real property free and clear of any and all liens and encumbrances.

(c) To convey a temporary construction easement for the purpose of installing a water transmission line and the associated improvements upon over and across the subject property (APN 010-036-03) to the CITY, its assigns; said easement situate, lying and being in Carson City, State of Nevada, and more particularly described in EXHIBIT "B" and "B-1" attached hereto and made a part hereof.

(d) To, upon recordation of the deed from City to OWNER contemplated in 2(a) of this agreement, deliver to the CITY a temporary construction easement deed for the property described in section 1 (c) of this Agreement.

(e) To convey a permanent utility easement upon over and across the subject property (APN 010-041-57) to the CITY, its assigns; said easement situate, lying and being in Carson City, State of Nevada, and more particularly described in EXHIBIT "C" attached hereto and made a part hereof.

(f) To deliver to the CITY a utility easement for the property described in section 1 (e) of this Agreement.

(g) To convey a permanent utility easement upon over and across the subject property (APN 010-041-59) to the CITY, its assigns; said easement situate, lying and being in Carson City, State of Nevada, and more particularly described in EXHIBIT "D" attached hereto and made a part hereof.

(h) To deliver to the CITY a utility easement for the property described in section 1 (g) of this Agreement.

(i) To convey a temporary construction easement for the purpose of installing a water transmission line and the associated improvements upon over and across the subject property (APN 010-041-57) to the CITY, its assigns; said easement situate, lying and being in Carson City, State of Nevada, and more particularly described in EXHIBIT "E" attached hereto and made a part hereof.

(j) To deliver to the CITY a temporary construction easement deed for the property described in section 1 (i) of this Agreement.

(k) To convey a temporary construction easement for the purpose of installing a water transmission line and the associated improvements upon over and across the subject property (APN 010-041-59) to the CITY, its assigns; said easement situate, lying and being in Carson City, State of Nevada, and more particularly described in EXHIBIT "F" attached hereto and made a part hereof.

(l) To deliver to the CITY a temporary construction easement deed for the property described in section 1 (k) of this Agreement.

(m) To be responsible for said premises, including risk and liability for loss or damage including all repairs and/or maintenance to said premises until such date as OWNER has delivered the before mentioned deed to the CITY, or such date as OWNER has given physical possession of said premises to the CITY.

(n) To permit the CITY or its authorized agents, assignees and contractors to enter in and upon OWNER's before mentioned lands, which are herein agreed to be conveyed for the purposes of inspection, land survey, environmental analysis and engineering upon execution of this agreement.

(o) To the fullest extent permitted by law, OWNER shall indemnify, hold harmless and defend, not excluding the CITY's right to participate, the CITY from and against all liability, claims, actions, damages, losses, and expenses, including, without limitation, reasonable attorneys' fees and costs, arising out of any alleged negligent or willful acts or omissions of OWNER, their officers, employees and/or agents arising out of performance of the AGREEMENT. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described herein. This Indemnification obligation is conditioned upon receipt of written notice by the indemnifying party within thirty (30) days of the indemnified party's notice of actual or pending claim or cause of action. The indemnifying party shall not be liable to hold harmless any attorneys fees and costs for the indemnified party's chosen right to participate with legal counsel.

2. The CITY, in consideration of the promises and covenants of the OWNER hereinabove set forth, agrees as follows:

(a) To convey all that certain real property to the OWNER, its assigns a portion of said real property; all that real property (010-036-03) consisting of approximately 99,287 square feet situate, lying and being in Carson City, State of Nevada, and more particularly described in EXHIBIT "G" attached hereto and made a part hereof. City to retain an easement for utility purposes as depicted in Figures "G-3" and "G-4" attached hereto and made a part hereof.

(b) To deliver to owner a deed for the property described in section 2 (a) of this agreement conveying all that said real property free and clear of any and all liens and encumbrances.

(c) To the fullest extent permitted by law, CITY shall indemnify, hold harmless and defend, not excluding the OWNER's right to participate, the OWNER from and against all liability, claims, actions, damages, losses, and expenses, including, without limitation, reasonable attorneys' fees and costs, arising out of any alleged negligent or willful acts or omissions of CITY, their officers, employees and/or agents arising out of performance of the AGREEMENT. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described herein. This Indemnification obligation is conditioned upon receipt of written notice by the indemnifying party within thirty (30) days of the indemnified party's notice of actual or pending claim or cause of action. The indemnifying party shall not be liable to hold harmless any attorneys fees and costs for the indemnified party's chosen right to participate with legal counsel.

3. It is mutually agreed and understood by the CITY and by the OWNER as follows:

(a) That City will repair or caused to be repaired the damaged fencing along Butti Way adjacent to parcel 010-036-03.

(b) Future development of parcel 010-036-03 will be allowed two (2) access points from Butti Way.

(c) Upon development of parcel 010-041-57, City will install, cause to be installed or pay to have installed two (2) hot taps to the property. OWNER will be responsible for any applicable water connection fees.

(d) Upon development of parcel 010-041-59, City will install, cause to be installed or pay to have installed one (1) hot tap to property. OWNER will be responsible for any applicable water connection fees.

(e) Any fencing of OWNER damaged by CITY, CITY's employees, agents, contractors or subcontractors will be repaired at no cost to OWNER.

(f) Temporary construction fencing will be installed construction easement limits and no cost to OWNER prior to commencement of construction.

(g) CITY, CITY's employees, agents, contractors or subcontractors and their activities are limited to the easement and temporary easement areas granted herein

(h) That all of the facilities and improvements constructed within this agreement shall be designed and constructed in accordance with Carson City Development Standards.

(i) CITY and OWNER will coordinate and cooperate with each other in scheduling the construction of improvements.

(j) If OWNER or CITY fails, neglects, or refuses to do or perform any act or thing herein covenanted and agreed to be done or performed, such failure, neglect, or refusal will constitute a default breach of this Agreement. If OWNER or CITY fails, neglects, or refuses to cure the default upon the request of the other party, such other party, at its option, may correct such default and thereupon recover from the other party the cost thereof or may require the specific performance by the other party of all terms, conditions, and covenants of this agreement. The foregoing will be in addition to and exclusive of any other remedy now or hereafter provided by law, and the pursuit of any right or remedy will not be construed as an election.

(k) The illegality or invalidity of any provision or portion of this agreement shall not affect the validity of any remaining provision.

(l) The laws of the State of Nevada shall be applied in interpreting and construing this Agreement.







Ptn APN 010-<sup>041</sup>41-57 and 59 and 010-036-03

L/C Holdings, LLC, A Nevada Limited Liability Company

By: Dorothy Arraiz 6-27-11  
Date

Dorothy Arraiz  
Name

Partner  
Title

STATE OF Nevada )  
                                  ) SS.  
COUNTY OF Carson City )

This instrument was acknowledged before me on June 27,  
2011, by Dorothy Arraiz as partner for  
L/C Holdings, LLC, A Nevada Limited Liability Company.

Linda McKenzie  
NOTARY PUBLIC



CITY:

REVIEWED AND RECOMMENDED BY:

\_\_\_\_\_  
KIM BELT Date  
Capital Program Manager

APPROVED FOR LEGALITY AND FORM:

\_\_\_\_\_  
Carson City District Attorney Date

\_\_\_\_\_  
Robert Crowell, Mayor Date

ATTEST:

\_\_\_\_\_  
ALAN GLOVER, Clerk-Recorder Date

Ptn of APN 010-041-59

AFTER RECORDING RETURN TO:

KIM BELT  
CARSON CITY PUBLIC WORKS  
3505 BUTTI WAY  
CARSON CITY, NV 89701-3498

DEED

THIS DEED, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between D & S L V, LLC, a Nevada Limited Liability Company as to a one-third (1/3) interest and L/C Holdings, LLC, a Nevada Limited Liability Company as their interest appears of record, hereinafter called GRANTOR, and CARSON CITY, NEVADA, a CONSOLIDATED MUNICIPALITY, hereinafter called CITY,

WITNESSETH:

That the GRANTOR, for and in consideration of the sum of ONE DOLLAR (\$1.00), lawful money of the United States of America, and other good and valuable consideration, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, and sell unto the CITY and to its assigns forever, for those purposes as contained in Chapter 271 of the Nevada Revised Statutes, all that certain real property situate, lying and being in Carson City, State of Nevada, and more particularly described in Figures A-1 and A-2 attached hereto and made a part hereof.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; with the exception of any and all reservations as are previously hereinabove expressly excepted from this conveyance.

TO HAVE AND TO HOLD all and singular the said real property, together with the appurtenances, unto the said CITY and to any heirs, successors and assigns forever.



Ptn of APN 010-041-59

L/C Holdings, LLC, a Nevada Limited Liability Company

By: Martha Keating 6/27/11  
Date

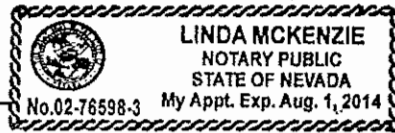
Martha Keating  
Name

Partner  
Title

STATE OF Nevada )  
COUNTY OF Carson City ) SS.

This instrument was acknowledged before me on June 27, 2011,  
by Martha Keating as partner for L/C  
Holdings, LLC, a Nevada Limited Liability Company.

Linda McKenzie  
NOTARY PUBLIC



CITY:

REVIEWED AND RECOMMENDED BY:

K. Belt 8/9/11  
Date  
KIM BELT  
Capital Program Manager

APPROVED FOR LEGALITY AND FORM:

[Signature] 8/9/11  
Date  
Carson City District Attorney

Robert Crowell, Mayor Date

ATTEST:

ALAN GLOVER, Clerk-Recorder Date

Ptn of APN 010-041-59

L/C Holdings, LLC, a Nevada Limited Liability Company

By: Dorothy Arraiz 6/27/11  
Date

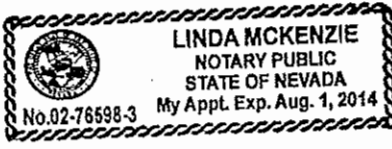
Dorothy Arraiz  
Name

Partner  
Title

STATE OF Nevada )  
COUNTY OF Carson City ) SS.

