

APN: 162-29-710-002

When recorded, return to:

Clark County Department of Public Works
Traffic Management Division
PO Box 554000
500 S. Grand Central Parkway
Las Vegas, NV 89155-4000

GRANT OF EASEMENT FOR BOLLARD IMPROVEMENTS

KNOW ALL MEN BY THESE PRESENTS: That **MANDALAY PROPCO LLC, a Delaware limited liability company** ("Grantor"), for and in consideration of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant to the **COUNTY OF CLARK**, a political subdivision of the State of Nevada, its successors and assigns (collectively, "Grantee"), a perpetual non-exclusive easement to construct, reconstruct, repair, operate, and maintain the bollards and appurtenances related to the bollards, in each case, located upon, over, under, across and through the real property described on Exhibit "A" attached hereto and by this reference made a part hereof (the "Easement Area"), together with the right of reasonable ingress and egress to and from the Easement Area (collectively, the "Easement").

Grantor retains, for its benefit, the right to use the Easement Area for its own purposes, so long as Grantor's use does not impede, restrict, disrupt or interfere with the Grantee's use of the Easement as set forth herein.

Grantee shall, at its expense, keep and maintain, or cause to be kept and maintained, the bollard improvements located within the Easement Area (collectively, the "Bollard Improvements") in a similar condition and repair existing as of the date hereof, reasonable wear and tear excepted without any cost to Grantor. Grantee shall not relocate the Bollard Improvements or make any material alterations or modifications to the Bollard Improvements without the prior written approval of Grantor. Grantee shall in connection with the Bollard Improvements, at its sole cost and expense, repair and/or replace any property, landscaping or other portion of the Grantor's property which is damaged or destroyed in connection with the Bollard Improvements, except for the Bollard Improvements themselves.

In the event the Bollard Improvements are removed by Grantee and are not replaced by Grantee within six (6) months of such removal, all rights of Grantee hereunder shall cease and revert to Grantor, its successors and assigns.

Grantee acknowledges that all entries upon the Easement Area shall be solely at the risk of Grantee; that the Easement Area is accepted strictly in an "as is" condition without warranty or representation of any kind; and regardless of the condition of the Easement Area or any part thereof, Grantor shall have no responsibility or liability whatsoever to Grantee or any of its agents, employees or officers in connection with any entries made upon the Easement Area except in the case of Grantor's negligent or willful misconduct.

This Grant of easement for Bollard Improvements (this "Grant") shall be governed by the law of the State of Nevada. This Grant may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. No term or provision of the Grant is intended to benefit any person or entity not a party hereto, and no such other person or entity shall have any right or cause of action hereunder.

Upon Grantor's request, and to the extent practicable, as determined by the Grantee, Grantee shall ensure that any contractor working on behalf of or at the direction of the Grantee in the Easement Area purchases and maintains comprehensive general liability insurance coverage to insure against all claims

which arise from such work, naming Grantor, its officers, employees, agents, representatives, lenders, affiliates, tenants, successors and assigns as additional insured.

Up to the limitations of law, including but not limited to, NRS Chapter 41 liability limitations, Grantee shall be responsible for all liability, claims, actions, damages, losses, and expenses, caused by the negligence of its own officers and employees.

IN WITNESS WHEREOF, Grantor and Grantee have executed this Grant as of the 28 day of
June 2022.

MANDALAY PROPCO LLC
a Delaware limited liability company



BY: David A. Kieske
AS: Treasurer

STATE OF New York

COUNTY OF New York

This instrument was acknowledged before me on the 28th day of June,
2022, by David A. Kieske as
Treasurer Of **MANDALAY PROPCO LLC**.



Notary Public

Notary Public, State of New York
ELENA OTERO KEIL
NO. 02KE6359428
Qualified in New York County
Commission Expires May 30, 2025

COUNTY OF CLARK,
a political subdivision of the State of Nevada

BY:
AS:

STATE OF NEVADA
COUNTY OF CLARK

This instrument was acknowledged before me on the _____ day of _____,
2022, by _____ as
_____ of _____.

Notary Public

EXHIBIT "A"

Legal Description and Depiction of Easement Area

[See attached]

GRANTOR: MANDALAY PROPCO, LLC
APN: 162-29-710-002

EXHIBIT "A"

EXPLANATION: THIS DESCRIPTION REPRESENTS AN EASEMENT IN FAVOR OF CLARK COUNTY FOR ACCESS PURPOSES.

