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Case No. 49-44-99LC

FILED

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IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF LINCOLN

ROCKY MOUNTAIN COMPANY, a Utah Limited Partnership,

Plaintiff,

vs.

NOTICE OF PENDENCY
OF ACTION AFFECTING
REAL PROPERTY

JEFFERY E. CARTER, ENERGY AND DEVELOPMENT CO.; JEFFREY E. CARTER, ENERGY AND DEVELOPMENT CO.; JEFFREY E. CARTER, ENERGY AND DEVELOPMENT COMPANY; JEFFREY F. CARTER, ENERGY AND DEVELOPMENT COMPANY; ZIONS FIRST NATIONAL BANK, a national banking association; NEVADA TITLE COMPANY, a Nevada corporation; LAND TITLE OF NEVADA, INC., a Nevada corporation; MARTIN A. JOHNSON; MARTIN L. JOHNSON; WILLARD S. JOHNSON; WILLARD D. JOHNSON; C. FRANK DAMON; GORDON DAMON; LAURENCE C. THOMPSON; MARNELL T. THOMPSON, MARNELL TERRY THOMPSON; JACQUELYN A. KILBRIDE; JACQUELINE A. KILBRIDE; EMILY S. CONDON; GERALD E. STRONG; PATRICIA A. SHERMAN; WILLIAM M. SHERMAN; JENNIFER H. SHERMAN; JENNIFER SHERMAN; JENNIFER M. SHERMAN; DOUGLAS C. SHERMAN; MARGARET A. SHERMAN; ORLANDO EPP; JAMES E. LANDRUM; J. ALLEN LANDRUM; J. ALLEN JOHNSON; BRANDON B. JOHNSON; HUNTER W. JOHNSON; MARK A. JOHNSON; MELISSA D. JOHNSON; MELISSA D. JOHNSON; RUTH L. THOMPSON; C. DEXTER LUFKIN; MARILYN LUFKIN; GORDON DAMON,

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Trustee of THE MURIEL C. DAMON TRUST;
JOHNSON BROTHERS PARTNERSHIP; SHERMAN
FAMILY GENERAL PARTNERSHIP; JOHNSON
FAMILY PARTNERSHIP; F.M.A. LEASING CO.,
a Utah corporation; WESTERN WOOD
STRUCTURES; JEFFREY R. ALBREGTS; MEADOW
VALLEY PROPERTIES, a Nevada general
partnership; STEVE HARMSSEN; HARMSSEN
FAMILY LIMITED PARTNERSHIP, a Utah
limited partnership; DOE COMPANIES 1-5;
DOE CORPORATIONS 1-5; DOE PARTNERSHIPS
1-5; DOE LIMITED LIABILITY COMPANIES 1-
5; DOES 1-5; and all other persons
unknown or entities unknown claiming
any right, title, estate, lien or
interest in the real property of
Plaintiff adverse to the Plaintiff's
ownership or any cloud upon Plaintiff's
title to the following described
property: PARCEL 1: TOWNSHIP 4 SOUTH,
RANGE 67 EAST, M.D.B. & M. Section 18:
All of the Northwest Quarter (NW $\frac{1}{4}$);
the North Half (N $\frac{1}{2}$) of the Southwest
Quarter (SW $\frac{1}{4}$); the Southwest Quarter
(SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$);
and the Southwest Quarter (SW $\frac{1}{4}$) of the
Southwest Quarter (SW $\frac{1}{4}$) EXCEPTING
THEREFROM all that portion of the West
Half (W $\frac{1}{2}$) of Section 18, Township 4
South, Range 67 East, M.D.B. & M., lying
West of State Highway No. 55. Section
19: Government Lot 1, previously
described as the Northwest Quarter
(NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$);
Government Lot 2, previously described
as the Southwest Quarter (SW $\frac{1}{4}$) of the
Northwest Quarter (NW $\frac{1}{4}$); and Government
Lot 3, previously described as the
Northwest Quarter (NW $\frac{1}{4}$) of the
Southwest Quarter (SW $\frac{1}{4}$) EXCEPTING
THEREFROM all that portion of the West
Half (W $\frac{1}{2}$) of the Northwest Quarter
(NW $\frac{1}{4}$) of Section 19, Township 4 South,
Range 67 East, M.D.B. & M., lying West
of State Highway No. 55. Except the
interest in the portion of said land
conveyed to County of Lincoln, State of
Nevada, by Deed recorded January 6,

