

APN: 139-27-708-013

Type of Document: Easement

Recording Requested By:

City of Las Vegas
Field Operations Department
Attn: Real Estate Division, 4th Floor
400 Stewart Avenue
Las Vegas, NV 89101

When recorded, return to:

City of Las Vegas
Field Operations Department
Attn: Real Estate Division, 4th Floor
400 Stewart Avenue
Las Vegas, NV 89101

GRANT OF EASEMENT

THIS GRANT OF EASEMENT made and entered into this ____ day of _____, 2008, by and between, the City of Las Vegas, a municipal corporation of the State of Nevada ("Grantor) and Carriage Cemetery Services, Inc., a corporation organized under the laws of the State of Nevada ("Grantee").

RECITALS

WHEREAS, Grantor is the owners of certain premises located in the City of Las Vegas, County of Clark, State of Nevada, more particularly described and depicted in Exhibits A & B attached hereto and by this reference made a part hereof (the "Easement Area"); and

WHEREAS, Grantor is developing a project to construct median islands along Las Vegas Boulevard to accommodate aesthetic enhancements ("Project"); and

WHEREAS, Grantor desire to grant to Grantee a perpetual easement over the Easement Area for the uses set forth herein; and

NOW, THEREFORE, for and in consideration of the premises and the sum of One Dollar (\$1.00) to it in hand paid, the receipt of which is hereby acknowledged, Grantor hereby give and grant unto Grantee a perpetual right and easement over the Easement Area for the purpose of construction, operation, maintenance, repair, renewal and reconstruction of a driveway, retaining wall, landscaping, and appurtenance with the rights of ingress and egress, over, above, across and under the Easement Area.

Grantor and Grantee, for themselves and their heirs, successors and assigns, further agree as follows:

1. The Easement Area will be improved and used to develop a relocated driveway and retaining wall to accommodate the Project; and
2. The Grantor will provide for the construction and grading of the driveway and retaining wall as illustrated in Exhibit C on the Easement Area to accommodate the Project using reasonable care; and

3. The Grantee will provide for the maintenance of the driveway and retaining wall constructed in the Easement Area; and
4. The Grantee or its successors and assigns shall bear the full cost of relocation or repair of any of the Grantee's facilities within the Easement Area that are required to be relocated or repaired as a result of changes in grade or other construction within or adjacent to the Easement Area. If the changes in grade or other construction are done by the Grantee, or its successors and assigns, or third parties with the written consent of the Grantee, within or adjacent to the Easement Area, the Grantee shall bear the full cost of relocation or repair of the facilities within the Easement Area.

Signatory for Grantor warrant that they have the legal authority to bind the parties hereto and Grantor warrants that it may legally grant the rights described herein.

IN WITNESS WHEREOF, the Grantor hereto has executed this Grant of Easement the day and year first above written.

GRANTOR
CITY OF LAS VEGAS

Oscar B. Goodman, Mayor

ATTEST:

By: _____
Beverly K. Bridges, CMC Date

APPROVED AS TO FORM:

By: John S. Rivillea 9/29/08
Deputy City Attorney Date

STATE OF NEVADA)
)ss.
CLARK COUNTY)

On this _____ day of _____, 2008, before me, the undersigned Notary Public in and for said County and State, appeared Oscar B. Goodman, Mayor of the City of Las Vegas, known to me to be the person who executed the above and foregoing instrument, and who acknowledged to me that he did so freely and voluntarily and for the purposes therein mentioned.

Notary Public

"EXHIBIT A"
A.P.N. 139-27-708-013
DRIVEWAY EASEMENT ON WEST SIDE OF
LAS VEGAS BOULEVARD, SOUTH OF
WASHINGTON AVENUE

That portion of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 27, Township 20 South, Range 61 East, M.D.M. in the City of Las Vegas, County of Clark, State of Nevada, being a portion of that parcel of land described by that CORPORATION GRANT, BARGAIN, SALE DEED, recorded May 15, 1970 in Book 33 as Instrument Number 25875 of Clark County, Nevada Records, described as follows:

BEGINNING at the northeast corner of that parcel of land described by said CORPORATION GRANT, BARGAIN, SALE DEED; thence along the easterly line thereof, South 16°41'39" West, (South 16°18'26" West, record per said deed), 45.70 feet to a point on a non-tangent curve, concave northeasterly and having a radius of 64.52 feet, a line radial to said point bears South 22°37'24" West; thence northwesterly along said curve through a central angle of 63°39'52" and an arc distance of 71.69 feet to the north line of said CORPORATION GRANT, BARGAIN, SALE DEED parcel; thence along said north line, South 77°34'57" East, (South 77°47'07" East, record per said deed), 53.95 feet to the POINT OF BEGINNING.

The above-described parcel of land contains an area of 1,677 square feet, or 0.038 acres, more or less.