This instrument was acknowledged before me on June 27, 2011,  
by Dorothy Arraiz as partner for L/C  
Holdings, LLC, a Nevada Limited Liability Company.

Linda McKenzie  
NOTARY PUBLIC



CITY:

REVIEWED AND RECOMMENDED BY:

K. Belt 8/19/11  
KIM BELT Date  
Capital Program Manager

APPROVED FOR LEGALITY AND FORM:

[Signature] 8/9/11  
Carson City District Attorney Date

\_\_\_\_\_  
Robert Crowell, Mayor Date

ATTEST:

\_\_\_\_\_  
ALAN GLOVER, Clerk-Recorder Date

**Figure "A-1"**

**LEGAL DESCRIPTION**

**APN 10-041-59**

**PROPERTY CONVEYANCE**

All that certain real property situate within the Northeast  $\frac{1}{4}$  of Section 16, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, being a strip of land, further described as follows:

**PARCEL "A"**

**COMMENCING** at the north  $\frac{1}{4}$  corner of Section 16 as shown on that Record of Survey No. 1960 filed in the Office of the County Recorder, Carson City, Nevada as File No. 135590;

**THENCE** S55°37'54"E a distance of 3169.01 feet to the Easterly property line of said APN 10-041-59;

**THENCE** S00°38'04"W, along said Easterly property line, a distance of 830.93 feet and the **POINT OF BEGINNING**;

**THENCE** S00°37'45"W, continuing along said Easterly property line, a distance of 73.84 feet to the Southerly property line of said APN 10-041-59;

**THENCE** N89°04'07"W along said Southerly property line, a distance of 550.11 feet;

**THENCE** N06°47'00"E, leaving said Southerly property line, a distance of 74.46 feet;

**THENCE** S89°02'38"E, a distance of 542.13 feet to the **POINT OF BEGINNING**.

**CONTAINING:** 40,388 square feet, more or less.

**PARCEL "B"**

**COMMENCING** at the north  $\frac{1}{4}$  corner of Section 16 as shown on that Record of Survey No. 1960 filed in the Office of the County Recorder, Carson City, Nevada as File No. 135590;

**THENCE** S55°37'54"E a distance of 3169.01 feet to the Easterly property line of said APN 10-041-59 and the **POINT OF BEGINNING**;

**THENCE** S67°16'40"E, a distance of 9.68 feet;

**THENCE** along a non tangent curve to the right, having a radius of 208.71 feet, a central angle of 49°22'41", a curve length of 179.87 feet, with a chord bearing of S41°29'02"E, and a chord distance of 174.35 feet;

**THENCE** S00°32'35"W, a distance of 698.68 feet;

**THENCE** N89°02'38"W, a distance of 127.02 feet to the Easterly property line of said APN 010-041-59;

**THENCE** N00°38'04"E, along said Easterly property line, a distance of 830.93 feet the **POINT OF BEGINNING**.

**CONTAINING:** 2.28 acres, (99,287 square feet), more or less.

The Basis of Bearing for this description is North American Datum of 1983 as based on Federal Base Network/Cooperative Base Network observations in 1994 (also known as N.A.D. 83/94), Nevada State Plane West Zone as determined with real time kinematic GPS observations made June 15, 2010 with corrections transmitted by regional base network continuously operating reference station DOT1. Bearings and Distances hereon reflect grid coordinates multiplied by a combined grid to ground factor of 1.0002 (also known as Carson City Modified).

#### SURVEYOR'S CERTIFICATE

I hereby certify that the attached legal description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

Daniel T. Kelsoe  
Nevada PLS 18974  
For and on behalf of

 **Manhard**  
CONSULTING  
3476 EXECUTIVE POINTE WAY, SUITE 12  
CARSON CITY, NEVADA 89706  
(775) 882-5630

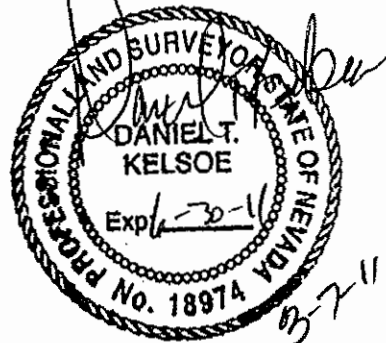
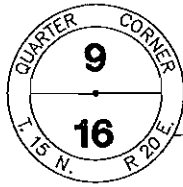


FIGURE A-2



D&SLV, LLC and  
L/C HOLDINGS, LLC  
APN: 010-041-59

CARSON CITY  
APN: 010-036-03

POB

N06°47'00"E  
74.46'

S89°02'38"E 542.13'

N89°04'07"W 550.11'

CONVEYANCE:  
LOMPA TO CITY OF CARSON CITY  
40,388 SQ FT

S00°37'45"W  
73.84'

AIRPORT RD

BUTTI WAY



LOMPA & CITY OF CARSON CITY

CARSON CITY, NV

PROPERTY CONVEYANCE

PROJ. MGR.: RCB  
DRAWN BY: DTK  
DATE: FEB 2011  
SCALE: 1" = 150'



**Manhard**  
CONSULTING LTD

3478 Executive Pointe Way, Suite 12, Carson City, NV 89706 tel: (775) 882-5630 fax: (775) 885-7282 www.manhard.com  
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Construction Managers • Environmental Scientists • Landscape Architects • Planners

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SHEET

1 OF 1

CCCCN15 090940



**Exhibit "B"**

**LEGAL DESCRIPTION**

**APN 10-036-03**

**TEMPORARY CONSTRUCTION EASEMENT**

All that certain real property situate within the Northeast  $\frac{1}{4}$  of Section 16, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, being a strip of land, further described as follows:

**EASEMENT "A"**

**COMMENCING** at the north  $\frac{1}{4}$  corner of Section 16 as shown on that Record of Survey No. 1960 filed in the Office of the County Recorder, Carson City, Nevada as File No. 135590;

**THENCE** S55°37'54"E a distance of 3169.01 feet to the Westerly property line of said APN 10-036-03;

**THENCE** S00°38'04"W, along said Westerly property line, a distance of 137.35 feet and the **POINT OF BEGINNING**;

**THENCE** N88°07'58"E, leaving said Westerly property line, a distance of 52.38 feet;

**THENCE** N68°19'15"E, a distance of 69.46 feet;

**THENCE** through a non tangent curve to the right, having a radius of 208.71 feet, through a central angle of 04°07'07", and an arc length of 15.00, with a chord bearing of S21°52'47"E, and a chord distance of 15.00 feet;

**THENCE** S68°19'15"W, a distance of 72.13 feet;

**THENCE** S88°07'58"W, a distance of 55.65 feet to said Westerly property line;

**THENCE** N00°38'04"E, along said Westerly property line, a distance of 15.01 feet to the **POINT OF BEGINNING**.

**CONTAINING:** 1,872 square feet, more or less.

**PARCEL "B"**

**COMMENCING** at the north  $\frac{1}{4}$  corner of Section 16 as shown on that Record of Survey No. 1960 filed in the Office of the County Recorder, Carson City, Nevada as File No. 135590;

**THENCE** S55°37'54"E a distance of 3169.01 feet to the Westerly property line of said APN 10-036-03;

**THENCE** S00°38'04"W, along said Westerly property line, a distance of 172.38 feet and the **POINT OF BEGINNING**;

**THENCE** N88°07'58"E, leaving said Westerly property line, a distance of 60.02 feet;

**THENCE** N68°19'15"E, a distance of 71.30 feet;

**THENCE** S00°32'26"W, a distance of 16.20 feet;

**THENCE** S68°19'15"W, a distance of 67.79 feet;

**THENCE** S88°07'58"W, a distance of 63.29 feet to said Westerly property line;

**THENCE** N00°38'04"E, along said Westerly property line, a distance of 15.01 feet to the **POINT OF BEGINNING**.

**CONTAINING:** 1,968 square feet), more or less.

The Basis of Bearing for this description is North American Datum of 1983 as based on Federal Base Network/Cooperative Base Network observations in 1994 (also known as N.A.D. 83/94), Nevada State Plane West Zone as determined with real time kinematic GPS observations made June 15, 2010 with corrections transmitted by regional base network continuously operating reference station DOT1. Bearings and Distances hereon reflect grid coordinates multiplied by a combined grid to ground factor of 1.0002 (also known as Carson City Modified).