Lincoln County

1 1975 in Book 12 of Official Records at
2 page 441, Lincoln County, Nevada
3 records. FURTHER EXCEPTING FROM all
4 that property situated in the Southwest
5 Quarter (SW $\frac{1}{4}$) of the Northwest Quarter
6 (NW $\frac{1}{4}$) of Section 19, Township 4 South,
7 Range 67 East, M.D.B. & M., County of
8 Lincoln, State of Nevada, more
9 particularly described as follows:
10 Commencing at the intersection of the
11 center line of the Nevada State Highway
12 Right of Way No. 55, FAS Route 633
13 (Project S-633(1)) Corrected Deed,
14 Document No. 55665, Book 12, Page 441,
15 recorded January 6, 1975, of the
16 Official Records of Lincoln County,
17 Nevada and South Boundary Line of the
18 Northeast Quarter (NE $\frac{1}{4}$) of the
19 Southeast Quarter (SE $\frac{1}{4}$) of Section 24,
20 Township 4 South, Range 66 East,
21 M.D.B. & M. at Highway Engineer's
22 Station X465438.69 POC; said commencing
23 point further described as bearing
24 South 6°10'02" West, a distance of
25 9,421.64 feet from the Northeast corner
26 of Section 13, Township 4 South, Range
27 66 East, M.D.B. & M.; Thence along the
28 center line of said Nevada State
Highway Right of Way from a point on a
tangent which bears North 36°55'02"
East, along a curve to the left with a
radius of 800.00 feet, through an angle
of 13°49'21" and an arc distance of
193.00 feet to a point of tangency;
Thence along centerline of said State
Highway Right of Way North 23°05'41"
East, a distance of 939.19 feet to a
point on a curve; Thence along said
centerline from a tangent which bears
the last described course, also being a
curve to the right with a radius of
3,000 feet through an angle of
12°52'20" and an arc distance of 673.99
feet to a point of tangency; Thence
along said centerline North 35°58'01"
East, a distance of 580.70 feet to the
true point of beginning; Thence South
52°14'59" East, a distance of 529.94

1 feet to a point on the beginning of a
 2 tangent curve; Thence along said curve
 3 to the left with a radius of 311.54
 4 feet, through an angle of 28°36'50" an
 5 arc distance of 155.59 feet to a point
 6 of beginning of a compound curve;
 7 Thence from said compound point on a
 8 tangent which bears South 80°51'49"
 9 East, along a curve to the left with a
 10 radius of 1,071.63 feet, through an
 11 angle of 21°43'30" and an arc distance
 12 of 406.33 feet to a point of tangency;
 13 Thence North 77°24'41" East, a distance
 14 of 245.00 feet, more or less, to a
 15 point on the Easterly Line of the
 16 Southwest Quarter (SW¹/₄) of the
 17 Northwest Quarter (NW¹/₄) of said Section
 18 19; said Easterly Line being the West
 19 Property Line of Kershaw-Ryan Nevada
 20 State Recreation Park; Thence North
 21 along said Easterly Line, a distance of
 22 900.00 feet, more or less, to the
 23 Northeast Quarter (NE¹/₄) Corner of the
 24 Southwest Quarter (SW¹/₄) of the
 25 Northwest Quarter (NW¹/₄) of said Section
 26 19; Thence West along the North Line of
 27 the Southwest Quarter (SW¹/₄) of the
 28 Northwest Quarter (NW¹/₄) of said Section
 19, a distance of 960.00 feet, more or
 less, to a point on the Center Line of
 said State Highway Right of Way No. 55;
 Thence along said Center Line South
 13°16'45" West, a distance of 200.00
 feet, more or less, to the beginning of
 a tangent curve; said point of
 beginning of a tangent curve being
 Station "X" 493 + 58.83 on Center Line
 of said State Highway Right of Way No.
 55; Thence along said Center Line, also
 being a curve to the right with a
 radius of 1,000.00 feet, through an
 angle of 22°41'16" and an arc distance
 of 395.98 feet to a point of tangency;
 Thence along said Center Line South
 35°58'01" West, a distance of 37.28
 feet to the true point of beginning.
 EXCEPTING THEREFROM the forty (40) feet
 wide right of way on the Southeasterly