DESCRIPTION

A PORTION OF PARCEL 2 AS SHOWN IN BOOK 110, PAGE 38 OF PLATS, ON FILE AT THE CLARK COUNTY, NEVADA, RECORDER'S OFFICE, LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 29, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 29; THENCE ALONG THE EAST LINE THEREOF, NORTH 00°36'15" WEST, 213.78 FEET; THENCE DEPARTING SAID EAST LINE, SOUTH 89°23'45" WEST, 150.19 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF LAS VEGAS BOULEVARD AS DEDICATED TO THE COUNTY OF CLARK BY A DOCUMENT ON FILE IN BOOK 067 AS INSTRUMENT NUMBER 0387813, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°23'45" WEST, 2.81 FEET; THENCE NORTH 00°36'15" WEST, 682.38 FEET; THENCE NORTH 89°23'45" EAST, 1.50 FEET; THENCE NORTH 00°36'15" WEST, 228.00 FEET; THENCE NORTH 89°23'45" EAST, 1.50 FEET TO SAID WESTERLY RIGHT-OF-WAY; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY THE FOLLOWING TWO COURSES:
1) SOUTH 00°36'15" EAST, 904.45 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 94.50 FEET; 2) SOUTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°35'44", AN ARC LENGTH OF 5.93 FEET TO THE POINT OF BEGINNING.

CONTAINS 2,389 SQUARE FEET, MORE OR LESS.

BASIS OF BEARINGS

NORTH 00°36'15" WEST, BEING THE BEARING OF THE EAST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 29, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA AS SHOWN IN FILE 149, PAGE 88 OF SURVEYS, ON FILE AT THE CLARK COUNTY, NEVADA, RECORDER'S OFFICE.

END OF DESCRIPTION.

(SEE EXHIBIT 'B' ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF)

PAUL BURN, PLS
PROFESSIONAL LAND SURVEYOR
NEVADA LICENSE NO. 11174



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PAGE 1 OF 1

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DESCRIPTION

A PORTION OF PARCEL 2 AS SHOWN IN BOOK 110, PAGE 38 OF PLATS, ON FILE AT THE CLARK COUNTY, NEVADA, RECORDER'S OFFICE, LYING WITHIN THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 29, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER (SE 1/4) OF SECTION 29; THENCE ALONG THE EAST LINE THEREOF, SOUTH 00°36'07" EAST, 656.18 FEET; THENCE DEPARTING SAID EAST LINE, SOUTH 89°23'53" WEST, 150.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF LAS VEGAS BOULEVARD AS DEDICATED TO THE COUNTY OF CLARK BY A DOCUMENT ON FILE IN BOOK 067 AS INSTRUMENT NUMBER 0387813, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°23'53" WEST, 5.00 FEET; THENCE NORTH 00°36'07" WEST, 12.00 FEET; THENCE NORTH 89°23'53" EAST, 5.00 FEET TO SAID WESTERLY RIGHT-OF-WAY; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 00°36'07" EAST, 12.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 60 SQUARE FEET, MORE OR LESS.

BASIS OF BEARINGS

NORTH 00°36'07" WEST, BEING THE BEARING OF THE EAST LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 29, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA AS SHOWN IN FILE 149, PAGE 88 OF SURVEYS, ON FILE AT THE CLARK COUNTY, NEVADA, RECORDER'S OFFICE.

