

51

67924

GRANT, BARGAIN AND SALE DEED

THIS INDENTURE, made and entered into this 15th day of February, 1979, by and between BATTISTA TOMERA, JR., and GEORGE TOMERA, of the County of Elko, State of Nevada, First Parties; and ROY SHURTZ and LISA SHURTZ, his wife, of the County of Eureka, State of Nevada, Second Parties;

W I T N E S S E T H:

That the said First Parties, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful, current money of the United States of America, to them in hand paid by the said Second Parties, receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell, convey and confirm unto the said Second Parties as joint tenants with the right of survivorship and not as tenants in common, and to the assigns of the said Second Parties and to the survivor of them, and to the heirs, executors, administrators and assigns of the survivor forever, all that certain real property situate, lying and being in the County of Eureka, State of Nevada, more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

TOGETHER WITH all buildings and improvements situate thereon.

TOGETHER WITH all water, water rights, right to the use of water, dams, ditches, canals, pipelines, reservoirs, wells, dams, ditches, canals, pipelines, reservoirs, wells, and all other means for the diversion or use of water appurtenant to the said property, or any part thereof.

TOGETHER WITH an undivided one-half interest in and to all mineral rights, oil or gas owned by the First Parties herein through April 15, 1998, at which time First Parties will relinquish their right to the undivided one-half interest in and to all mineral rights, oil or gas owned and retained by them.

TOGETHER WITH all existing easements and rights of way benefiting the above-described real property, including, but not limited, to all easements and rights of way for ingress and egress to said property.

Documentary Transfer Tax \$ 20.00
 Computed on full value of property conveyed, or
 Computed on full value less liens and encumbrances remaining thereon at time of transfer.

Under penalty of perjury:

Handwritten signature
Signature of declarant or agent determining tax-item name

9

TOGETHER WITH all range rights and grazing rights, and in particular, but without limitation, all rights to graze livestock upon the Public Domain under what is known as the Taylor Grazing Act, used or enjoyed in connection with said property.

TOGETHER WITH any and all rights in any range improvement project or cooperative agreements constructed on the public domain in cooperation with the Bureau of Land Management, and all of First Parties' right in and to any and all other corrals, improvements or structures located on the public domain.

SUBJECT TO all road and utility easements and any and all other easements and rights of way of record.

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

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances unto the said Second Parties as joint tenants with right of survivorship and not as tenants in common, and to the survivor of them and to the heirs and assigns of the survivor forever.

IN WITNESS WHEREOF, the said First Parties have hereunto set their hands as of the day and year first hereinabove written.

Battista Tomera, Jr.
BATTISTA TOMERA, JR.

George Tomera
GEORGE TOMERA

STATE OF NEVADA)
) SS.
COUNTY OF ELKO)

On this 1st day of February, 1979, personally appeared before me, a Notary Public, BATTISTA TOMERA, JR., and GEORGE TOMERA, who acknowledged that they executed the foregoing instrument.

[Signature]
NOTARY PUBLIC

BOOK 69 PAGE 260

Parcel 1:

TOWNSHIP 30 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 1: All (Fractional)
Section 3: All
Section 11: All
Section 13: All
Section 15: All

TOWNSHIP 31 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 33: All
Section 35: All

TOWNSHIP 30 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 5: SW1/4; That portion of the N1/2 lying Westerly of Nevada State Highway No. 51.
Section 7: All
Section 9: That portion of the W1/2 lying Westerly of Nevada State Highway No. 51.

TOWNSHIP 31 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 31: All

TOWNSHIP 30 NORTH, RANGE 52 EAST, M.D.B.&M.

A parcel of land in the NE1/4NE1/4, Section 8 and the W1/2, Section 9, T. 30 N. R. 52 E., M.D.B.&M., Eureka County, Nevada, more particularly described as follows:

Beginning at the northwesterly corner of said parcel, a point on the easterly right-of-way line of that public highway described in Book 24, Pages 307-309, Eureka County Deeds (Parcel No. 4), a 6-inch redwood fence post set in right-of-way fence from which the NW corner of Section 4, T. 30 N., R. 52 E., M.D.B.&M., bears N 0° 19' 53" E, 5961.71 feet as Corner No. 1, the point of beginning,

thence S 80° 36' 01" E 1504.64 feet to Corner No. 2, a 6-inch redwood fence post,

thence S 1° 44' 13" E 973.27 feet to Corner No. 3, a 6-foot steel fence post,

thence S 31° 30' 33" W 2530.71 feet to Corner No. 4, a point on the easterly right-of-way line of the above-referred highway, a 6-foot steel fence post,

BOOK 69 PAGE 361

thence along said right-of-way, from a tangent bearing N 3° 20' 48" W on a curve to the right, with a radius of 3900 feet, through a central angle of 10° 53' 10", an arc distance of 740.99 feet to Corner No. 5,

thence continuing along said right-of-way N 7° 32' 22" E 515.24 feet to Corner No. 6,

thence continuing along said right-of-way, from a tangent bearing on the last described course, on a curve to the left, with a radius of 3100 feet, through a central angle of 20° 24' 10", an arc distance of 1103.99 feet to Corner No. 7,

thence continuing along said right-of-way N 12° 51' 48" W 1055.56 feet to Corner No. 1, the point of beginning.