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side of the Center Line of said Nevada State Highway, FAS Route 633 (Project S-633(1)). (The above parcel was acquired by the State of Nevada for improving the entrance to the Kershaw-Ryan Recreation Park). Also excepting therefrom that portion conveyed to the City of Caliente more particularly described as follows: Being a portion of the Northwest Quarter (NW¹/₄) of Section 18, Township 4 South, Range 67 East, M.D.B. & M., and more particularly described by metes and bounds as follows, to wit: BEGINNING at a point on the Southeasterly right-of-way line of the Union Pacific Railroad, 28.74 feet right of and measured radially from the centerline of Clover Street at Highway Engineer's Station "CS" 21+04.73 P.O.C.; said point of beginning being further described as bearing North 89°02'18" West, a distance of 2,611.28 feet from the Northeast corner of said Section 18, Township 4 South, Range 67 East, M.D.B. & M.; thence South 01°01'51" West, along the West line of the Mark and Linda Holt property a distance of 188.86 feet to an intersection with the right or Southeasterly right-of-way line of Clover Street; thence along said right or Southeasterly right-of-way line of Clover Street the following six (6) courses and distances: (1) South 53°41'09" West a distance of 145.96 feet; (2) South 70°54'04" West a distance of 236.89 feet; (3) South 18°47'23" West a distance of 183.33 feet; (4) From a non-tangent curve, concave to the East, having a tangent bearing of South 01°12'41" West, a radius of 470.00 feet and a delta of 04°55'20" for an arc length of 40.38 feet to a point of reverse curvature; (5) From a tangent curve concave to the Northwest, having a tangent bearing of South 03°42'40" East, a radius of 280.00 feet and a delta of 62°59'58",

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for an arc length of 307.87 feet to a point of reverse curvature; (6) From a tangent curve, concave to the Southeast, having a tangent bearing of South 59°17'18" West, a radius of 37.00 feet and a delta of 41°50'01" for an arc length of 27.02 feet to a point on the Northeasterly right-of-way line of State Route 317; Thence along said Northeasterly right-of-way line of State of Route 317, along a non-tangent curve, concave to the Northeast, having a tangent bearing of North 32°30'55" West, a radius of 1,624.07 feet and a delta of 8°37'27" for an arc length of 244.45 feet, more or less, to a point on the Southeasterly right-of-way line of said Union Pacific Railroad; Thence along said Southeasterly right-of-way line of the Union Pacific Railroad along a non-tangent curve, concave to the Southeast, having a tangent bearing of North 32°30'23" East, a radius of 1,860.08 feet and a delta of 24°52'56" for an arc length of 807.79 feet, more or less, to the beginning of a spiral curve; Thence along said spiral curve, being concave to the Southeast, having a tangent bearing of North 57°18'46" East and a long chord of North 58°35'02" East a distance of 123.31 feet to the point of beginning. Excepting from all of the above described, any and all rights of way heretofore granted by the Grantors herein or their predecessors in interest to the Union Pacific Railroad Co., and its predecessors in interest and to the State of Nevada for highway purposes, which said rights of way are on file and of record in the Office of the County Recorder of said Lincoln County, Nevada. Assessor's Parcel Number: 13-130-03 PARCEL 2: TOWNSHIP 4 SOUTH, RANGE 66 EAST, M.D.B. & M. Section 24: The North Half (N½) of the Southeast Quarter (SE¼); the Southwest Quarter (SW¼) of the Southeast Quarter

