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2003 SEP 15 PM 1 25

LINCOLN COUNTY RECORDS

FEE 20⁰⁰ DEP. *TD*
LESLIE BOUCHER

EASEMENT AGREEMENT

EASEMENT AGREEMENT

1 THIS EASEMENT AGREEMENT, made and entered into this 13th day
2 of January, 2003, by and between ROBERT T. CANNON and KATHRYN R.
3 CANNON, Trustees of the ROBERT T. CANNON AND KATHRYN R. CANNON
4 FAMILY TRUST, hereinafter referred to as "CANNON", and RAMON H.
5 SCHMUTZ, Trustee of the RAMON HARMON SCHMUTZ 1991 NEVADA TRUST,
6 hereinafter referred to as "SCHMUTZ".

W I T N E S S E T H:

8 WHEREAS, CANNON is the owner of property situate in the
9 County of Lincoln, State of Nevada; and

10 WHEREAS, SCHMUTZ is desirous of obtaining a right-of-way
11 and easement over, under and across a portion of said property for
12 the installation, operation, maintenance and repair of a roadway,
13 and for underground utilities; and

14 WHEREAS, CANNON is desirous and willing to grant said
15 easement and the right-of-way for the purposes herein set forth;

16 NOW, THEREFORE, for and in consideration of the premises
17 and the terms, covenants, agreements and conditions hereinafter set
18 forth, CANNON agrees as follows:

19 1. To, and he does hereby, assign, grant and convey
20 unto SCHMUTZ an easement and right-of-way for a roadway and for
21 underground utilities, under and across the hereinafter described
22 tract of land and owned by said CANNON, and said tract of land,
23 which said tract of land is more particularly described on Exhibit
24 "A" attached hereto and made a part hereof, and is further set
25 forth on the map attached hereto as Exhibit "B" and made a part
26

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A PROFESSIONAL CORPORATION
482 FIFTH STREET, P.O. BOX 18108
ELY, NEVADA 89315
(775) 288-4122

2025933

1 hereof.

2 2. There is hereby given and granted to SCHMUTZ all
3 rights of ingress and egress necessary for the full use, occupation
4 and enjoyment of the hereinabove referred to easement and right-of-
5 way hereby granted, and to all rights and privileges incident
6 thereto.

7 For and in consideration of the premises and the things
8 to be done and performed by CANNON, SCHMUTZ agrees as follows:

9 1. All work incident to the installation of said road-
10 way and utilities shall be done and performed pursuant to all
11 requirements of the Lincoln County Code, as applicable, and
12 pursuant to the requirements of any utility company.

13 For and in consideration of the of the premises and the
14 things to be done and performed by each of the parties hereto, it
15 is mutually agreed by and between the parties hereto as follows:

16 1. This Agreement is assignable by said SCHMUTZ to any
17 party that SCHMUTZ may sell his home, ranch, and real property to
18 in connection with the use of this easement.

19 2. This Agreement shall be binding upon and inure to
20 the benefit of the heirs, successors, legal representatives and
21 assigns of the respective parties hereto.

22 3. Any party causing damage to the easement, shall
23 repair the same immediately at their sole cost and expense.

24 4. Either party shall be allowed to construct
25 improvements to the easement at their sole cost and and expense
26 provided the improvements so constructed do not interfere with the

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1 other party's use and enjoyment of the easement.

2 5. Neither party shall obstruct, impede, or encumber
3 the easement granted hereunder.

4 6. This easement shall be recorded.

5 IN WITNESS WHEREOF, the parties have hereunto caused the
6 foregoing to be execute the day and year first above written.

7
8 Robert T. Cannon
9 ROBERT T. CANNON
10 Trustee of the ROBERT T. CANNON AND
11 KATHRYN R. CANNON FAMILY TRUST


12 Kathryn R. Cannon
13 KATHRYN R. CANNON
14 Trustee of the ROBERT T. CANNON AND
15 KATHRYN R. CANNON FAMILY TRUST

16 Ramon H. Schmutz
17 RAMON H. SCHMUTZ
18 Trustee of RAMON HARMON SCHMUTZ
19 TRUST
20 1991 NEVADA TRUST

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21 STATE OF NEVADA,)
22 County of Clark) ss.