SURVEYOR'S CERTIFICATE

I hereby certify that the attached legal description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

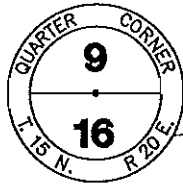
Daniel T. Kelsoe  
Nevada PLS 18974  
For and on behalf of



3476 EXECUTIVE POINTE WAY, SUITE 12  
CARSON CITY, NEVADA 89706  
(775) 882-5630



EXHIBIT "B-1"



N55°37'54"W  
3169.01'

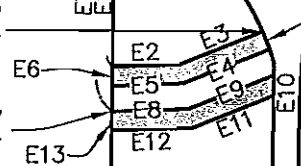
D&SLV, LLC and  
L/C HOLDINGS, LLC  
APN: 010-041-59

POB "A"  
1,872 SQ FT

POB "B"  
1,968 SQ FT

AIRPORT RD

L=15.00'  
R=208.71'  
Δ=4°07'07"



BUTTI WAY



CARSON CITY  
APN: 010-036-03

LINE TABLE

LINE	BEARING	LENGTH
E1	S 00°38'04" W	137.35'
E2	N 88°07'58" E	52.38'
E3	N 68°19'15" E	69.46'
E4	S 68°19'15" W	72.13'
E5	S 88°07'58" W	55.65'
E6	N 00°38'04" E	15.01'
E7	S 00°38'02" W	172.38'
E8	N 88°07'58" E	60.02'
E9	N 68°19'15" E	71.30'
E10	S 00°32'26" W	16.20'
E11	S 68°19'15" W	67.79'
E12	S 88°07'58" W	63.29'
E13	N 00°38'04" E	15.01'

LOMPA & CITY OF CARSON CITY

CARSON CITY, NV

TEMP. CONSTRUCTION EASEMENT

PROJ. MGR.: RCB  
DRAWN BY: DTK  
DATE: FEB 2011  
SCALE: 1" = 150'



**Manhard**  
CONSULTING LTD

3478 Executive Pointe Way, Suite 12, Carson City, NV 89708 tel: (775) 882-5630 fax: (775) 885-7282 www.manhard.com  
Civil Engineers • Surveyors • Water Resources Engineers • Water & Wastewater Engineers  
Construction Managers • Environmental Scientists • Landscape Architects • Planners

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SHEET

1 OF 1

CCCCN15 090940

APN 010-041-57

AFTER RECORDING RETURN TO:

KIM BELT  
CARSON CITY PUBLIC WORKS  
3505 BUTTI WAY  
CARSON CITY, NV 89701-3498

WATER LINE EASEMENT DEED

THIS WATER LINE EASEMENT DEED, made this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, D & S L V, LLC, a Nevada Limited Liability Company as to a one-third (1/3) interest and L/C Holdings, LLC, a Nevada Limited Liability Company as there interest appears of record, hereinafter called GRANTOR, and CARSON CITY, NEVADA, a CONSOLIDATED MUNICIPALITY, hereinafter called CITY,

WITNESSETH:

That the GRANTOR, for and in consideration of the sum of ONE DOLLAR (\$1.00), lawful money of the United States of America, and other good and valuable consideration, the receipt whereof is hereby acknowledged, does by these presents grant unto the CITY and to its assigns forever, for those purposes as contained in Chapter 271 of the Nevada Revised Statutes, a non-exclusive water line easement upon, over and across certain said real property situate, lying and being in Carson City, State of Nevada, and more particularly described in Figures C-1 and C-2 attached hereto and made a part hereof.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; with the exception of any and all reservations as are previously hereinabove expressly excepted from this conveyance.

TO HAVE AND TO HOLD all and singular the said real property, together with the appurtenances, unto the said CITY and to any heirs, successors and assigns forever.



APN 010-041-57

L/C Holdings, LLC, a Nevada Limited Liability Company

By: Martha Keating 6/27/11  
Date

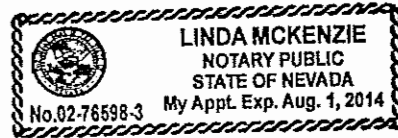
Martha Keating  
Name

Partner  
Title

STATE OF Nevada )  
COUNTY OF Carson City ) SS.

This instrument was acknowledged before me on June 27, 2011,  
by Martha Keating as partner for L/C  
Holdings, LLC, a Nevada Limited Liability Company.

Linda Mckenzie  
NOTARY PUBLIC



CITY:

REVIEWED AND RECOMMENDED BY:

K. Belt 8/9/11  
KIM BELT Date  
Capital Program Manager

APPROVED FOR LEGALITY AND FORM:

[Signature] 8/9/11  
Carson City District Attorney Date

\_\_\_\_\_  
Robert Crowell, Mayor Date

ATTEST:

\_\_\_\_\_  
ALAN GLOVER, Clerk-Recorder Date





**Figure "C-1"**

**LEGAL DESCRIPTION  
APN 10-041-57  
20' UTILITY EASEMENT**

All that certain real property situate within the North ½ of Section 16, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, being a 20 foot wide utility easement centered on a waterline, further described as follows:

**COMMENCING** at the north ¼ corner of Section 16 as shown on that Record of Survey No. 1960 filed in the Office of the County Recorder, Carson City, Nevada as File No. 135590;

**THENCE** S 24°56'42" W a distance of 807.34 feet to the northwesterly corner of Parcel D of said map;

**THENCE** S 01°01'01" W along the westerly property line, a distance of 962.67 feet to the intersection of said waterline and property line, the **POINT OF BEGINNING**;

**THENCE** leaving said property line, S 89°31'50" E, a distance of 1095.74 feet;

**THENCE** S 82°36'17" E, a distance of 411.33 feet to a point on the westerly line of Freeway Right-of-Way Parcel No. 012.050 acquired by the Nevada Department of Transportation in Right of Way Project: MG-395-1(006), said point also being identified as US 395 Freeway Station "02" 269+15.66, 70.10' Left, **POINT OF ENDING**.

**CONTAINING** a total of 30,141 square feet, more or less.

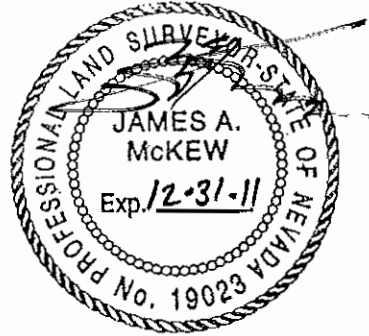
The Basis of Bearing for this description is North American Datum of 1983 as based on Federal Base Network/Cooperative Base Network observations in 1994 (also known as N.A.D. 83/94), Nevada State Plane West Zone as determined with real time kinematic GPS observations made June 15, 2010 with corrections transmitted by regional base network continuously operating reference station DOT1. Bearings and Distances hereon reflect grid coordinates multiplied by a combined grid to ground factor of 1.0002 (also known as Carson City Modified).

SURVEYOR'S CERTIFICATE

I hereby certify that the attached legal description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

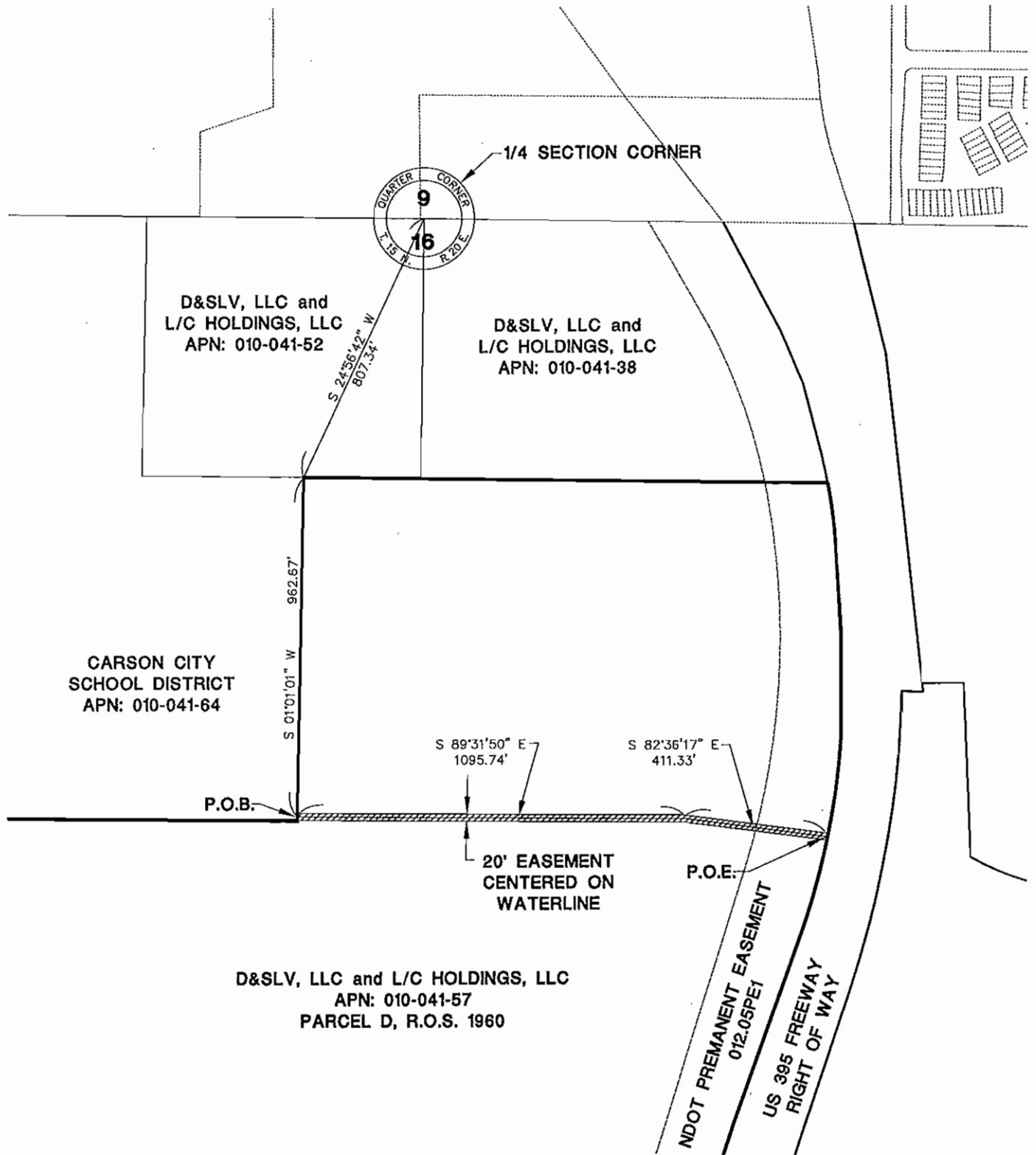
James A. McKew  
Nevada PLS 19023  
For and on behalf of