1 (SE $\frac{1}{4}$) EXCEPTING THEREFROM all that
 2 portion of the Southeast Quarter (SE $\frac{1}{4}$)
 3 of Section 24, Township 4 South, Range
 4 66 East, M.D.B. & M., lying West of
 5 State Highway No. 55. Section 25: The
 6 Northwest Quarter (NW $\frac{1}{4}$) of the
 7 Northeast Quarter (NE $\frac{1}{4}$); the South Half
 8 (S $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$);
 9 The East Half (E $\frac{1}{2}$) of the Northwest
 10 Quarter (NW $\frac{1}{4}$); the Southwest Quarter
 11 (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$);
 12 the North Half (N $\frac{1}{2}$) of the Southwest
 13 Quarter (SW $\frac{1}{4}$); and the Northwest
 14 Quarter (NW $\frac{1}{4}$) of the Southeast Quarter
 15 (SE $\frac{1}{4}$) EXCEPTING THEREFROM all that
 16 portion of the East Half (E $\frac{1}{2}$) of the
 17 Northwest Quarter (NW $\frac{1}{4}$) of Section 25,
 18 Township 4 South, Range 66 East,
 19 M.D.B. & M., lying West of the Union
 20 Pacific Railroad right of way.
 21 EXCEPTING FROM the Northwest Quarter
 22 (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of
 23 Section 25, Township 4 South, Range 66
 24 East, M.D.B. & M., all uranium, thorium,
 25 or other material which may be
 26 determined to be peculiarly essential
 27 to the production of fissionable
 28 material lying in and under said land
 as reserved by the United States of
 America, in Patent recorded June 22,
 1959, in Book L-1 of Real Estate Deeds,
 page 209, Lincoln County, Nevada. Also
 excepting therefrom that portion of the
 Southwest Quarter (SW $\frac{1}{4}$) of the
 Northeast Quarter (NE $\frac{1}{4}$) (and that
 portion of the Northwest Quarter (NW $\frac{1}{4}$)
 of the Southeast Quarter (SE $\frac{1}{4}$) of
 Section 25, Township 4 South, Range 66
 East, M.D.B. & M., more particularly
 described as follows: Parcels 1, 2, 3
 and 4 of that certain parcel map for
 Meadow Valley Properties recorded March
 27, 1984 in the Office of the County
 Recorder of Lincoln County, Nevada in
 Book A of Plats, page 228 as File No.
 79735, Lincoln County, Nevada records.
 Together with an easement for access
 and utility purposes is described as

1 follows: Also including a parcel or
 2 strip of land forty (40) feet in total
 3 width being twenty (20) feet wide on
 4 each side of the surveyed center line
 5 of a road and utility easement from
 6 State Highway Engineers Station 421 +
 7 67.07 on the center line of Nevada
 8 State Highway right of way No. 55 FAS
 9 Route 633 (Project S-633(1)) to the
 10 five acre parcel described in the above
 11 paragraphs; Said center line is more
 12 fully described as follows: Beginning
 13 at Highway Engineer's Station 421 +
 14 67.07 on the centerline of said Nevada
 15 State Highway Right of Way; Thence
 16 along the center line of said Road and
 17 Utility Easement South 66°14' East, a
 18 distance of 283.35 feet to a point on a
 19 tangent curve; Thence continuing along
 20 said easement center line being a curve
 21 to the right with a radius of 1,000.00
 22 feet, through an angle of 4°49' and an
 23 arc distance of 84.07 feet to a point
 24 of tangency; Thence continuing along
 25 said center line South 61°24' East, a
 26 distance 227.15 feet to a point on a
 27 tangent curve; Thence continuing along
 28 said center line being a curve to the
 right with a radius of 100.00 feet,
 through an arc angle of 50°28'30" an
 arc distance of 88.10 feet to a point
 of tangency; Thence continuing along
 said center line South 10°55'30" East,
 a distance of 38.44 feet to a point on
 a tangent curve; Thence continuing
 along said center line being a curve to
 the right with a radius of 50.00 feet,
 through an angle of 72°45'30" and an
 arc distance of 63.49 feet to a point
 of tangency; Thence continuing along
 said easement center line South 61°49'
 West a distance of 150.17 feet.
 TOWNSHIP 4 SOUTH, RANGE 66 EAST,
 M.D.B. & M. Section 26: East Half (E½)
 of the Southeast Quarter (SE¼) Section
 35: The East Half (E½) of the
 Northeast Quarter (NE¼); the Southwest
 Quarter (SW¼) of the Northeast Quarter