23 On January 17, 2003, personally appeared before
24 me, a Notary Public, ROBERT T. CANNON and KATHRYN R. CANNON,
25 Trustees of the ROBERT T. CANNON AND KATHRYN R. CANNON FAMILY
26 TRUST, who acknowledged that they executed the above instrument.

 LAURIE A. HAMILTON
Notary Public State of Nevada
No. 98-3379-1
My appt. exp. June 30, 2006

Laurie A. Hamilton
NOTARY PUBLIC

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STATE OF NEVADA,)
)
County of Lincoln) ss.

On January 13th, 2003, personally appeared before me, a Notary Public, RAMON H. SCHMUTZ, Trustee of the RAMON HARMON SCHMUTZ 1991 NEVADA TRUST, who acknowledged that he executed the above instrument.

 BETTY JO JARVIS
Notary Public State of Nevada
No. 01-67742-11
My appl. exp. Mar. 20, 2005

Betty Jo Jarvis
NOTARY PUBLIC

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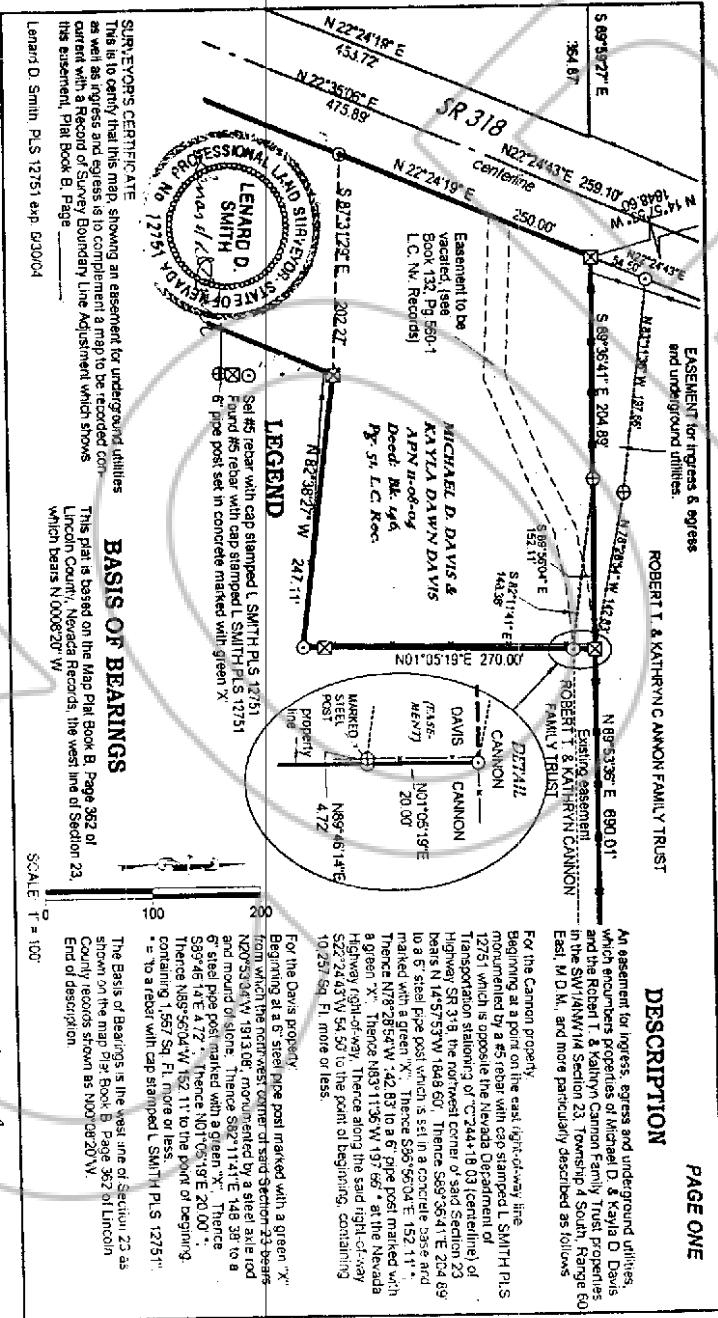
EXHIBIT "A"