 **Manhard**  
CONSULTING  
3476 EXECUTIVE POINTE WAY, SUITE 12  
CARSON CITY, NEVADA 89706  
(775) 882-5630



9.28.10

# FIGURE C-2



ROBINSON ST TRANSMISSION LINE

WATERLINE EASEMENT

A.P.N. 010-041-57

PROJ. MGR.: R.B.  
 DRAWN BY: J.A.M.  
 DATE: 09/27/10  
 SCALE: 1" = 400'



**Manhard**  
 CONSULTING LTD

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3478 Executive Points Way, Suite 12, Carson City, NV 89706 tel: (775) 882-5630 fax: (775) 885-7282 www.manhard.com  
 Civil Engineers • Surveyors • Water Resources Engineers • Water & Wastewater Engineers  
 Construction Managers • Environmental Scientists • Landscape Architects • Planners

**FIGURE C-2**

09-0940 CCCC15

APN 010-041-59

AFTER RECORDING RETURN TO:

KIM BELT  
CARSON CITY PUBLIC WORKS  
3505 BUTTI WAY  
CARSON CITY, NV 89701-3498

WATER LINE EASEMENT DEED

THIS WATER LINE EASEMENT DEED, made this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, D & S L V, LLC, A Nevada Limited Liability Company as to a one-third (1/3) interest and L/C Holdings, LLC, A Nevada Limited Liability Company as there interest appears of record, hereinafter called GRANTOR, and CARSON CITY, NEVADA, a CONSOLIDATED MUNICIPALITY, hereinafter called CITY,

WITNESSETH:

That the GRANTOR, for and in consideration of the sum of ONE DOLLAR (\$1.00), lawful money of the United States of America, and other good and valuable consideration, the receipt whereof is hereby acknowledged, does by these presents grant unto the CITY and to its assigns forever, for those purposes as contained in Chapter 271 of the Nevada Revised Statutes, a non-exclusive water line easement upon, over and across certain said real property situate, lying and being in Carson City, State of Nevada, and more particularly described in Figures D-1 and D-2 attached hereto and made a part hereof.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; with the exception of any and all reservations as are previously hereinabove expressly excepted from this conveyance.

TO HAVE AND TO HOLD all and singular the said real property, together with the appurtenances, unto the said CITY and to any heirs, successors and assigns forever.

IN WITNESS WHEREOF the parties hereto have executed this agreement the day and year first above written.

D & S L V, LLC, A Nevada Limited Liability Company

By: Sam Lompa 6-29-11  
Date

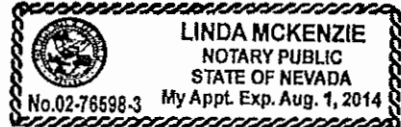
SAM LOMPA  
Name

OWNER  
Title

STATE OF Nevada )  
  ) SS.  
COUNTY OF Carson City

This instrument was acknowledged before me on June 29, 2011,  
by SAM LOMPA as owner for D & S L V,  
LLC, A Nevada Limited Liability Company.

Linda McKenzie  
NOTARY PUBLIC



APN 010-041-59

L/C Holdings, LLC, A Nevada Limited Liability Company

By: Martha Keating 6/27/11  
Date

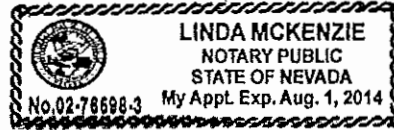
Name: Martha Keating  
Partner

Title

STATE OF Nevada )  
COUNTY OF Carson City ) SS.

This instrument was acknowledged before me on June 27, 2011,  
by Martha Keating as partner for L/C  
Holdings, LLC, A Nevada Limited Liability Company.

Linda McKenzie  
NOTARY PUBLIC



CITY:

REVIEWED AND RECOMMENDED BY:

Kim Belt 8/9/11  
Date  
KIM BELT  
Capital Program Manager

APPROVED FOR LEGALITY AND FORM:

Randy [Signature] 8/9/11  
Date  
Carson City District Attorney

\_\_\_\_\_  
Robert Crowell, Mayor Date

ATTEST:

\_\_\_\_\_  
ALAN GLOVER, Clerk-Recorder Date



**Figure "D-1"**

**LEGAL DESCRIPTION**

**APN 10-041-59**

**UTILITY EASEMENT**

All that certain real property situate within the Northeast  $\frac{1}{4}$  of Section 16, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, being a utility easement varying in width, further described as follows:

**COMMENCING** at the north  $\frac{1}{4}$  corner of Section 16 as shown on that Record of Survey No. 1960 filed in the Office of the County Recorder, Carson City, Nevada as File No. 135590;

**THENCE** S  $40^{\circ}46'46''$  E a distance of 2375.82 feet to a point on the easterly line of Permanent Right of Way 012.051 acquired by the Nevada Department of Transportation in Right of Way Project: MG-395-1(006), said point also being identified as US 395 Freeway Station "02" 269+45.43, 336.68' Right the **POINT OF BEGINNING**;

**THENCE** leaving said Right of Way line, S  $82^{\circ}36'17''$  E, a distance of 220.94 feet;

**THENCE** along a curve to the right having a radius of 1010.00 feet, arc length of 72.88 feet, delta angle of  $04^{\circ}08'03''$ , a chord bearing of S  $80^{\circ}32'15''$  E and a chord distance of 72.86 feet;

**THENCE** S  $78^{\circ}28'14''$  E, a distance of 337.77 feet;

**THENCE** along a curve to the left having a radius of 990.00 feet, arc length of 32.69 feet, delta angle of  $01^{\circ}53'31''$ , a chord bearing of S  $79^{\circ}24'59''$  E and a chord distance of 32.69 feet;

**THENCE** S  $80^{\circ}21'45''$  E, a distance of 108.88 feet;

**THENCE** along a curve to the left having a radius of 990.00 feet, arc length of 198.79 feet, delta angle of  $11^{\circ}30'17''$ , a chord bearing of S  $86^{\circ}06'53''$  E and a chord distance of 198.46 feet;

**THENCE** N  $88^{\circ}07'58''$  E, a distance of 103.05 feet to a point on the easterly property line;

**THENCE** S  $00^{\circ}38'22''$  W, along said property line a distance of 20.02 feet;

**THENCE** S  $88^{\circ}07'58''$  W, leaving the aforementioned property line a distance of 102.17 feet;



**THENCE** along a curve to the right having a radius of 1010.00 feet, arc length of 202.81 feet, delta angle of 11°30'17", a chord bearing of N 86°06'53" W and a chord distance of 202.46 feet;

**THENCE** N 80°21'45" W, a distance of 150.96 feet to a point on the aforementioned freeway Right of Way;

**THENCE** following along said Right of Way along a curve to the left having a radius of 100.09 feet, arc length of 42.31 feet, delta angle of 24°13'05", a chord bearing of N 77°08'22" W and a chord distance of 41.99 feet;

**THENCE** N 87°57'31" W, a distance of 209.33 feet;

**THENCE** along a curve to the right having a radius of 728.58 feet, arc length of 374.58 feet, delta angle of 29°27'25", a chord bearing of N 75°20'27" W and a chord distance of 370.46 feet;

**THENCE** N 02°26'08" W, a distance of 16.06 feet to the **POINT OF BEGINNING**.

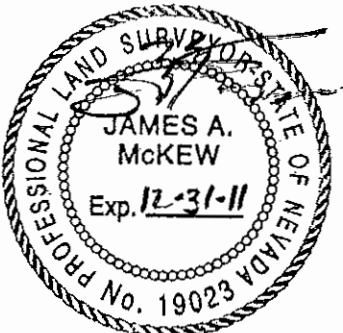
**CONTAINING** a total of 37,556 square feet, more or less.

The Basis of Bearing for this description is North American Datum of 1983 as based on Federal Base Network/Cooperative Base Network observations in 1994 (also known as N.A.D. 83/94), Nevada State Plane West Zone as determined with real time kinematic GPS observations made June 15, 2010 with corrections transmitted by regional base network continuously operating reference station DOT1. Bearings and Distances hereon reflect grid coordinates multiplied by a combined grid to ground factor of 1.0002 (also known as Carson City Modified).

