

A.P.N. 161-15-697-015

When recorded mail to:

City of Las Vegas
Attn: Real Estate & Utilities
400 Stewart Avenue, 4th Floor
Las Vegas, NV 89101

PERMANENT EASEMENT

THIS INDENTURE OF EASEMENT, made and entered into by and between **WALNUT CREEK DEVELOPMENT, INC.**, a Nevada Corporation, hereinafter known as "WALNUT CREEK", and the **CITY OF LAS VEGAS**, a Municipal Corporation of the State of Nevada, hereinafter known as the "CITY";

WITNESSETH:

That WALNUT CREEK, for and in consideration of the sum of one dollar (\$1.00), lawful money of the United States, to it in hand paid by the CITY, the receipt whereof is hereby acknowledged, does by these presents GRANT and CONVEY to the CITY, its successors and assigns, a PERMANENT EASEMENT for the purpose of construction of a pipeline and operation, maintenance, repair, renewal, reconstruction and appurtenances with the right of ingress and egress, over, above, across and under that certain parcel of land described as follows:

SEE EXHIBITS "A" and "B" ATTACHED TO AND BY THIS REFERENCE MADE A PART HEREOF ("Easement Area")

THIS PERMANENT EASEMENT RELATES BACK TO AND AMENDS, CORRECTS, AND SUPERSEDES THE EASEMENT AND RIGHTS-OF-WAY GRANTED TO THE CITY OF LAS VEGAS AND RECORDED APRIL 21, 2004 IN BOOK 20040421 AS DOCUMENT NO. 0004330 OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

Together with a non-exclusive right of ingress and egress across the approximately 20' wide strip of land adjacent to the Easement Area, along the adjacent Las Vegas Wash Flood Control area, in order reasonably to exercise the easement rights granted herein

Subject to all instruments and matters of record.

1. No buildings, structures, or trees shall be placed upon, over or under the Easement Area for the duration of this Easement except that the Easement Area may be improved by WALNUT CREEK, its successors and assigns, at its sole cost and expense, and used for trail, path, non-vehicular public access, utilities, shallow root landscaping or used and improved for other similar purposes insofar as such use does not interfere with its use by the CITY for the purposes for which this easement is granted. WALNUT CREEK, its successors and assigns shall make no changes to the grade of the easement area without prior written consent of the CITY, its successors and assigns..

2. The CITY shall be solely responsible for the upkeep, maintenance and repair of the CITY'S pipeline improvements placed within the Easement Area, and agrees to maintain such pipeline improvements in a neat, safe and clean condition, and

3. Should any of the CITY'S facilities within said Easement be required to be relocated or repaired for any reason, the CITY, or its successors and assigns shall bear the full cost of such relocation or repair.

Signator for WALNUT CREEK warrants that he has the legal authority to bind WALNUT CREEK hereto, and WALNUT CREEK warrants that it holds legal title to the Easement Area.

IN WITNESS WHEREOF, the WALNUT CREEK has hereunto set its hands as of the _____ day of _____, 2008.

WALNUT CREEK DEVELOPMENT, INC.
a Nevada corporation

By: _____
JIM FOLTZ, VICE PRESIDENT

ATTEST:

CITY OF LAS VEGAS

BEVERLY K. BRIDGES CMC, CITY CLERK

OSCAR B. GOODMAN, MAYOR

APPROVED AS TO FORM:

John S. Ridilla 1/30/08
DEPUTY CITY ATTORNEY DATE

John S. Ridilla
Deputy City Attorney

EXHIBIT "A"



2270 Corporate Circle, Suite 100
Henderson, Nevada 89074-6382
Telephone 702.263.7275
Fax 702.263.7200
www.pbsj.com

EXPLANATION: THIS LEGAL DESCRIBES A STRIP OF LAND INTENDED FOR USE AS A PERMANENT EASEMENT FOR THE CITY OF LAS VEGAS.

**LEGAL DESCRIPTION
WALNUT CREEK DEVELOPMENT, INC.
161-15-697-015**

A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 15, TOWNSHIP 21 SOUTH, RANGE 62 EAST, M.D.M., CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEING ALL OF LOT "CLV-1" OF THE MAP OF RIVERWALK UNIT 2 AS SHOWN BY A MAP ON FILE IN THE OFFICE OF THE CLARK COUNTY RECORDER IN BOOK 116 OF PLATS, PAGE 28, OFFICIAL RECORDS.

CONTAINING 70,373 SQUARE FEET (1.62 ACRES) MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS PROJECT IS GRID NORTH AS DEFINED BY THE NEVADA COORDINATE SYSTEM OF 1983 (NCS83), EAST ZONE, (2701).

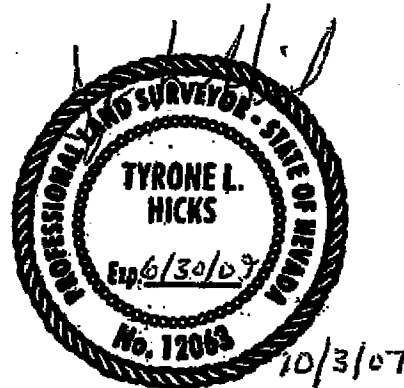


EXHIBIT "B"

PERMENANT EASEMENT -
DESCRIPTION: CITY OF LAS VEGAS

PROJECT No.: 511352

DATE: 09-13-07

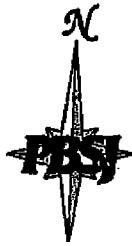
CALC. BY TLH

CHECKED BY EC

DRAWN BY TLH

LOT CLV-1
OF RIVERWALK UNIT 2
BOOK 116, PAGE 28

1/16
15 | 14



SCALE: 1" = 300'

DESERT INN MASTER PLAN

C1/4
15

1/4
15 | 14

 AREA OF PERMENANT EASEMENT
CITY OF LAS VEGAS

OWNER: WALNUT CREEK DEVELOPMENT, INC.

PARCEL Nos.: 161-15-697-015

SECTION 15, TOWNSHIP 21 SOUTH, RANGE 62 EAST

TOTAL AREA OF PARCEL: 70,373 S.F. (1.62 AC.)

AREA OF PERMENANT EASEMENT -
CLEAN WATER COALITION: 70,373± S.F. (1.62 AC.)

TOTAL REMAINING AREA OF PARCEL: 0± S.F. (0.0 AC.)

LVVWD EASEMENTS
PER BK 20040206,
INSTR. 01308 AND BK
20030929, INSTR.
01371

