



## LEGAL DESCRIPTION

Order No.: 00060293

The land referred to herein is situated in the State of Nevada, County of NYE, described as follows:

Parcel 1:

The basis of bearing for this real property described is the southerly line of the Southeast Quarter (SE1/4) of Section 4, Township 21 South, Range 54 East, M.D.M, County of Nye, State of Nevada, which bears North 89°53'04" West as per map recorded in File 127033 of Official Records, in the Office of the County Recorder of said County.

Being a portion of Sections 3, 4, 5, & 6, Township 21 South, Range 54 East, M.D.M. County of Nye, State of Nevada, more particularly described as follows:

Commencing at the Southeast corner of Section 4, Thence North 00°11'06" West 943.10 feet to the Point of Beginning; Thence South 89°48'54" West 40.00 feet to a point of a curve, to which said line is radial to said curve; Thence northerly along the arc of a curve to the right, concave easterly, having a radius of 430.00 feet, through a central angle of 21°19'40", a arc distance of 160.06 feet to a point of reverse curvature, to which a radial line bears North 68°51'26" West; Thence Northwesterly along the arc of a curve to the left, concave southwesterly, having a radius of 54.00 feet through a central angle of 73°22'05", an arc distance of 69.15 feet; thence North 52°13'31" West, 138.77 feet to a point of a curve to which a radial line bears South 51°47'28" East; Thence Southwesterly, along the arc of a curve to the right, concave northwesterly, having a radius of 2147.30 feet, through a central angle of 19°39'10", an arc distance of 736.53 feet to a point on said curve to which a radial line bears South 32°08'17" East; Thence South 00°08'55" East 385.15 feet; Thence North 89°53'04" West 1961.57 feet; Thence North 89°52'57" West 2647.28 feet; Thence North 89°51'22" West, 2637.49 feet; Thence North 89°51'40" West 2636.27 feet; Thence South 00°20'43" West, 370.00 feet; Thence South 89°56'11" West 2310.87 feet; Thence North 89°58'48" West 1319.43 feet; Thence South 88°35'01" West 478.89 feet; Thence North 03°01'39" West 1802.63 feet; Thence South 89°37'53" East 4,214.76 feet; Thence North 99°19'20" East 869.90 feet; Thence North 89°50'46" East, 5,266.16 feet; Thence North 89°58'14" East, 1031.41 feet; Thence North 00°11'02" West, 1327.81 feet; Thence North 89°52'28" East, 4248.37 feet; Thence South

Continued on next page

00°11'02" East, 665.60 feet; Thence South 89°54'28" East, 1463.78 feet; Thence South 00°11'02" East, 669.83 feet; Thence North 89°53'15" West 913.60 feet; Thence South 00°25'07" West 282.23 feet; Thence South 17°54'29" West, 578.92 feet; Thence South 00°11'06" East, 253.52 feet; Thence North 89°51'52" West 367.47 feet; Thence South 00°11'06" East, 247.50 feet; Thence South 89°51'52" East, 2668.93 feet; Thence South 00°18'34" West 1335.39 feet; Thence North 89°51'43" West 2657.41 feet; Thence North 00°11'06" West 943.10 feet to the Point of beginning.

TOGETHER WITH, Parcels 2 and 3 of Parcel Map recorded April 20, 1983 as File 78681 in the office of the County Recorder of Nye County, Nevada.

TOGETHER WITH, Parcel "D" as shown by Parcel Map recorded October 15, 1984 in File 127033 of Official Records, Nye County, Nevada.

EXCEPTING THEREFROM, the following described property: Commencing at Section corner common to Sections 3, 4, 9 and 10, Township 21 South, Range 54 East, M.D.M thence North 2670 feet on section line between Sections 3 and 4; thence East 850 feet, thence North 500 feet; thence East 100 feet to the true point of beginning; thence East 100 feet; thence North 100 feet; Thence West 100 feet; thence South 100 feet to the true point of beginning.

FURTHER EXCEPTING THEREFROM, a portion of the Southwest Quarter (SW1/4) of Section 3, Township 21 South, Range 54 East, M.D.M. Nye County, Nevada, more particularly described as follows:

A portion of the West 363.00 feet of the North Half (N1/2) of the South 495.00 feet of the North Half (N1/2) of the Southwest Quarter (SW1/4) of said Section 3, Township 21 South, Range 54 East, M.D.B.&M, more particularly described as Parcel Two (2) as shown by Map recorded December 3, 1979 in File No. 14128, of Official records, Nevada County, Nevada.