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(NE¼); and the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) Section 36: The Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) Also excepting the interest in the portion of said land conveyed to County of Lincoln, State of Nevada, by Deed recorded January 6, 1975 in Book 12 of Official Records at page 441, Lincoln County, Nevada records. Excepting from all of the above described, any and all rights of way heretofore granted by the Grantors herein or their predecessors in interest to the Union Pacific Railroad Co., and its predecessors in interest and to the State of Nevada for highway purposes, which said rights or way are on file and of record in the Office of the County Recorder of said Lincoln County, Nevada. Assessor's Parcel Number: 13-140-05 and 13-140-07

PARCEL 3: The Southwest Quarter (SW¼) of the Northeast Quarter (NE¼), the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼), the East Half (E½) of the Southwest Quarter (SW¼) of Section 7, Township 4 South, Range 67 East, M.D.B. & M. EXCEPTING FROM Section 7, Township 4 South, Range 67 East, that portion of said land heretofore conveyed to the incorporated City of Caliente by Deed recorded in Book "L-1" of Real Estate Deeds, page 345, Lincoln County, Nevada records. FURTHER EXCEPTING THEREFROM that portion conveyed to the State of Nevada, Department of Transportation by Corrected Sales Deed, Document No. 55665, Book 12, page 441, recorded January 6, 1975, Lincoln County, Nevada. FURTHER EXCEPTING FROM Section 7, Township 4 South, Range 67 East, that portion of said land heretofore conveyed to Lincoln County Post No. 23 American Legion, the Hugh Jacobson Post No. 7114, V.F.W. and Barracks No. 2287 Veterans of World War 1 of U.S.A., by Deed recorded in Book "L-1" of Real

Lincoln County

1 Estate Deeds at page 346, Lincoln
2 County, Nevada records. FURTHER
3 EXCEPTING FROM Section 7, Township 4
4 South, Range 67 East, that portion of
5 said land heretofore conveyed to Ronal
6 Young and Betty Young, husband and
7 wife, by Deed recorded in Book "K-1" of
8 Real Estate Deeds at page 356, Lincoln
9 County, Nevada records. FURTHER
10 EXCEPTING FROM Section 7, Township 4
11 South, Range 67 East, that portion of
12 said land conveyed to the United States
13 of America by Deed recorded July 26,
14 1963, in Book "M-1" of Real Estate
15 Deeds at page 163 Lincoln County,
16 Nevada records. FURTHER EXCEPTING FROM
17 Section 7, Township 4 South, Range 67
18 East, that portion of said land
19 conveyed to Ronal Young, et ux, by Deed
20 recorded September 3, 1969, in Book "N-
21 1" of Real Estate Deeds at page 440
22 Lincoln County, Nevada records.
23 FURTHER EXCEPTING FROM Section 7,
24 Township 4 South, Range 67 East, those
25 portions of said land conveyed to the
26 Board of Co. Commissioners by Deed
27 recorded May 27, 1936, in Book "E-1" of
28 Real Estate Deeds at page 90 and
recorded May 27, 1936, in Book "E-1" of
Real Estate Deeds at page 91, Lincoln
County, Nevada records. FURTHER
EXCEPTING FROM Section 7, Township 4
South, Range 67 East, all that portion
of said land conveyed to the State of
Nevada, by deed recorded June 16, 1967,
in Book N-1, of Real Estate Deeds, page
208 Lincoln County, Nevada records.
Excepting from all of the above
described, any and all rights of way
heretofore granted by the Grantors
herein or their predecessors in
interest to the Union Pacific Railroad
Co., and its predecessors in interest
and to the State of Nevada for highway
purposes, which said rights of way are
on file and of record in the Office of
the County Recorder of said Lincoln
County, Nevada. Assessor's Parcel Nos.