EXCEPTING THEREFROM all petroleum, oil, natural gas, and products derived therefrom reserved in Deed from Southern Pacific Land Company, recorded March 9, 1950, in Book 24, Page 42, Deed Records, Eureka County, Nevada.

FURTHER EXCEPTING THEREFROM an undivided one-half interest in and to all other minerals reserved in Deed from Eureka Livestock Company, a co-partnership et al, recorded November 4, 1955, in Book 24, Page 478, Deed Records, Eureka County, Nevada.

Parcel 2:

TOWNSHIP 30 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 2: All (Fractional)
Section 4: Lots 1, 2, 3; SE1/4NW1/4; SE1/4
Section 10: All
Section 12: All
Section 14: N1/2; SW1/4; N1/2SE1/4

TOWNSHIP 30 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 5: That portion of the SE1/4 lying westerly of Nevada State Highway No. 51.
Section 6: All
Section 8: All that portion lying westerly of Nevada State Highway No. 51.
Section 16: That portion of the W1/2NW1/4 lying westerly of Nevada State Highway No. 51.
Section 17: All
Section 18: E1/2

BOOK 69 PAGE 262

TOWNSHIP 31 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 32: W1/2; W1/2SE1/4; That portion of the SE1/4SE1/4 lying westerly of Nevada State Highway No. 51.

Parcel 3:

TOWNSHIP 30 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 4: S1/2NE1/4

parcel 4:

TOWNSHIP 30 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 14: S1/2SE1/4

TOWNSHIP 31 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 18: Lots 1, 2, 3 & 4; E1/2W1/2

EXCEPTING FROM Parcels 1 and 2 above described that certain parcel of land more particularly described as follows:

A triangular tract of land lying in Sections 10 and 15, Township 30 North, Range 51 East, M.D.B.&M., Eureka County, Nevada, being more particularly described as follows:

Beginning at the SE corner of Section 15 as Corner No. 1, the point of beginning,

thence along the South line of said Section 15, N 89° 58' W 8318.64 feet to Corner No. 2, the SW corner of said Section 15,

thence along the line between Sections 15 and 16 North 1072.50 feet to Corner No. 3, the SW corner of Section 10,

thence along the line between Sections 9 and 10, N 0° 23' W 2565.42 feet to Corner No. 4, the W1/4 corner of said Section 10,

thence S 66° 23' 42" E 9096.97 feet to Corner No. 1, the point of beginning.

TOGETHER WITH all buildings and improvements situate thereon.

BOOK 69 PAGE 263

TOGETHER WITH all water, water rights, right to the use of water, dams, ditches, canals, pipelines, reservoirs, wells, and all other means for the diversion or use of water appurtenant to the said property, or any part thereof.

TOGETHER WITH all mineral rights, oil or gas owned by the Sellers herein lying on, in or over the above described real property.

TOGETHER WITH all existing easements and rights of way benefiting the above-described real property, including, but not limited, to all easements and rights of way for ingress and egress to said property.

TOGETHER WITH all range rights and grazing rights, and in particular, but without limitation thereto, all rights to graze livestock upon the Public Domain under what is known as the Taylor Grazing Act used or enjoyed in connection with said property.

TOGETHER WITH any and all rights in any range improvement project or cooperative agreements constructed on the public domain in cooperation with the Bureau of Land Management, and all of the Grantors' right in and to any and all other corrals, improvements or structures located on the public domain.

SUBJECT TO all road and utility easements and any and all other easements and rights of way of record.

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

67924

RECORDED AT THE REQUEST OF Frontier Title Company
on March 14, 1979 at 33 min. past 9 A M. in
Book 69 of OFFICIAL RECORDS, page 259-264, RECORDS OF
EUREKA COUNTY, NEVADA. WILLIS A. DePAOLI Recorder
File No. 67924 Fee \$ 8.00

Certification of Copy
State of Nevada
County of Eureka

} SS

I, Michael Rebaleati, the duly elected and qualified Recorder of Eureka County, State of Nevada, do hereby Certify that this is a full, true, and correct copy of the Instrument now on record in this office, Recorded in Book 69 of Official Records Pages 259-264, File No. 67924.

BOOK 69 PAGE 264

Whereof, I have hereunto Set my Hand and affixed the Seal of my office, in Eureka, Nevada this 7th day of April 19 88

Michael Rebaleati
Eureka Co. Recorder/Audit & Ex officio Court Recorder
Deputy Recorder