SW1/4 NW1/4 Section 23, Township 4 South, Range 60 East, M.D.M., and more particularly described as follows:

Beginning at a point on the east right-of-way line monumented by a #5 rebar with cap stamped L. SMITH PLS 12751 which is opposite the Nevada Department of Transportation stationing of "C"244+18.03 (centerline) of Highway SR 318, the northwest corner of said Section 23 bears N 14°57'53" W 1848.60'; Thence S 89°36'41" E 204.89' to a 6" steel pipe post which is set in a concrete base and marked with a green "X". Thence S 89°56'04" E 152.11'; Thence N 78°28'54" W 142.83' to a 6' pipe post marked with a green "X"; Thence N 83°11'36" W 197.66' at the Nevada Highway right-of-way; Thence along the said right-of-way S 22°24'43" W 54.50' to the point of beginning, containing 10,257 Sq. Ft. more or less.

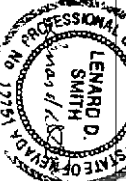
*="to (or at) a #5 rebar with cap stamped L. Smith PLS 12751"

FILED "C" PAGE 7



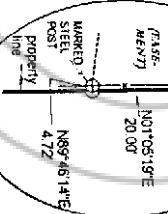
SURVEYOR'S CERTIFICATE
 This is to certify that this map, showing an easement for underground utilities, as well as ingress and egress is in compliance with a map to be recorded concurrently with a Record of Survey Boundary Line Adjustment which shows the easement, Plat Book B, Page 362.

Lenard D. Smith, P.L.S. 12751 exp. 03/00/04



LEGEND

- ⊙ Set 45 rebar with cap stamped L. SMITH P.L.S. 12751
- ⊗ Found 45 rebar with cap stamped L. SMITH P.L.S. 12751
- ⊕ 6" pipe set in concrete marked with green 'x'



BASIS OF BEARINGS

This plat is based on the Map Plat Book B, Page 362 of Lincoln County, Nevada Records, the west line of Section 23, which bears N 00° 06' 20" W.

SCALE: 1" = 100'

DESCRIPTION
PAGE ONE

An easement for ingress, egress and underground utilities, which encumbers properties of Michael D. & Kayla D. Davis and the Robert T. & Kathryn Cannon Family Trust, is shown in the SW 1/4 NW 1/4 Section 23, Township 1 South, Range 60 East, M.D.M., and more particularly described as follows:

For the Cannon property, Beginning at a point on the east right-of-way line monumented by a 45 rebar with cap stamped L. SMITH P.L.S. 12751, which is opposite the corner of the Department of Transportation station 0+372.44, 18.03 (centerline of Highway SR-38) the north-south line of said Section 23 bears N 14° 51' 53" W, 164.60'. Thence S 88° 36' 41" E, 234.89 to a 6" steel pipe post; Thence S 88° 56' 04" E, 152.11' to a green 'x'; Thence S 88° 56' 04" E, 152.11' to a green 'x'; Thence N 01° 05' 19" E, 20.00' to a green 'x'; Thence N 89° 46' 14" E, 4.72' to a green 'x'; Thence along the said right-of-way highway right-of-way, 102.97' 84. Ft. more or less.

For the Davis property, Beginning at a steel pipe post marked with a green 'x' from which the northeast corner of said Section 23 bears N 20° 33' 01" E, 193.00' monumented by a steel axle rod and a 6" steel pipe post; Thence S 82° 11' 41" E, 148.38' to a 6" steel pipe post marked with a green 'x'; Thence S 89° 46' 14" E, 4.72' to a green 'x'; Thence N 01° 05' 19" E, 20.00' to a green 'x'; Thence N 89° 56' 04" W, 152.11' to the point of beginning; Thence along the said right-of-way highway right-of-way, 102.97' 84. Ft. more or less.

The Basis of Bearings is the west line of Section 23 as shown on the map Plat Book B, Page 362 of Lincoln County records shown as N 00° 06' 20" W.

End of description.

Exhibit 118