03-111-01, 03-121-01 & 03-151-02

Defendants.

PLEASE TAKE NOTICE that the above-entitled action concerns the real property described below and that Plaintiff seeks relief in this action affecting title to real property situate in the County of Lincoln, State of Nevada, and described as follows:

PARCEL 1: TOWNSHIP 4 SOUTH, RANGE 67 EAST, M.D.B. & M.

Section 18: All of the Northwest Quarter (NW¹/₄); the North Half (N¹/₂) of the Southwest Quarter (SW¹/₄); the Southwest Quarter (SW¹/₄) of the Northeast Quarter (NE¹/₄); and the Southwest Quarter (SW¹/₄) of the Southwest Quarter (SW¹/₄)

EXCEPTING THEREFROM all that portion of the West Half (W¹/₂) of Section 18, Township 4 South, Range 67 East, M.D.B. & M., lying West of State Highway No. 55.

Section 19: Government Lot 1, previously described as the Northwest Quarter (NW¹/₄) of the Northwest Quarter (NW¹/₄); Government Lot 2, previously described as the Southwest Quarter (SW¹/₄) of the Northwest Quarter (NW¹/₄); and Government Lot 3, previously described as the Northwest Quarter (NW¹/₄) of the Southwest Quarter (SW¹/₄)

EXCEPTING THEREFROM all that portion of the West Half (W¹/₂) of the Northwest Quarter (NW¹/₄) of Section 19, Township 4 South, Range 67 East, M.D.B. & M., lying West of State Highway No. 55.

Except the interest in the portion of said land conveyed to County of Lincoln, State of Nevada, by Deed recorded January 6, 1975 in Book 12 of Official Records at page 441, Lincoln County, Nevada records.

FURTHER EXCEPTING FROM all that property situated in the Southwest Quarter (SW¹/₄) of the Northwest Quarter (NW¹/₄) of Section 19, Township 4 South, Range 67 East, M.D.B. & M., County of Lincoln, State of Nevada, more particularly described as follows:

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Commencing at the intersection of the center line of the Nevada State Highway Right of Way No. 55, FAS Route 633 (Project S-633(1)) Corrected Deed, Document No. 55665, Book 12, Page 441, recorded January 6, 1975, of the Official Records of Lincoln County, Nevada and South Boundary Line of the Northeast Quarter (NE^{1/4}) of the Southeast Quarter (SE^{1/4}) of Section 24, Township 4 South, Range 66 East, M.D.B. & M. at Highway Engineer's Station X465438.69 POC; said commencing point further described as bearing South 6°10'02" West, a distance of 9,421.64 feet from the Northeast corner of Section 13, Township 4 South, Range 66 East, M.D.B. & M.;

Thence along the center line of said Nevada State Highway Right of Way from a point on a tangent which bears North 36°55'02" East, along a curve to the left with a radius of 800.00 feet, through an angle of 13°49'21" and an arc distance of 193.00 feet to a point of tangency;

Thence along centerline of said State Highway Right of Way North 23°05'41" East, a distance of 939.19 feet to a point on a curve;

Thence along said centerline from a tangent which bears the last described course, also being a curve to the right with a radius of 3,000 feet through an angle of 12°52'20" and an arc distance of 673.99 feet to a point of tangency;