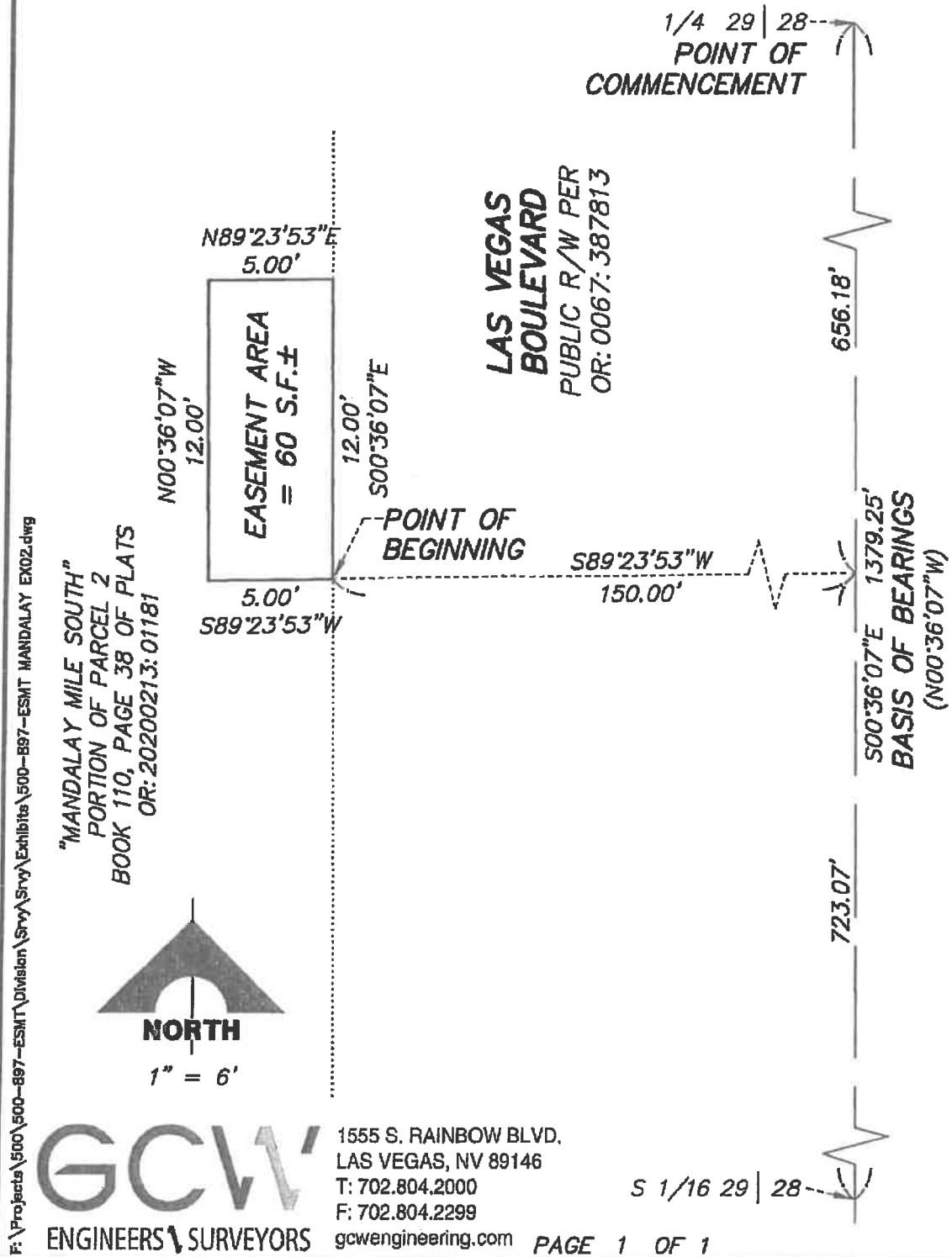
END OF DESCRIPTION.

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PAUL BURN, PLS
PROFESSIONAL LAND SURVEYOR
NEVADA LICENSE NO. 11174



EXHIBIT "B" TO ACCOMPANY DESCRIPTION



GRANTOR: MANDALAY PROPCO, LLC
APN: 162-29-710-002

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COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER (SE 1/4) OF SECTION 29; THENCE ALONG THE EAST LINE THEREOF, SOUTH 00°36'07" EAST, 581.94 FEET; THENCE DEPARTING SAID EAST LINE, SOUTH 89°23'53" WEST, 150.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF LAS VEGAS BOULEVARD AS DEDICATED TO THE COUNTY OF CLARK BY A DOCUMENT ON FILE IN BOOK 067 AS INSTRUMENT NUMBER 0387813, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°23'53" WEST, 5.00 FEET; THENCE NORTH 00°36'07" WEST, 12.00 FEET; THENCE NORTH 89°23'53" EAST, 5.00 FEET TO SAID WESTERLY RIGHT-OF-WAY; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 00°36'07" EAST, 12.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 60 SQUARE FEET, MORE OR LESS.

BASIS OF BEARINGS

NORTH 00°36'07" WEST, BEING THE BEARING OF THE EAST LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 29, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA AS SHOWN IN FILE 149, PAGE 88 OF SURVEYS, ON FILE AT THE CLARK COUNTY, NEVADA, RECORDER'S OFFICE.