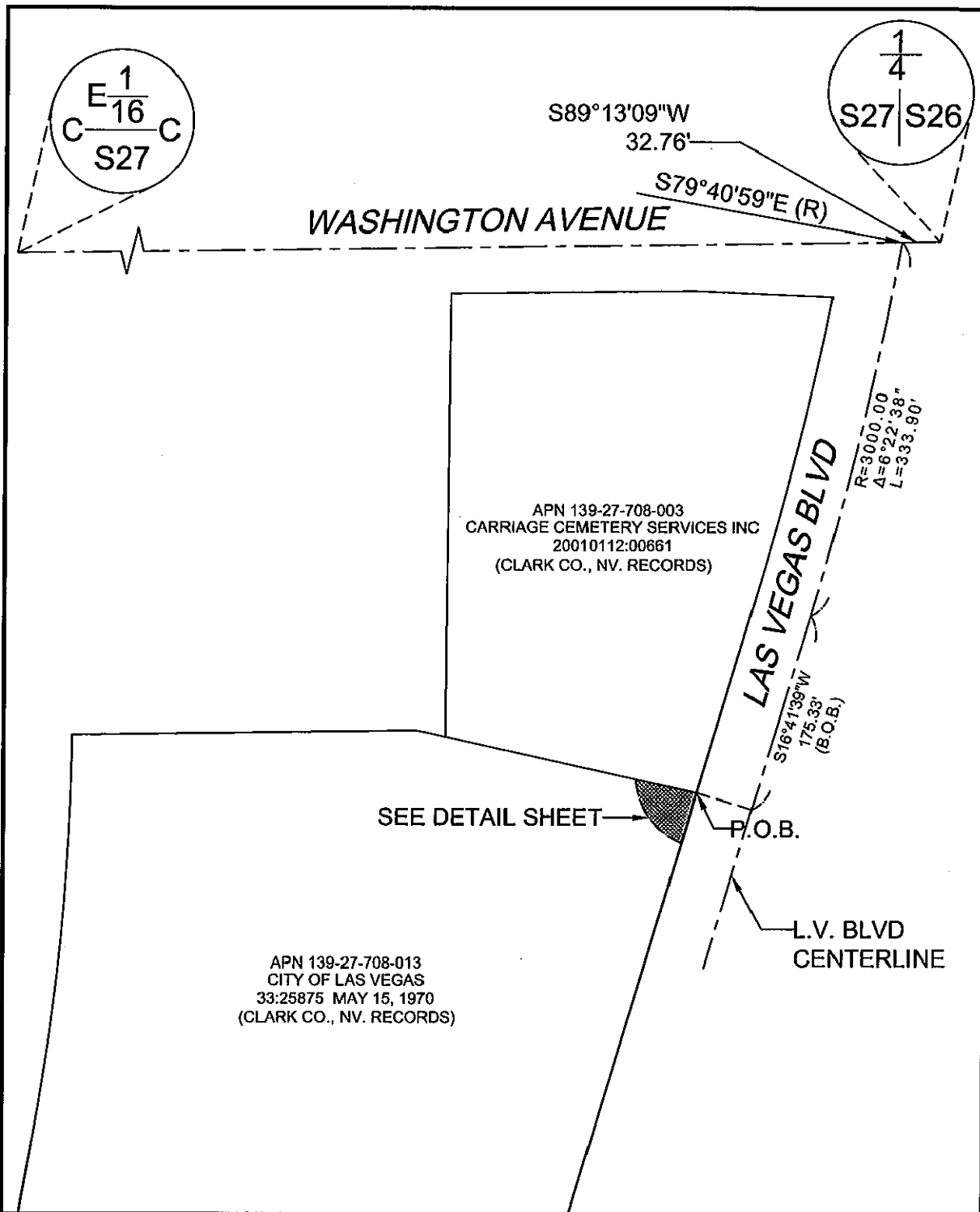
The MAP EXHIBIT accompanying this legal description is attached hereto and made a part hereof.

The Basis of Bearings for this land description is North 16°41'39" East, being the centerline of Las Vegas Blvd as shown in File 66 of Parcel Maps, Page 53, of Clark County, Nevada Records. All other data cited herein has been rotated to said File 66, Page 53 basis.

Written By:
Neil Wacaser

City of Las Vegas, Department of Public Works
731 South Fourth Street
Las Vegas, NV., 89101
(702) 229-2475
nwacaser@lasvegasnevada.gov

EXHIBIT "B"



MAP EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION
 NE 1/4, SE 1/4, SEC 27, T20S, R61E, MDM
 APN 139-27-708-013
 EASEMENT FOR DRIVEWAY ON WEST SIDE OF LV BLVD
 ex080802.doc



DEPARTMENT OF PUBLIC WORKS
 RIGHT OF WAY SECTION

APN 139-27-708-003
CARRIAGE CEMETERY SERVICES INC
20010112:00661
(CLARK CO., NV. RECORDS)

APN 139-27-708-013
CITY OF LAS VEGAS
33:25875 MAY 15, 1970
(CLARK CO., NV. RECORDS)

S77°34'57"E 53.95'

R=64.52
L=71.69
63°39'52"

S16°41'39"W 45.70'

N73°18'21"W 50.00'

P.O.B.