**SURVEYOR'S CERTIFICATE**

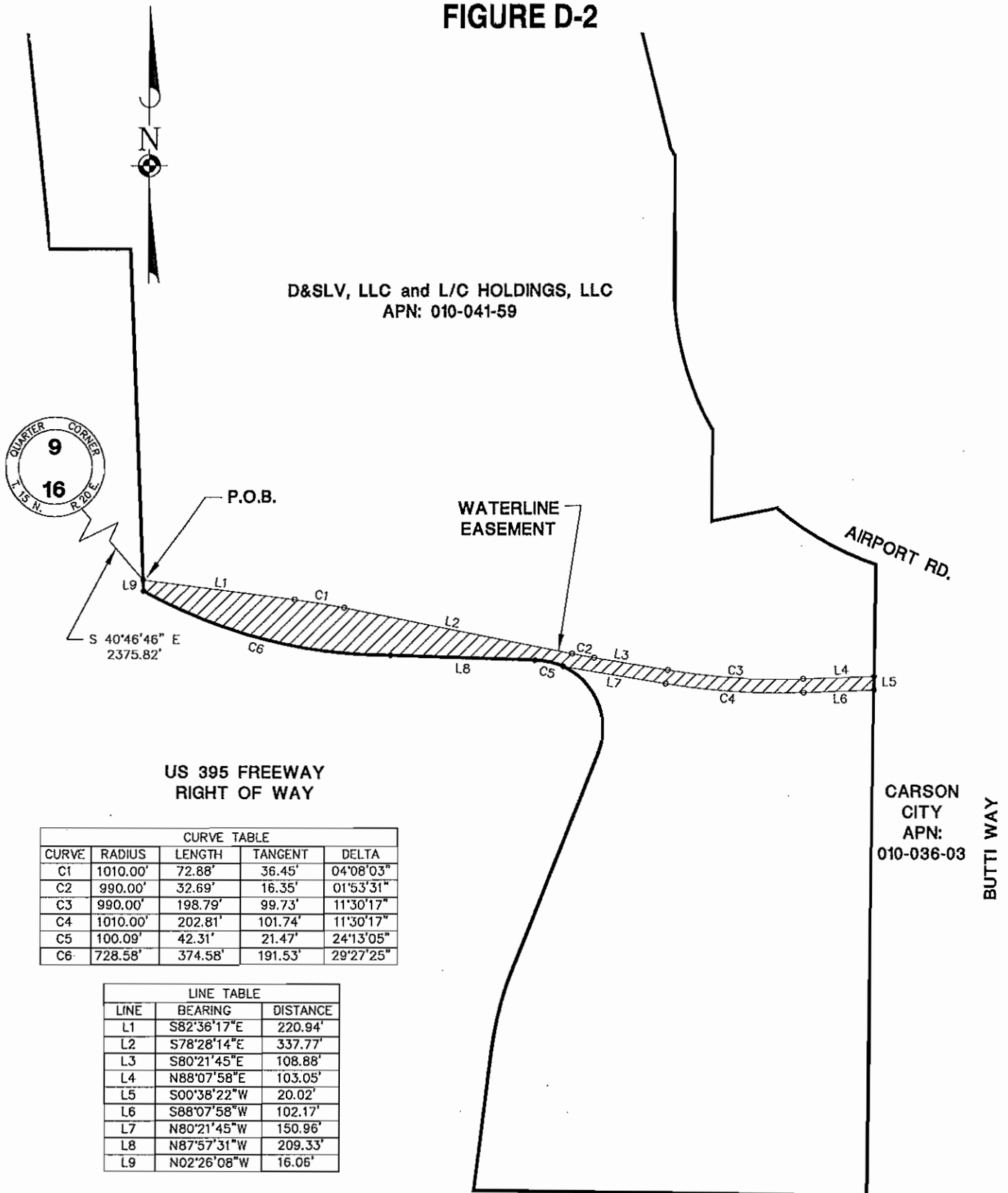
I hereby certify that the attached legal description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

James A. McKew  
Nevada PLS 19023  
For and on behalf of  
  
3476 EXECUTIVE POINTE WAY, SUITE 12  
CARSON CITY, NEVADA 89706  
(775) 882-5630



8-18-10

**FIGURE D-2**



CURVE TABLE				
CURVE	RADIUS	LENGTH	TANGENT	DELTA
C1	1010.00'	72.88'	36.45'	04°08'03"
C2	990.00'	32.69'	16.35'	01°53'31"
C3	990.00'	198.79'	99.73'	11°30'17"
C4	1010.00'	202.81'	101.74'	11°30'17"
C5	100.09'	42.31'	21.47'	24°13'05"
C6	728.58'	374.58'	191.53'	29°27'25"

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S82°36'17"E	220.94'
L2	S78°28'14"E	337.77'
L3	S80°21'45"E	108.88'
L4	N88°07'58"E	103.05'
L5	S00°38'22"W	20.02'
L6	S88°07'58"W	102.17'
L7	N80°21'45"W	150.96'
L8	N87°57'31"W	209.33'
L9	N02°26'08"W	16.06'

ROBINSON ST TRANSMISSION LINE

WATERLINE EASEMENT

A.P.N. 010-041-59

PROJ. MGR.: R.B.  
DRAWN BY: JAM  
DATE: 08/13/10  
SCALE: 1"=200'



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Construction Managers • Environmental Scientists • Landscape Architects • Planners

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**FIGURE D-2**

09-0940 CCCCN15

APN 010-041-57

AFTER RECORDING RETURN TO:

KIM BELT  
CARSON CITY PUBLIC WORKS  
3505 BUTTI WAY  
CARSON CITY, NV 89701-3498

TEMPORARY EASEMENT DEED

THIS TEMPORARY EASEMENT DEED, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between D & S L V, LLC, a Nevada Limited Liability Company as to a one-third (1/3) interest and L/C Holdings, LLC, a Nevada Limited Liability Company as their interest appears of record, hereinafter called GRANTOR, and CARSON CITY, NEVADA, a CONSOLIDATED MUNICIPALITY, hereinafter called CITY,

WITNESSETH:

That the GRANTOR, for and in consideration of the sum of ONE DOLLAR (\$1.00), lawful money of the United States of America, and other good and valuable consideration, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, and sell unto the CITY and to its assigns, for those purposes as contained in Chapter 271 of the Nevada Revised Statutes, a temporary construction easement upon, over and across said real property situate, lying and being in Carson City, State of Nevada, said easement is shown and more fully described in Figures E-1 and E-2 attached hereto and made a part hereof.

The above described temporary rights granted by this instrument shall commence with written notice from CITY and shall terminate twelve (12) months later.

TO HAVE AND TO HOLD all and singular the said real property, together with the appurtenances, unto the said GRANTEE and to any heirs, successors and assigns for the term of this temporary easement deed.

APN 010-041-57

IN WITNESS WHEREOF said GRANTOR has hereunto signed on the day and year first above written.

D & S L V, LLC, a Nevada Limited Liability Company

By: Sam Lompa 6/29/11  
Date

SAM LOMPA  
Name

OWNER  
Title

STATE OF Nevada )  
COUNTY OF Carson City ) SS.

This instrument was acknowledged before me on June 29, 2011,  
by SAM LOMPA as owner for D & S L V,  
LLC, a Nevada Limited Liability Company.

Linda McKenzie  
NOTARY PUBLIC



L/C Holdings, LLC, a Nevada Limited Liability Company

By: Martha Keating 6/27/11  
Date

Martha Keating  
Name

Partner  
Title

STATE OF Nevada )  
COUNTY OF Carson City ) ss.

This instrument was acknowledged before me on June 27, 2011,  
by Martha Keating as partner for L/C  
Holdings, LLC, a Nevada Limited Liability Company.

Linda Mckenzie  
NOTARY PUBLIC



CITY:

REVIEWED AND RECOMMENDED BY:

K. Belt 8/9/11  
Date  
KIM BELT  
Capital Program Manager

APPROVED FOR LEGALITY AND FORM:

[Signature] 8/9/11  
Date  
Carson City District Attorney

\_\_\_\_\_  
Robert Crowell, Mayor Date

ATTEST:

\_\_\_\_\_  
ALAN GLOVER, Clerk-Recorder Date

L/C Holdings, LLC, a Nevada Limited Liability Company

By: Dorothy Arraiz 6-27-11  
Date

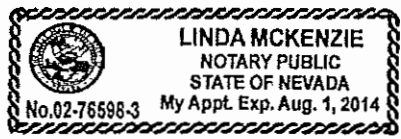
Dorothy Arraiz  
Name

Partner  
Title

STATE OF Nevada )  
COUNTY OF Carson City ) SS.

This instrument was acknowledged before me on June 27, 2011,  
by Dorothy Arraiz as partner for L/C  
Holdings, LLC, a Nevada Limited Liability Company.

Linda McKenzie  
NOTARY PUBLIC



CITY:

REVIEWED AND RECOMMENDED BY:

K. Belt 8/9/11  
KIM BELT Date  
Capital Program Manager

APPROVED FOR LEGALITY AND FORM:

[Signature] 8/9/11  
Carson City District Attorney Date

Robert Crowell, Mayor Date

ATTEST:

ALAN GLOVER, Clerk-Recorder Date

**Figure "E-1"**

**LEGAL DESCRIPTION**

**APN 10-041-57**

**TEMPORARY CONSTRUCTION EASEMENT**

All that certain real property situate within the North ½ of Section 16, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, being two (2) temporary construction easements, further described as follows:

**PARCEL 1**

**COMMENCING** at the north ¼ corner of Section 16 as shown on that Record of Survey No. 1960 filed in the Office of the County Recorder, Carson City, Nevada as File No. 135590;

**THENCE** S 12°04'28" W a distance of 1707.32 feet to a point on the westerly property line, the **POINT OF BEGINNING**;

**THENCE** leaving said property line, S 89°31'50" E, a distance of 971.13 feet;

**THENCE** N 07°23'43" E, a distance of 40.18 feet;

**THENCE** S 82°36'17" E, a distance of 150.00 feet;

**THENCE** S 07°23'43" W, a distance of 40.00 feet;

**THENCE** N 82°36'17" W, a distance of 24.13 feet;

**THENCE** N 89°31'50" W, a distance of 1096.25 feet to a point on the westerly property line;

**THENCE** N 01°01'01" E, along said property line a distance of 15.00 feet to the **POINT OF BEGINNING**;

**CONTAINING** a total of 21,517 sq. ft., more or less.

Together with the following parcel.

**PARCEL 2**

**COMMENCING** at the north ¼ corner of Section 16 as shown on that Record of Survey No. 1960 filed in the Office of the County Recorder, Carson City, Nevada as File No. 135590;

**THENCE** S 11°51'13" W a distance of 1741.69 feet to a point on the westerly property line, the **POINT OF BEGINNING**;

**THENCE** S 89°31'50" E, a distance of 1095.23 feet;

**THENCE** S 82°36'17" E, a distance of 22.92 feet;

**THENCE** S 07°23'43" W, a distance of 40.00 feet;

**THENCE** N 82°36'17" W, a distance of 150.00 feet;

**THENCE** N 07°23'43" E, a distance of 9.45 feet;

**THENCE** N 89°31'50" W, a distance of 1822.38 feet;

**THENCE** N 00°33'19" E, a distance of 14.21 feet to a point on the property line of said parcel, point also being the southeasterly corner of the Robinson Street right-of-way;

**THENCE** S 89°26'41" E, along said property line a distance of 856.93 feet;

**THENCE** N 01°01'01" E, continuing along said property line a distance of 2.07 feet to the **POINT OF BEGINNING**.

**CONTAINING** a total of 31,144 sq. ft., more or less.

The Basis of Bearing for this description is North American Datum of 1983 as based on Federal Base Network/Cooperative Base Network observations in 1994 (also known as N.A.D. 83/94), Nevada State Plane West Zone as determined with real time kinematic GPS observations made June 15, 2010 with corrections transmitted by regional base network continuously operating reference station DOT1. Bearings and Distances hereon reflect grid coordinates multiplied by a combined grid to ground factor of 1.0002 (also known as Carson City Modified).



