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APN 004-021-05

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03/09/2011

02:14 PM

Official Record

Recording requested By  
ALBRIGHT STODDARD WARNICK & ALBRIGH

Lincoln County - NV

Leslie Boucher - Recorder

Fee: \$47.00

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RPTT:

Recorded By: AE

Book- 262 Page- 0496

GRANT OF EASEMENT AND RIGHT-OF-1



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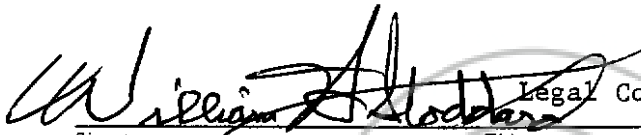
Title of Document

Affirmation Statement

\_\_\_\_ I, the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the social security number of any person or persons. 9Per NRS 239B.030)

\_\_\_\_ I, the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain the social security number of a person or persons as required by law:

(State specific law)

  
\_\_\_\_\_  
Signature Title  
William H. Stoddard, Sr. Esq. Legal Counsel

\_\_\_\_\_  
Signature

March 7, 2011

\_\_\_\_\_  
Date

Grantees address and mail tax statement:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

GRANT OF EASEMENT AND RIGHT-OF-WAY  
(From Steele to Robinson)

This Grant of Easement and Right-of-Way (hereinafter "**Easement**"), is made and granted this 22<sup>nd</sup> day of February, 2011, by the Estate of Thomas W. Steele, Lois Steele, individually, and Robert Steele, individually and their heirs, successors and assigns (hereinafter referred to collectively as "**Steele**"), to Elwyn Robinson and Kae Robinson, husband and wife, and their heirs, successors and assigns (hereinafter referred to collectively as "**Robinson**").

RECITALS

WHEREAS, Robinson is the owner of that certain real property located in Lincoln County, Town of Alamo, State of Nevada, all as more fully described on **Exhibit "A"** attached hereto, and made a part hereof by this reference (hereinafter referred to as the "**Robinson Parcel**"); and

WHEREAS, Steele is the owner of certain real property in Lincoln County, Town of Alamo, State of Nevada, located south of and adjacent to the Robinson Parcel, consisting of a parcel of land which is approximately 9.90 feet wide on the east end, approximately 12.50 feet wide on the west end, approximately 256.30 feet wide on the north end (along its common boundary with the Robinson Parcel), and approximately 256.30 feet wide on its south end (along its common boundary with what is sometimes referred to as 200 North Street in the Town of Alamo, State of Nevada, which street is discussed further in the next two paragraphs), all as more fully described on **Exhibit "B"** attached hereto, and made a part hereof by this reference (hereinafter referred to as the "**Steele Parcel**"); and

WHEREAS, Steele also claims an interest in a portion of 200 North Street in Lincoln County, Town of Alamo, Nevada (hereinafter referred to as "**200 North Street**"), located south of and adjacent to the southern boundary of the Steele Parcel, and which claim of interest is currently being litigated in Case No. CV-1251010 currently pending in the Seventh Judicial District Court in Lincoln County, Nevada; and

WHEREAS, Robinson and Steele have settled certain differences between them and Steele has agreed to grant to Robinson a perpetual easement which shall run with the land for ingress, egress and utilities across both the Steele Parcel and 200 North Street (to the extent that the Steeles have an ownership interest in 200 North Street), which easement shall be 20-feet wide and shall be in the exact location of the current driveway access area where the Robinsons have historically had vehicular access to the Robinson Parcel across the Steele Parcel and across 200 North Street in the past, which easement shall benefit and be appurtenant to the Robinson Parcel, all for the purpose of allowing the Robinsons to have vehicular and pedestrian access for ingress, egress and utilities to the Robinson Parcel from a point beginning at the north end of a street in Lincoln County, Town of Alamo, State of Nevada, sometimes referred to as 100 East Street and sometimes referred to as Purple Sage Street (hereinafter referred to as "**Purple Sage Street**"), then continuing northerly across 200 North Street, and also continuing northerly across the Steele Parcel to the south end of Robinson Parcel.



NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the receipt and adequacy of which are hereby acknowledged, Robinson and Steele covenant and agree as follows:

1. Dismissal of Nevada Supreme Court Case No. 55964. As part of the consideration for the grant of the Easement from Steele to Robinson as set forth herein, Robinson has agreed to dismiss with prejudice its appeal in Nevada Supreme Court Case No. 55964, and the parties hereto acknowledge that a mutually executed "Stipulation to Dismiss Appeal Pursuant to Settlement" was filed with the Clerk of the Nevada Supreme Court on January 14, 2011, thereby fulfilling this condition and requirement.

2. Payment by Robinson to Steele of \$13,329.93. As further consideration for the easement and right-of-way as set forth herein, Robinson has agreed to pay to Steele the sum of \$10,000 (plus an additional \$3,329.93, in costs awarded to Steele in Case No. CV-0833004, in the Seventh Judicial District Court of the State of Nevada, in and for the County of Lincoln), for a total of \$13,329.93, which money has been deposited in the trust account of Steele's attorney and shall be disbursed to Steele at the time of the recording of this Easement.