Thence along said centerline North 35°58'01" East, a distance of 580.70 feet to the true point of beginning;

Thence South 52°14'59" East, a distance of 529.94 feet to a point on the beginning of a tangent curve;

Thence along said curve to the left with a radius of 311.54 feet, through an angle of 28°36'50" an arc distance of 155.59 feet to a point of beginning of a compound curve;

Thence from said compound point on a tangent which bears South 80°51'49" East, along a curve to the left with a radius of 1,071.63 feet, through an angle of 21°43'30" and an arc distance of 406.33 feet to a point of tangency;

Thence North 77°24'41" East, a distance of 245.00 feet,

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more or less, to a point on the Easterly Line of the Southwest Quarter (SW¹/₄) of the Northwest Quarter (NW¹/₄) of said Section 19; said Easterly Line being the West Property Line of Kershaw-Ryan Nevada State Recreation Park;

Thence North along said Easterly Line, a distance of 900.00 feet, more or less, to the Northeast Quarter (NE¹/₄) Corner of the Southwest Quarter (SW¹/₄) of the Northwest Quarter (NW¹/₄) of said Section 19;

Thence West along the North Line of the Southwest Quarter (SW¹/₄) of the Northwest Quarter (NW¹/₄) of said Section 19, a distance of 960.00 feet, more or less, to a point on the Center Line of said State Highway Right of Way No. 55;

Thence along said Center Line South 13°16'45" West, a distance of 200.00 feet, more or less, to the beginning of a tangent curve; said point of beginning of a tangent curve being Station "X" 493 + 58.83 on Center Line of said State Highway Right of Way No. 55;

Thence along said Center Line, also being a curve to the right with a radius of 1,000.00 feet, through an angle of 22°41'16" and an arc distance of 395.98 feet to a point of tangency;

Thence along said Center Line South 35°58'01" West, a distance of 37.28 feet to the true point of beginning.

EXCEPTING THEREFROM the forty (40) feet wide right of way on the Southeasterly side of the Center Line of said Nevada State Highway, FAS Route 633 (Project S-633(1)).

(The above parcel was acquired by the State of Nevada for improving the entrance to the Kershaw-Ryan Recreation Park).

Also excepting therefrom that portion conveyed to the City of Caliente more particularly described as follows:

Being a portion of the Northwest Quarter (NW¹/₄) of Section 18, Township 4 South, Range 67 East, M.D.B. & M., and more particularly described by metes and bounds as follows, to wit:

BEGINNING at a point on the Southeasterly right-of-way

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line of the Union Pacific Railroad, 28.74 feet right of and measured radially from the centerline of Clover Street at Highway Engineer's Station "CS" 21+04.73 P.O.C.; said point of beginning being further described as bearing North 89°02'18" West, a distance of 2,611.28 feet from the Northeast corner of said Section 18, Township 4 South, Range 67 East, M.D.B. & M.; thence South 01°01'51" West, along the West line of the Mark and Linda Holt property a distance of 188.86 feet to an intersection with the right or Southeasterly right-of-way line of Clover Street; thence along said right or Southeasterly right-of-way line of Clover Street the following six (6) courses and distances:

- (1) South 53°41'09" West a distance of 145.96 feet;
- (2) South 70°54'04" West a distance of 236.89 feet;
- (3) South 18°47'23" West a distance of 183.33 feet;
- (4) From a non-tangent curve, concave to the East, having a tangent bearing of South 01°12'41" West, a radius of 470.00 feet and a delta of 04°55'20" for an arc length of 40.38 feet to a point of reverse curvature;
- (5) From a tangent curve concave to the Northwest, having a tangent bearing of South 03°42'40" East, a radius of 280.00 feet and a delta of 62°59'58", for an arc length of 307.87 feet to a point of reverse curvature;
- (6) From a tangent curve, concave to the Southeast, having a tangent bearing of South 59°17'18" West, a radius of 37.00 feet and a delta of 41°50'01" for an arc length of 27.02 feet to a point on the Northeasterly right-of-way line of State Route 317;