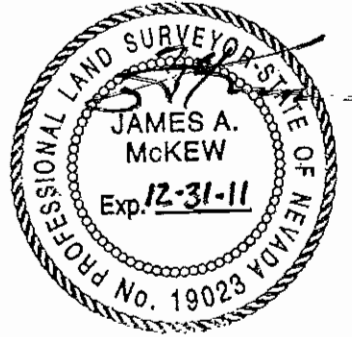
SURVEYOR'S CERTIFICATE

I hereby certify that the attached legal description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

James A. McKew  
Nevada PLS 19023  
For and on behalf of

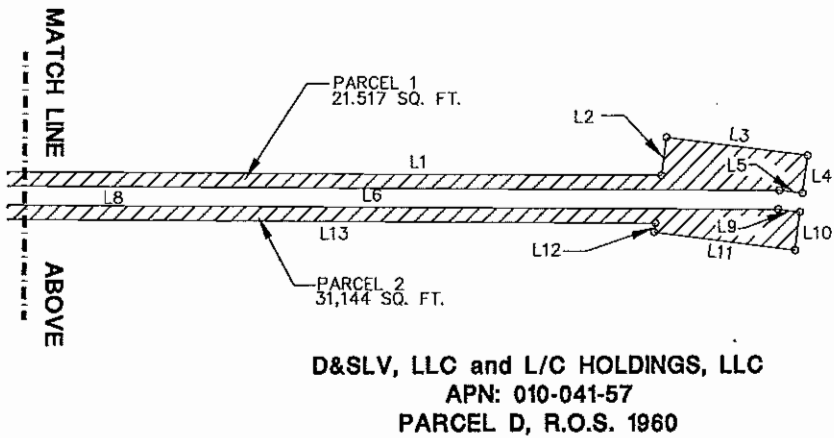
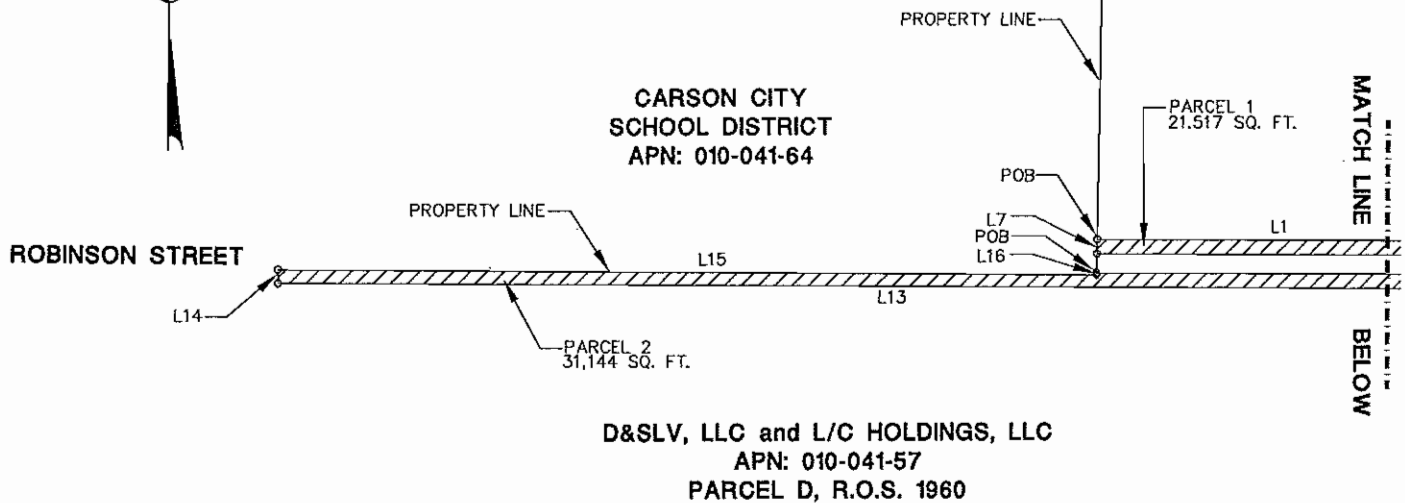


3476 EXECUTIVE POINTE WAY, SUITE 12  
CARSON CITY, NEVADA 89706  
(775) 882-5630



8-26-10

# FIGURE E-2



LINE TABLE					
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S89°31'50"E	971.13'	L9	S82°36'17"E	22.92'
L2	N07°23'43"E	40.18'	L10	S07°23'43"W	40.00'
L3	S82°36'17"E	150.00'	L11	N82°36'17"W	150.00'
L4	S07°23'43"W	40.00'	L12	N07°23'43"E	9.45'
L5	N82°36'17"W	24.13'	L13	N89°31'50"W	1822.38'
L6	N89°31'50"W	1096.25'	L14	N00°33'19"E	14.21'
L7	N01°01'01"E	15.00'	L15	S89°26'41"E	856.93'
L8	S89°31'50"E	1095.23'	L16	N01°01'01"E	2.07'

ROBINSON ST TRANSMISSION LINE

TEMPORARY CONSTRUCTION EASEMENT

A.P.N. 010-041-57

PROJ. MGR.: R.B.  
DRAWN BY: JAM  
DATE: 08/25/10  
SCALE: 1"=200'



**Manhard**  
CONSULTING LTD

3476 Executive Points Way, Suite 12, Carson City, NV 89706 tel: (775) 882-5830 fax: (775) 885-7282 www.manhard.com  
Civil Engineers • Surveyors • Water Resources Engineers • Water & Wastewater Engineers  
Construction Managers • Environmental Scientists • Landscape Architects • Planners

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**FIGURE E-2**

09-0940 CCCCN15

APN 010-041-59

AFTER RECORDING RETURN TO:

KIM BELT  
CARSON CITY PUBLIC WORKS  
3505 BUTTI WAY  
CARSON CITY, NV 89701-3498

TEMPORARY EASEMENT DEED

THIS TEMPORARY EASEMENT DEED, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between D & S L V, LLC, a Nevada Limited Liability Company as to a one-third (1/3) interest and L/C Holdings, LLC, a Nevada Limited Liability Company as their interest appears of record, hereinafter called GRANTOR, and CARSON CITY, NEVADA, a CONSOLIDATED MUNICIPALITY, hereinafter called CITY,

WITNESSETH:

That the GRANTOR, for and in consideration of the sum of ONE DOLLAR (\$1.00), lawful money of the United States of America, and other good and valuable consideration, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, and sell unto the CITY and to its assigns, for those purposes as contained in Chapter 271 of the Nevada Revised Statutes, a temporary construction easement upon, over and across said real property situate, lying and being in Carson City, State of Nevada, said easement is shown and more fully described in Figures F-1 and F-2 attached hereto and made a part hereof.

The above described temporary rights granted by this instrument shall commence with written notice from CITY and shall terminate twelve (12) months later.

TO HAVE AND TO HOLD all and singular the said real property, together with the appurtenances, unto the said GRANTEE and to any heirs, successors and assigns for the term of this temporary easement deed.



APN 010-041-59

L/C Holdings, LLC, a Nevada Limited Liability Company

By: Martha Keating 6/27/11  
Date

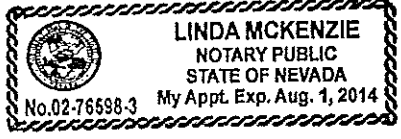
Martha Keating  
Name

Partner  
Title

STATE OF Nevada  
COUNTY OF Carson City )  
SS.

This instrument was acknowledged before me on June 27, 2011,  
by Martha Keating as partner for L/C  
Holdings, LLC, a Nevada Limited Liability Company.

Linda McKenzie  
NOTARY PUBLIC



CITY:

REVIEWED AND RECOMMENDED BY:

K. Belt 8/9/11  
KIM BELT Date  
Capital Program Manager

APPROVED FOR LEGALITY AND FORM:

[Signature] 8/9/11  
Carson City District Attorney Date

Robert Crowell, Mayor Date

ATTEST:

ALAN GLOVER, Clerk-Recorder Date

APN 010-041-59

L/C Holdings, LLC, a Nevada Limited Liability Company

By: Dorothy Arraiz 6-27-11  
Date

Dorothy Arraiz  
Name

Partner  
Title

STATE OF Nevada )  
                          ) SS.  
COUNTY OF Carson City

This instrument was acknowledged before me on June 27, 2011,  
by Dorothy Arraiz as partner for L/C  
Holdings, LLC, a Nevada Limited Liability Company.