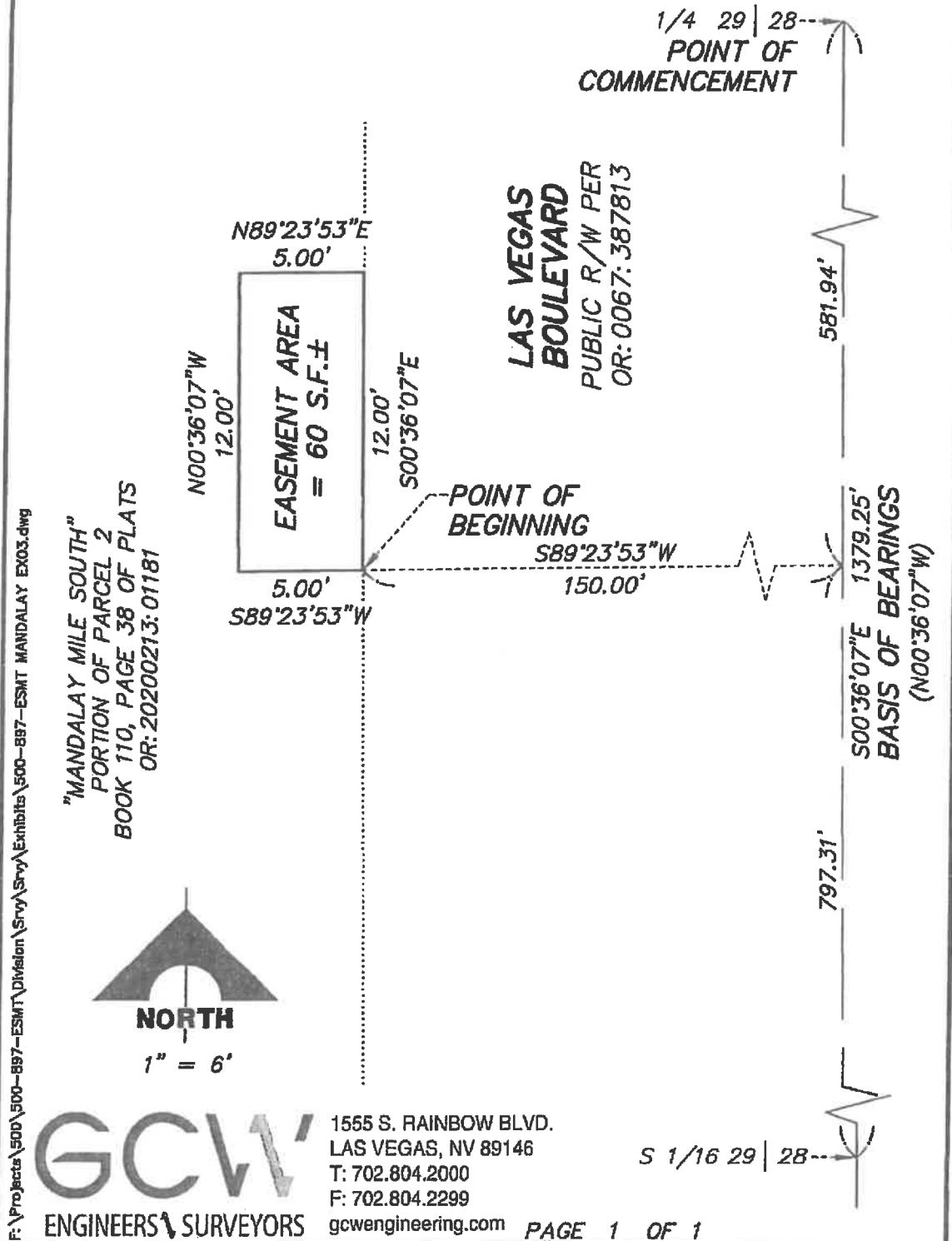
END OF DESCRIPTION.

(SEE EXHIBIT 'B' ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF)