3. Grant of Easement by Steele. Steele hereby grants to Robinson a perpetual easement and right-of-way for ingress and egress for both pedestrian and vehicular traffic, and for utilities (i.e., the "Easement"), for the benefit of the Robinson Parcel (the benefitted parcel), over, across and through the Steele Parcel and 200 North Street (the burdened parcels), from a point beginning at the north end of Purple Sage Street, then continuing northerly across 200 North Street, and also continuing northerly across the Steele Parcel to the south end of the Robinson Parcel to a point at the common boundary between the Steele Parcel and the Robinson Parcel, which easement shall be 20-foot wide and shall be in the exact location of the current driveway access area where the Robinsons have historically had access to the Robinson Parcel across the Steele Parcel and across 200 North Street in the past, and which Easement shall benefit and be appurtenant to the Robinson Parcel and shall burden the Steele Parcel, and shall also burden 200 North Street to the extent of the ownership interest, if any, which Steele may have in 200 North Street, which Easement shall run with the land and is more particularly described on Exhibit "C" attached hereto as well as on the map attached hereto as Exhibit "D", both of which are made a part hereof by this reference.

Dated on the date first set forth above.

STEELE:

THE ESTATE OF THOMAS W. STEELE

By: Robert Steele

Lois Steele  
LOIS STEELE

Robert Steele  
ROBERT STEELE

ROBINSON:

Elwyn Robinson  
ELWYN ROBINSON

Kae Robinson  
KAE ROBINSON

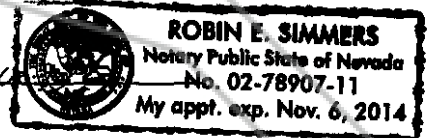


STATE OF NEVADA ) ss:  
COUNTY OF Lincoln )

On this 22 day of ~~January~~<sup>February</sup>, 2011, before me, the undersigned, a Notary Public in and for the County of Lincoln, State of Nevada, personally appeared Robert Steele, the Representative for THE ESTATE OF THOMAS W. STEELE, who executed the within instrument and known to me to be the person who affixed his/her name thereto as such, and who acknowledged to me that he/she executed the same freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

Robin E. Simmers  
Notary Public

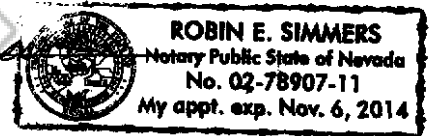


STATE OF NEVADA ) ss:  
COUNTY OF Lincoln )

On this 22 day of February, 2011, before me, the undersigned, a Notary Public in and for the County of Lincoln, State of Nevada, personally appeared LOIS STEELE, who executed the within instrument and known to me to be the person who affixed her name thereto as such, and who acknowledged to me that she executed the same freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

Robin E. Simmers  
Notary Public

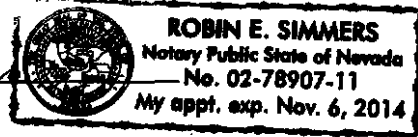


STATE OF NEVADA ) ss:  
COUNTY OF Lincoln )

On this 22 day of February, 2011, before me, the undersigned, a Notary Public in and for the County of Lincoln, State of Nevada, personally appeared ROBERT STEELE, who executed the within instrument and known to me to be the person who affixed his name thereto as such, and who acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

Robin E. Simmers  
Notary Public



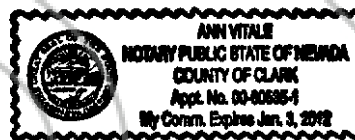


STATE OF NEVADA ) ss:  
COUNTY OF Clark )

On this 7<sup>th</sup> day of March, 2011, before me, the undersigned, a Notary Public in and for the County of Clark, State of Nevada, personally appeared ELWYN ROBINSON, who executed the within instrument and known to me to be the person who affixed his name thereto as such, and who acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

Ann Vitale  
Notary Public

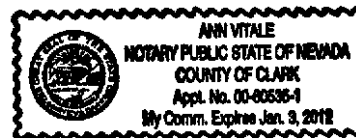


STATE OF NEVADA ) ss:  
COUNTY OF Clark )

On this 7<sup>th</sup> day of March, 2011, before me, the undersigned, a Notary Public in and for the County of Clark, State of Nevada, personally appeared KAE ROBINSON, who executed the within instrument and known to me to be the person who affixed her name thereto as such, and who acknowledged to me that she executed the same freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