Linda McKenzie  
NOTARY PUBLIC



CITY:

REVIEWED AND RECOMMENDED BY:

Kim Belt 8/9/11  
KIM BELT Date  
Capital Program Manager

APPROVED FOR LEGALITY AND FORM:

[Signature] 8/9/11  
Carson City District Attorney Date

Robert Crowell, Mayor Date

ATTEST:

ALAN GLOVER, Clerk-Recorder Date

**Figure "F-1"**

**LEGAL DESCRIPTION**

**APN 10-041-59**

**TEMPORARY CONSTRUCTION EASEMENTS**

All that certain real property situate within the Northeast  $\frac{1}{4}$  of Section 16, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, being two (2) Temporary Construction Easements varying in width, further described as follows:

**PARCEL 1**

**COMMENCING** at the north  $\frac{1}{4}$  corner of Section 16 as shown on that Record of Survey No. 1960 filed in the Office of the County Recorder, Carson City, Nevada as File No. 135590;

**THENCE** S 43°36'27" E a distance of 2443.25 feet to the **POINT OF BEGINNING**;

**THENCE** S 80°34'55" E, a distance of 150.00 feet;

**THENCE** S 09°25'05" W, a distance of 28.12 feet;

**THENCE** along a non-tangent curve to the right having a radius of 1025.00 feet, arc length of 17.54 feet, delta angle of 00°58'49", tangent length of 8.77 feet, chord bearing of S 78°57'38" E and a chord distance of 17.54 feet;

**THENCE** S 78°28'14" E, a distance of 337.77 feet;

**THENCE** along a curve to the left having a radius of 975.00 feet, arc length of 32.20 feet, delta angle of 01°53'31" and a tangent length of 16.10 feet;

**THENCE** S 80°21'45" E, a distance of 108.88 feet;

**THENCE** along a curve to the left having a radius of 975.00 feet, arc length of 195.78 feet, delta angle of 11°30'17" and a tangent length of 98.22 feet;

**THENCE** N 88°07'58" E, a distance of 103.71 feet to a point on the easterly property line;

**THENCE** S 00°38'22" W, along said property line a distance of 15.01 feet;

**THENCE** S 88°07'58" W, leaving the aforementioned property line a distance of 103.05 feet;

**THENCE** along a curve to the right having a radius of 990.00 feet, arc length of 198.79 feet, delta angle of 11°30'17" and a tangent length of 99.73 feet;

**THENCE** N 80°21'45" W, a distance of 108.88 feet;

**THENCE** along a curve to the right having a radius of 990.00 feet, arc length of 32.69 feet, delta angle of 01°53'31" and a tangent length of 16.35 feet;

**THENCE** N 78°28'14" W, a distance of 337.77 feet;

**THENCE** along a curve to the left having a radius of 1010.00 feet, arc length of 72.88 feet, delta angle of 04°08'03" and a tangent length of 36.45 feet;

**THENCE** N 82°36'17" W, a distance of 94.18 feet;

**THENCE** N 09°25'05" E, a distance of 46.88 feet to the **POINT OF BEGINNING**.

**CONTAINING** a total of 18,618 square feet, more or less.

Together with the following parcel:

## **PARCEL 2**

**COMMENCING** at the north  $\frac{1}{4}$  corner of Section 16 as shown on that Record of Survey No. 1960 filed in the Office of the County Recorder, Carson City, Nevada as File No. 135590;

**THENCE** S 48°17'45" E a distance of 2894.48 feet to the **POINT OF BEGINNING**;

**THENCE** S 80°21'45" E, a distance of 150.96 feet;

**THENCE** along a curve to the left having a radius of 1010.00 feet, arc length of 202.81 feet, delta angle of 11°30'17" and a tangent length of 101.74 feet;

**THENCE** N 88°07'58" E, a distance of 102.17 feet to a point on the easterly property line;

**THENCE** S 00°38'22" W, along said property line a distance of 15.01 feet;

**THENCE** S 88°07'58" W, leaving the aforementioned property line a distance of 101.52 feet;

**THENCE** along a curve to the right having a radius of 1025.00 feet, arc length of 205.82 feet, delta angle of 11°30'17" and a tangent length of 103.26 feet;

**THENCE** N 80°21'45" W, a distance of 119.36 feet;



**THENCE** along a non-tangent curve to the left having a radius of 100.05 feet, arc length of 35.16 feet, delta angle of 20°08'12", tangent length of 17.76 feet, chord bearing of N 54°58'16" W and a chord distance of 34.98 feet to the **POINT OF BEGINNING**.

**CONTAINING** a total of 6,584 square feet, more or less.

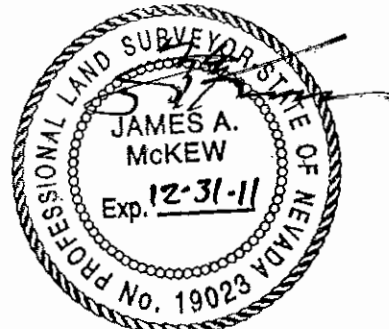
The Basis of Bearing for this description is North American Datum of 1983 as based on Federal Base Network/Cooperative Base Network observations in 1994 (also known as N.A.D. 83/94), Nevada State Plane West Zone as determined with real time kinematic GPS observations made June 15, 2010 with corrections transmitted by regional base network continuously operating reference station DOT1. Bearings and Distances hereon reflect grid coordinates multiplied by a combined grid to ground factor of 1.0002 (also known as Carson City Modified).

#### SURVEYOR'S CERTIFICATE

I hereby certify that the attached legal description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

James A. McKew  
Nevada PLS 19023  
For and on behalf of

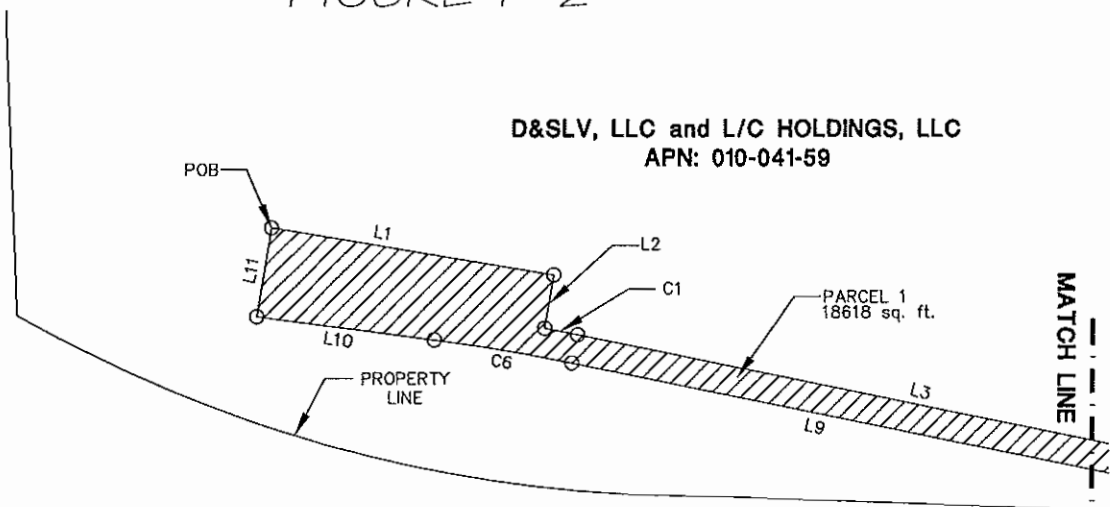
 **Manhard**  
CONSULTING  
3476 EXECUTIVE POINTE WAY, SUITE 12  
CARSON CITY, NEVADA 89706  
(775) 882-5630



8-26-10

# FIGURE F-2

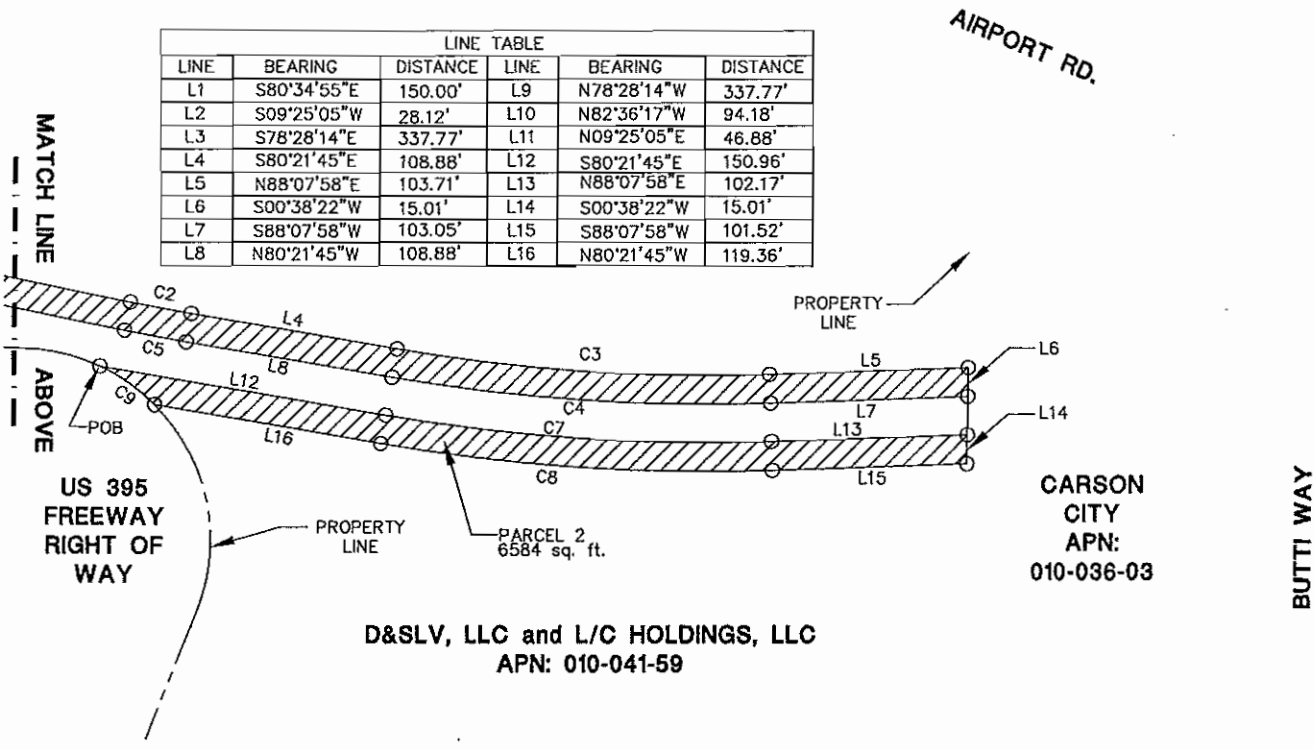
D&SLV, LLC and L/C HOLDINGS, LLC  
APN: 010-041-59