S22°37'24"W (R)

L.V. BLVD
CENTERLINE

LEGEND

EASEMENT
BEING GRANTED 

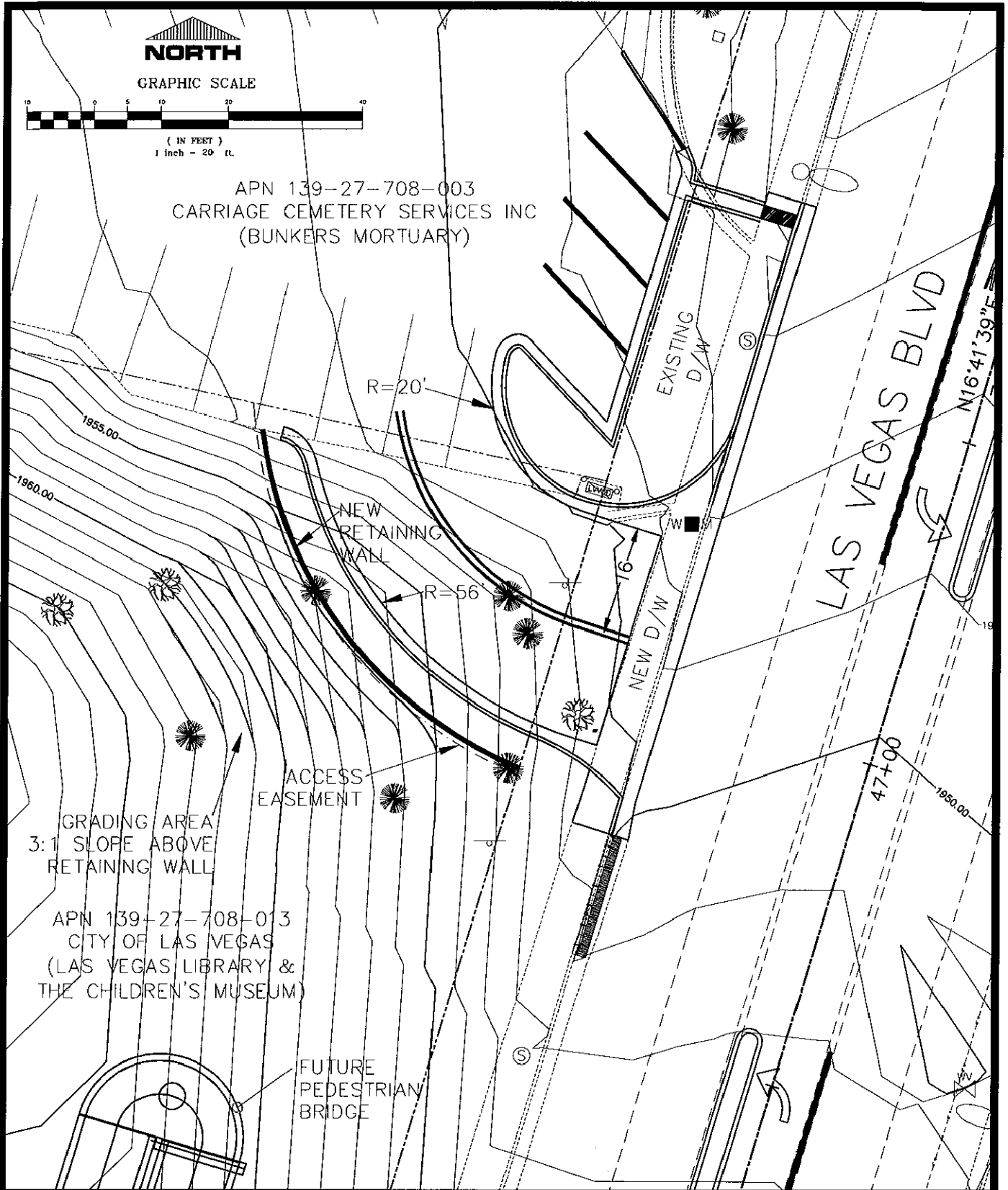
STREET CENTERLINE 

DETAIL SHEET



**DEPARTMENT OF PUBLIC WORKS
RIGHT OF WAY SECTION**

EXHIBIT "C"



APN 139-27-708-003
CARRIAGE CEMETERY SERVICES INC
(BUNKERS MORTUARY)

GRADING AREA
3:1 SLOPE ABOVE
RETAINING WALL

APN 139-27-708-013
CITY OF LAS VEGAS
(LAS VEGAS LIBRARY &
THE CHILDREN'S MUSEUM)

FUTURE
PEDESTRIAN
BRIDGE

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DESIGN SECTION



DATE: 9/24/2008 DRAWN BY: BJP

SHEET: 1 OF 1

LAS VEGAS BLVD NEON SIGNS
AND MEDIAN IMPROVEMENTS

SITE PLAN EXHIBIT
NEW DRIVEWAY