

00689

GRANT, BARGAIN AND SALE DEED

FOR GOOD CONSIDERATION, the value, sufficiency and receipt of which are hereby acknowledged, Calton M. Lewis and Carole E. Lewis, husband and wife of Elko, Nevada, Grantors, hereby grant, bargain and sell to William S. Gibson, a single man, Grantee, all of Grantors' right, title and interest in and to that certain property located in the County of Elko, State of Nevada, described as follows:

A parcel of land located in the E 1/2 of Section 34 and the W 1/2 of Section 35, Township 33 North, Range 55 East, M.D.B.&M., more particularly described as follows:

Commencing at the NE Corner of said Section 34;

THENCE South 2° 46' 27" West 1,311.57 feet along the East boundary of said Section 34 to a point;

THENCE North 89° 21' 03" West, 1,327.42 feet to a point;

THENCE South 2° 24' 46" West, 1,318.32 feet to a point;

THENCE South 32° 43' 11" East, 869.96 feet to Corner No. 1 the Point of Beginning;

THENCE North 55° 04' 47" East, 2,182.81 feet to Corner No. 2 being a point on a curve of the centerline of Hamilton Stage Road;

THENCE from a tangent bearing South 34° 55' 13" East, on a curve to the left with a radius of 500.00 feet through a central angle of 9° 29' 06" for an arc length of 82.77 feet along the said centerline of Hamilton Stage Road to Corner No. 3;

THENCE South 44° 24' 19" East, 530.27 feet along the said centerline of Hamilton Stage Road to Corner No. 4;

THENCE from a tangent bearing South 44° 24' 19" East, on a curve to the right with a radius of 1,000.00 feet, through a central angle of 21° 43' 06" for an arc length of 379.05 feet along the centerline of Hamilton Stage Road to Corner No. 5;

THENCE South 63° 20' 00" West, 2,344.20 feet to Corner No. 6;

THENCE North 32° 43' 11" West, 650.00 feet to Corner No. 1 the Point of Beginning;

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Said parcel being known as Parcel 14 in Block J of the amended record of Survey Map for WESTERN HILLS as recorded in the Office of the County Recorder, Elko County, Nevada on February 25, 1975, File No. 89141.

SUBJECT TO any and all exceptions, reservations, restrictions, restrictive covenants, assessments, easements, rights, and rights of way of record.

TOGETHER WITH all improvements situate thereon.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

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12-15-75

TOGETHER WITH all surface and underground water rights appurtenant thereto, described as:

a. Ten Mile Creek:

Approximately 13.15 acres of surface rights out of Ten Mile Creek under a portion of Proof number 00689 described at Page 227 of the Bartlett Decree, shown in the office of the State Engineer of Nevada as follows:

<u>Year of Priority</u>	<u>Harvest</u>	<u>Season</u>
1892	2.72 acres	4-15-8-15
1897	10.43 acres	4-15-8-15

b. Underground Waters:

Rights under Certificate number 14016 for irrigation of portions of the real property herein conveyed as the place of beneficial use, being 24.97 acres.

SUBJECT TO THE FOLLOWING RESTRICTION: It is understood and agreed that the conveyance in this Deed is made and accepted subject to the restriction that the property herein conveyed shall not be divided into smaller lots or parcels. This restriction shall run with the land conveyed herein and be a negative covenant and an equitable servitude in favor, and for the benefit, of the following described property of Grantors:

Parcels 15 and 16 in Block J of the amended record of Survey Map for WESTERN HILLS as recorded in the Office of the County Recorder, Elko County, Nevada on February 25, 1975, File No. 89141.

Said covenant and equitable servitude shall bind all successive and future owners of the property herein conveyed, provided however, that this covenant against division shall expire and be deemed canceled and of no further effect at such time, if ever, that both of the aforesaid benefitted parcels are no longer owned by Grantors or their heirs.

The acceptance of this Deed and the conveyance it evidences constitutes an acceptance by Grantee of the covenants, limitations and restrictions provided for herein upon the property conveyed. Grantors and their heirs shall have standing to enforce the provisions of this deed restriction and the covenant herein contained.

In addition to the above-described conveyance, Grantors agree that the Bureau of Land Management grazing privilege known as the River Allotment may be transferred to Grantee. Grantors, therefore, quitclaim, without warranty, to Grantee the right to obtain such transfer of grazing privileges.

TO HAVE AND TO HOLD the property, with the appurtenances, to the Grantee herein and his heirs and assigns, forever.