CURVE TABLE				
CURVE	RADIUS	LENGTH	TANGENT	DELTA
C1	1025.00'	17.54'	8.77'	00°58'49"
C2	975.00'	32.20'	16.10'	01°53'31"
C3	975.00'	195.78'	98.22'	11°30'17"
C4	990.00'	198.79'	99.73'	11°30'17"
C5	990.00'	32.69'	16.35'	01°53'31"
C6	1010.00'	72.88'	36.45'	04°08'03"
C7	1010.00'	202.81'	101.74'	11°30'17"
C8	1025.00'	205.82'	103.26'	11°30'17"
C9	100.05'	35.16'	17.76'	20°08'12"

US 395 FREEWAY  
RIGHT OF WAY

LINE TABLE					
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S80°34'55"E	150.00'	L9	N78°28'14"W	337.77'
L2	S09°25'05"W	28.12'	L10	N82°36'17"W	94.18'
L3	S78°28'14"E	337.77'	L11	N09°25'05"E	46.88'
L4	S80°21'45"E	108.88'	L12	S80°21'45"E	150.96'
L5	N88°07'58"E	103.71'	L13	N88°07'58"E	102.17'
L6	S00°38'22"W	15.01'	L14	S00°38'22"W	15.01'
L7	S88°07'58"W	103.05'	L15	S88°07'58"W	101.52'
L8	N80°21'45"W	108.88'	L16	N80°21'45"W	119.36'



D&SLV, LLC and L/C HOLDINGS, LLC  
APN: 010-041-59

ROBINSON ST TRANSMISSION LINE      TEMPORARY CONSTRUCTION EASEMENT      A.P.N. 010-041-59

PROJ. MGR.: R.B.  
DRAWN BY: JAM  
DATE: 08/20/10  
SCALE: 1"=100'



**Manhard**  
CONSULTING LTD  
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Civil Engineers · Surveyors · Water Resources Engineers · Water & Wastewater Engineers  
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**FIGURE F-2**  
09-0940      CCCCN15

Ptn of APN 010-036-03

AFTER RECORDING RETURN TO:

KIM BELT  
CARSON CITY PUBLIC WORKS  
3505 BUTTI WAY  
CARSON CITY, NV 89701-3498

DEED

THIS DEED, made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between D & S L V, LLC, a Nevada Limited Liability Company as to a one-third (1/3) interest and L/C Holdings, LLC, a Nevada Limited Liability Company hereinafter called GRANTEE, and CARSON CITY, NEVADA, a CONSOLIDATED MUNICIPALITY, hereinafter called CITY,

WITNESSETH:

That the CITY, for and in consideration of the sum of ONE DOLLAR (\$1.00), lawful money of the United States of America, and other good and valuable consideration, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, and sell unto the GRANTEE and to its assigns forever, all that certain real property situate, lying and being in Carson City, State of Nevada, and more particularly described in Figures G-1 and G-2 attached hereto and made a part hereof.

EXCEPTING THEREFROM an easement for utility purposes being described in Figures G-3 and G-4 attached hereto and made a part hereof:

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; with the exception of any and all reservations as are previously hereinabove expressly excepted from this conveyance.

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

Ptn of APN 010-036-03

IN WITNESS WHEREOF the parties hereto have executed this agreement the day and year first above written.

\_\_\_\_\_  
Robert Crowell, Mayor Date

STATE OF                                     )  
  ) SS.  
COUNTY OF                                )

This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_\_\_,  
by Robert Crowell, Mayor.

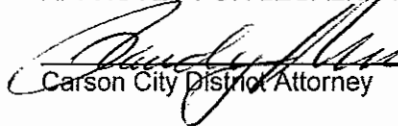
\_\_\_\_\_  
NOTARY PUBLIC

CITY:

REVIEWED AND RECOMMENDED BY:

\_\_\_\_\_  
KIM BELT Date  
Capital Program Manager

APPROVED FOR LEGALITY AND FORM:

 \_\_\_\_\_ 8/9/11  
Carson City District Attorney Date

ATTEST:

\_\_\_\_\_  
ALAN GLOVER, Clerk-Recorder Date

**Figure "G-1"**

**LEGAL DESCRIPTION**

**APN 10-036-03**

**PROPERTY CONVEYANCE**

All that certain real property situate within the Northeast  $\frac{1}{4}$  of Section 16, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, being a strip of land, further described as follows:

**COMMENCING** at the north  $\frac{1}{4}$  corner of Section 16 as shown on that Record of Survey No. 1960 filed in the Office of the County Recorder, Carson City, Nevada as File No. 135590;

**THENCE** S55°37'54"E a distance of 3169.01 feet to the Easterly property line of said APN 10-041-59 and the **POINT OF BEGINNING**;

**THENCE** S67°16'40"E, a distance of 9.68 feet;

**THENCE** along a non tangent curve to the right, having a radius of 208.71 feet, a central angle of 49°22'41", a curve length of 179.87 feet, with a chord bearing of S41°29'02"E, and a chord distance of 174.35 feet;

**THENCE** S00°32'35"W, a distance of 698.68 feet;

**THENCE** N89°02'38"W, a distance of 127.02 feet to the Easterly property line of said APN 010-041-59;

**THENCE** N00°38'04"E, along said Easterly property line, a distance of 830.93 feet the **POINT OF BEGINNING**.

**CONTAINING:** 2.28 acres, (99,287 square feet), more or less.

The Basis of Bearing for this description is North American Datum of 1983 as based on Federal Base Network/Cooperative Base Network observations in 1994 (also known as N.A.D. 83/94), Nevada State Plane West Zone as determined with real time kinematic GPS observations made June 15, 2010 with corrections transmitted by regional base network continuously operating reference station DOT1. Bearings and Distances hereon reflect grid coordinates multiplied by a combined grid to ground factor of 1.0002 (also known as Carson City Modified).

SURVEYOR'S CERTIFICATE

I hereby certify that the attached legal description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

James A. McKew  
Nevada PLS 19023  
For and on behalf of



3476 EXECUTIVE POINTE WAY, SUITE 12  
CARSON CITY, NEVADA 89706  
(775) 882-5630

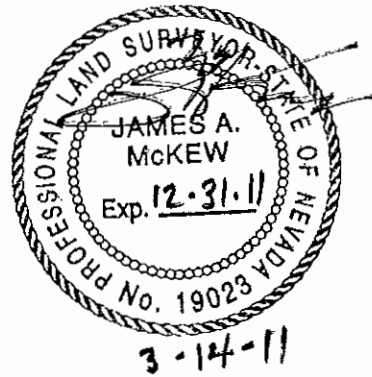
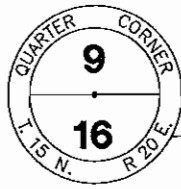


FIGURE G-2



D&SLV, LLC and  
L/C HOLDINGS, LLC  
APN: 010-041-59

POB

S67°16'40"E  
9.68'

L=179.87'  
R=208.71'  
Δ=49°22'41"

CONVEYANCE:  
CITY OF CARSON CITY TO LOMPA  
2.28 ACRES (99,287 SQ FT)

CARSON CITY  
APN: 010-036-03

S00°38'04"W 830.93'

S00°32'35"W 698.68'

N89°02'38"W  
127.02'

AIRPORT RD

BUTTI WAY



LOMPA & CITY OF CARSON CITY

CARSON CITY, NV

PROPERTY CONVEYANCE

PROJ. MGR.: RCB  
DRAWN BY: DTK  
DATE: FEB 2011  
SCALE: 1" = 150'



**Manhard**  
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SHEET  
1 OF 1  
CCCCN15 090940

**Figure "G-3"**

**LEGAL DESCRIPTION**

**APN 10-036-03**

**PERMANENT UTILITY EASEMENT**

All that certain real property situate within the Northeast  $\frac{1}{4}$  of Section 16, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, being a strip of land, further described as follows:

**COMMENCING** at the north  $\frac{1}{4}$  corner of Section 16 as shown on that Record of Survey No. 1960 filed in the Office of the County Recorder, Carson City, Nevada as File No. 135590;

**THENCE** S55°37'54"E a distance of 3169.01 feet to the Westerly property line of said APN 10-036-03;

**THENCE** S00°38'04"W, along said Westerly property line, a distance of 152.36 feet and the **POINT OF BEGINNING**;

**THENCE** N88°07'58"E, leaving said Westerly property line, a distance of 55.65 feet;

**THENCE** N68°19'15"E, a distance of 72.13 feet;

**THENCE** through a non tangent curve to the right, having a radius of 208.71 feet, through a central angle of 03°01'31", and an arc length of 11.02, with a chord bearing of S18°18'28"E, and a chord distance of 11.02 feet;

**THENCE** S00°32'26"W, a distance of 9.72 feet;

**THENCE** S68°19'15"W, a distance of 71.30 feet;

**THENCE** S88°07'58"W, a distance of 60.02 feet to said Westerly property line;

**THENCE** N00°38'04"E, along said Westerly property line, a distance of 20.02 feet to the **POINT OF BEGINNING**.

**CONTAINING:** 2,608 square feet, more or less.

The Basis of Bearing for this description is North American Datum of 1983 as based on Federal Base Network/Cooperative Base Network observations in 1994 (also known as N.A.D. 83/94), Nevada State Plane West Zone as determined with real time kinematic GPS observations made June 15, 2010 with corrections transmitted by regional base network continuously operating reference station DOT1. Bearings and Distances hereon reflect grid coordinates multiplied by a combined grid to ground factor of 1.0002 (also known as Carson City Modified).



SURVEYOR'S CERTIFICATE

I hereby certify that the attached legal description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

Daniel T. Kelsoe  
Nevada PLS 18974  
For and on behalf of



3476 EXECUTIVE POINTE WAY, SUITE 12  
CARSON CITY, NEVADA 89706  
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