PAUL BURN, PLS
PROFESSIONAL LAND SURVEYOR
NEVADA LICENSE NO. 11174

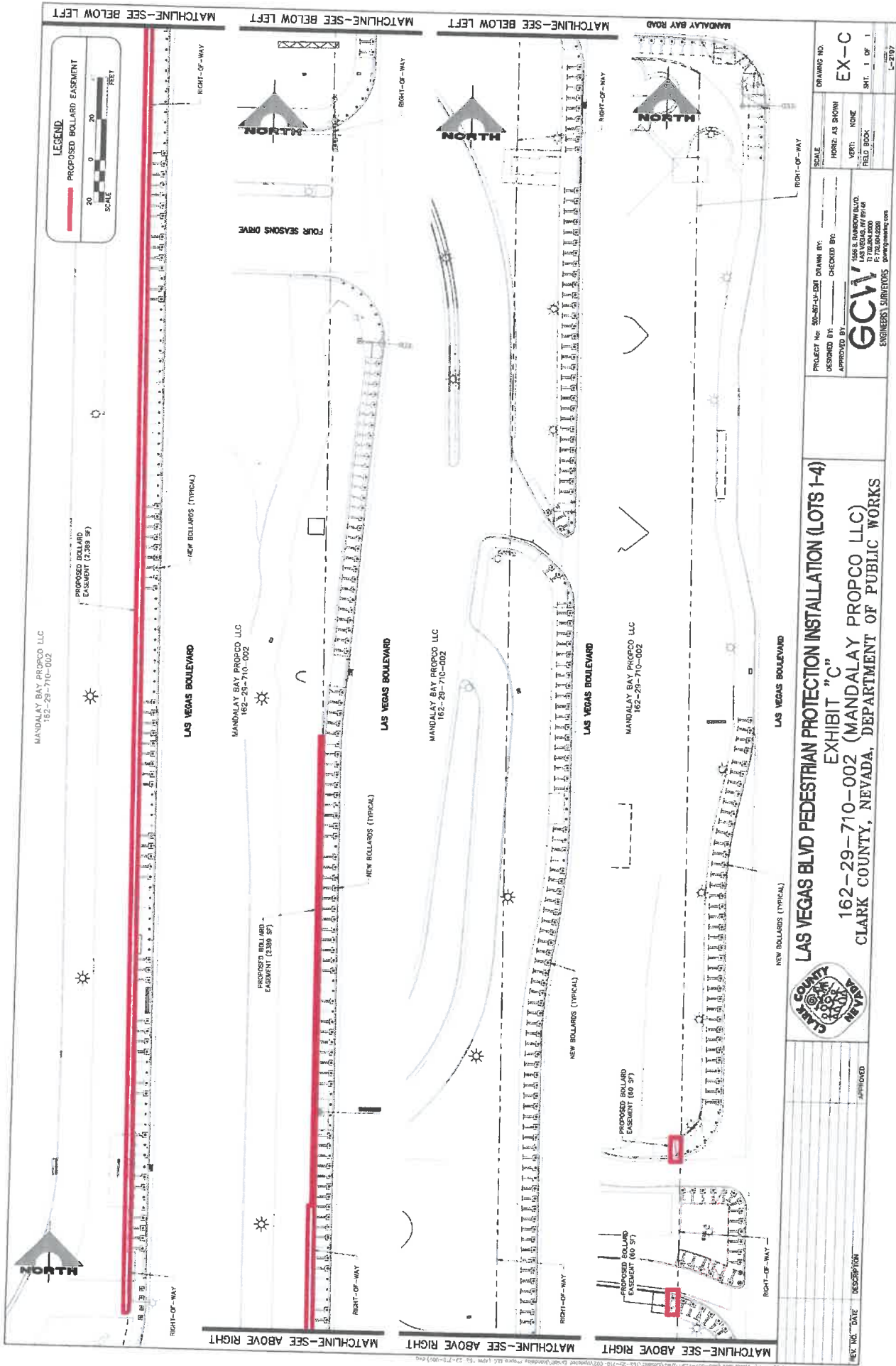


EXHIBIT "B" TO ACCOMPANY DESCRIPTION



GCV
ENGINEERS & SURVEYORS

1555 S. RAINBOW BLVD.
LAS VEGAS, NV 89146
T: 702.804.2000
F: 702.804.2299
gcwengineering.com



LAS VEGAS BLVD PEDESTRIAN PROTECTION INSTALLATION (LOTS 1-4)
EXHIBIT "C"
162-29-710-002 (MANDALAY PROPCO LLC)
CLARK COUNTY, NEVADA, DEPARTMENT OF PUBLIC WORKS

PROJECT No: 20-011-101	DRAWING NO: EX-C
DESIGNED BY: _____	SCALE: HORIZ. AS SHOWN
CHECKED BY: _____	VERTI: NONE
APPROVED BY: _____	FIELD BOOK: _____
SHEET: 1 OF 1	
12/15/2015	
1-2/07	

GCW
 ENGINEERS SURVEYORS
 1555 S. RAINBOW BLVD.
 LAS VEGAS, NV 89144
 P: 702.841.2000
 F: 702.841.2008
 gowingsurvey.com

REV. NO.	DATE	DESCRIPTION	APPROVED