Ann Vitale  
Notary Public





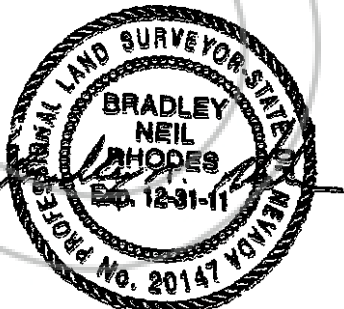
**EXHIBIT "A"**

**ROBINSON  
PARCEL**

**A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 5, T7S, R61E, M.D.M.; MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT S0°02'19"W, 531.30 FEET ALONG THE 1/4 SECTION LINE FROM THE CENTER 1/4 CORNER OF SECTION 5, T7S, R61E, M.D.M.; THENCE S87°08'35"E, 254.01 FEET; THENCE S0°54'20"E, 157.50 FEET; THENCE N89°55'05"W, 256.30 FEET; THENCE ALONG THE 1/4 SECTION LINE N0°02'19"E, 169.77 FEET TO THE POINT OF BEGINNING.**

**BASIS OF BEARINGS FOR THIS DESCRIPTION IS S88°58'06"E, 5299.06 FEET BETWEEN THE SOUTHWEST AND SOUTHEAST CORNERS OF SECTION 5, T7S, R61E, M.D.M. AS SHOWN ON OWENS SURVEY MAP FILED 08/03/2006, BOOK PLAT B, PAGE 380, LINCOLN COUNTY, NEVADA.**



2/8/11



**EXHIBIT "B"**

**STEELE PARCEL**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST ¼ OF SECTION 5, T7S, R61E, M.D.M.; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT S0°02'19" W, 701.07 FEET ALONG THE ¼ SECTION LINE FROM THE CENTER ¼ CORNER OF SECTION 5, T7S, R61E, M.D.M. (ON THE SOUTH BOUNDARY OF THE ROBINSON PARCEL); THENCE S89°55'05"E, 256.30 FEET (ALONG THE SOUTH BOUNDARY OF THE ROBINSON PARCEL); THENCE S0°54'20"E, 9.90 FEET MORE OR LESS (TO A POINT ON THE NORTH BOUNDARY OF 200 NORTH STREET IN ALAMO, NEVADA); THENCE S89°30'03"W, 256.41 FEET (ALONG THE NORTH BOUNDARY OF 200 NORTH STREET IN ALAMO, NEVADA, TO A POINT ON THE 1/4 SECTION LINE); THENCE ALONG THE ¼ SECTION LINE N0°02'19"E, 12.50 FEET MORE OR LESS, TO THE POINT OF BEGINNING.

BASIS OF BEARINGS FOR THIS DESCRIPTION IS S88°58'06"E, 5299.06 FEET BETWEEN THE SOUTHWEST AND SOUTHEAST CORNERS OF SECTION 5, T7S, R61E, M.D.M. AS SHOWN ON OWENS SURVEY MAP FILED 08/03/2006, BOOK PLAT B, PAGE 380, LINCOLN COUNTY, NEVADA



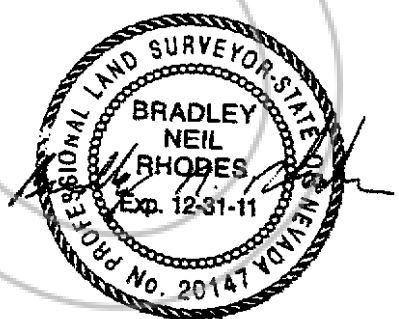


**EASEMENT  
DESCRIPTION**

A 20' WIDE INGRESS/EGRESS AND UTILITY EASEMENT LOCATED IN THE  
SOUTHEAST 1/4 OF SECTION 5, T7S, R61E, M.D.M.; MORE PARTICULARLY  
DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT S0°02'19"W, 796.08 FEET ALONG THE 1/4 SECTION LINE  
AND N89°30'03"E, 237.30 FEET ALONG THE NORTH LINE OF BLOCK 36 OF THE  
ALAMO TOWN PLAT AND THE EXTENSION THEREOF FROM THE CENTER 1/4  
CORNER OF SECTION 5, T7S, R61E, M.D.M.; THENCE N0°29'57"W, 33.59 FEET;  
THENCE N40°00'53"W, 77.14 FEET TO THE SOUTH BOUNDARY LINE OF ROBINSON  
PARCEL; THENCE ALONG SAID BOUNDARY LINE N89°55'05"W, 26.15 FEET;  
THENCE S40°00'53"E, 86.80 FEET; THENCE S0°29'57"E, 26.41 FEET TO THE  
EXTENSION OF SAID NORTH LINE OF BLOCK 36; THENCE ALONG SAID LINE  
N89°30'03"E, 20.00 FEET TO THE POINT OF BEGINNING.

BASIS OF BEARINGS FOR THIS DESCRIPTION IS S88°58'06"E, 5,299.06 FEET  
BETWEEN THE SOUTHWEST AND SOUTHEAST CORNERS OF SECTION 5, T7S, R61E,  
M.D.M. AS SHOWN ON OWENS SURVEY MAP FILE 08/03/2006, BOOK PLAT B, PAGE  
380, LINCOLN COUNTY, NEVADA.



2/8/11