FURTHER EXCEPTING THEREFROM, Lots 1 thru 3 and Lots 5 through 7 and Lots 9 through 29 in Block 1; Lots 1 and 2 and Lots 4 through 21 and Lot 68 in Block 2 and Lot 13 in Block 3 in Block 3 all as shown on the map of Mountain Falls, Phase 1, recorded

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as instrument no. 482651 on November 30, 1999.

TOGETHER WITH, the following Water Rights issued by the State of Nevada Division of Water Resources, State Engineer pursuant to Certificates of Appropriation of Water, numbered:

10571, 11132, 12789, 14241, 19029, 19030, 19031, 19536 22735,  
23471, 24773

ALSO EXCEPTING THEREFROM, all that property conveyed in the following Deeds:

To Nevada Star, Inc, a Nevada Corporation, by Deed recorded November 3, 1999 as Instrument No. 481090A, Nye County, Nevada Records.

To American West Homes, Incorporated, a Nevada corporation, by Deed recorded April 21, 2000 as Instrument No. 491741, Nye County Nevada Records

To American West Homes, Incorporated, a Nevada corporation, by Deed recorded June 12, 2000 as Instrument No. 495007, Nye County, Nevada Records.

Assessors Parcel No. 45-011-03, 05, 09  
45-011-07, 10                      45-121-23  
45-021-02, 04                      45-501-01

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**Exhibit A (continued)**

**Legal Description---MC Well Site**

That certain real property situated the County of Nye, State of Nevada, bounded and described as follows:

A portion of the North Half (N ½) of Section 3, Township 21 South, Range 54 East, M.D.B. & M., described as follows:

Commencing at the North Quarter (N ¼) corner of Section 3, Township 21 South, Range 54 East, M.D.B. & M.; thence South 0° 46' East, a distance of 2,171.00 feet to a point; thence North 50 feet to the True Point of Beginning; Thence West 50 feet; thence South 100 feet; thence East 100 feet; thence North 100 feet; thence West 50 feet to the True Point of Beginning.

Official Records Nye County Nevada  
Requested By: UNITED TITLE OF NV  
06/17/02 9:15 AM 537403  
Donna L. Motis Recorder  
Fee: \$18.00 State: \$ Dep: PH

EXA, P 4

# State of Nevada Declaration of Value

## 1. Assessor's Parcel Number(s)

- a) 45-011-03, 05, 09
- b) 45-011-07, 10      45-151-23
- c) 45-021-02, 04      45-501-01

## 2. Type of Property:

- |  |  |
|--|--|
| a) <input type="checkbox"/> Vacant Land  | b) <input type="checkbox"/> Single Fam. Resi |
| c) <input type="checkbox"/> Condo/Twnhse | d) <input type="checkbox"/> 2-4 Plex         |
| e) <input type="checkbox"/> Apt. Bldg.   | f) <input type="checkbox"/> Comm'l/Ind'l     |
| g) <input type="checkbox"/> Agricultural | h) <input type="checkbox"/> Mobile Home      |
| i) <input type="checkbox"/> Other _____  |  |

FOR RECORDER'S OPTIONAL USE ONLY	
Documentation/Instrument #:	<u>537403</u>
Book:	Page: _____
Date of Recording:	_____
Notes:	_____

3. Total Value/Sales Price of Property: \$0.00
- Deed in Lieu of Foreclosure Only (value of property): ( )
- Transfer Tax Value: \$0.00
- Real Property Transfer Tax Due: \$0.00

## 4. If Exemption Claimed:

- a. Transfer Tax Exemption, per NRS 375.090, Section: 10
- b. Explain Reason for Exemption: Transfer to a wholly owned subsidiary

5. Partial Interest: Percentage being transferred: \_\_\_\_\_%

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature \_\_\_\_\_  
Signature \_\_\_\_\_

Capacity \_\_\_\_\_ Title Agent for Grantor  
Capacity \_\_\_\_\_ Title Agent for Grantee

### SELLER (GRANTOR) INFORMATION (REQUIRED)

Print Name: Commercial Federal Bank  
Address: 100 West Liberty St., 10<sup>th</sup> Floor  
City: Reno  
State: Nevada Zip: 89501

### BUYER (GRANTEE) INFORMATION (REQUIRED)

Print Name: Mountain Falls Acquisition Corporation  
Address: 100 West Liberty St., 10<sup>th</sup> Floor  
City: Reno  
State: Nevada Zip: 89501

### COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)

Print Name: United Title of Nevada  
Address: 3980 Howard Hughes Parkway  
City/State/Zip: Las Vegas, Nevada 89109

Escrow #: 99127823

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/ MICROFILMED)