Thence along said Northeasterly right-of-way line of State of Route 317, along a non-tangent curve, concave to the Northeast, having a tangent bearing of North 32°30'55" West, a radius of 1,624.07 feet and a delta of 8°37'27" for an arc length of 244.45 feet, more or less, to a point on the Southeasterly right-of-way line of said Union Pacific Railroad;

Thence along said Southeasterly right-of-way line of the Union Pacific Railroad along a non-tangent curve, concave to the Southeast, having a tangent bearing of North

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32°30'23" East, a radius of 1,860.08 feet and a delta of 24°52'56" for an arc length of 807.79 feet, more or less, to the beginning of a spiral curve;

Thence along said spiral curve, being concave to the Southeast, having a tangent bearing of North 57°18'46" East and a long chord of North 58°35'02" East a distance of 123.31 feet to the point of beginning.

Excepting from all of the above described, any and all rights of way heretofore granted by the Grantors herein or their predecessors in interest to the Union Pacific Railroad Co., and its predecessors in interest and to the State of Nevada for highway purposes, which said rights of way are on file and of record in the Office of the County Recorder of said Lincoln County, Nevada.

Assessor's Parcel Number: 13-130-03

PARCEL 2: TOWNSHIP 4 SOUTH, RANGE 66 EAST, M.D.B. & M.

Section 24: The North Half (N½) of the Southeast Quarter (SE¼); the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼)

EXCEPTING THEREFROM all that portion of the Southeast Quarter (SE¼) of Section 24, Township 4 South, Range 66 East, M.D.B. & M., lying West of State Highway No. 55.

Section 25: The Northwest Quarter (NW¼) of the Northeast Quarter (NE¼); the South Half (S½) of the Southwest Quarter (SW¼); The East Half (E½) of the Northwest Quarter (NW¼); the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼); the North Half (N½) of the Southwest Quarter (SW¼); and the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼)

EXCEPTING THEREFROM all that portion of the East Half (E½) of the Northwest Quarter (NW¼) of Section 25, Township 4 South, Range 66 East, M.D.B. & M., lying West of the Union Pacific Railroad right of way.

EXCEPTING FROM the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of Section 25, Township 4 South, Range 66 East, M.D.B. & M., all uranium, thorium, or other material which may be determined to be peculiarly essential to the production of fissionable material lying in and under said land as reserved by the United States

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of America, in Patent recorded June 22, 1959, in Book L-1 of Real Estate Deeds, page 209, Lincoln County, Nevada.

Also excepting therefrom that portion of the Southwest Quarter (SW¹/₄) of the Northeast Quarter (NE¹/₄) (and that portion of the Northwest Quarter (NW¹/₄) of the Southeast Quarter (SE¹/₄) of Section 25, Township 4 South, Range 66 East, M.D.B. & M., more particularly described as follows:

Parcels 1, 2, 3 and 4 of that certain parcel map for Meadow Valley Properties recorded March 27, 1984 in the Office of the County Recorder of Lincoln County, Nevada in Book A of Plats, page 228 as File No. 79735, Lincoln County, Nevada records.

Together with an easement for access and utility purposes is described as follows:

Also including a parcel or strip of land forty (40) feet in total width being twenty (20) feet wide on each side of the surveyed center line of a road and utility easement from State Highway Engineers Station 421 + 67.07 on the center line of Nevada State Highway right of way No. 55 FAS Route 633 (Project S-633(1)) to the five acre parcel described in the above paragraphs; Said center line is more fully described as follows:

Beginning at Highway Engineer's Station 421 + 67.07 on the centerline of said Nevada State Highway Right of Way;

Thence along the center line of said Road and Utility Easement South 66°14' East, a distance of 283.35 feet to a point on a tangent curve;

Thence continuing along said easement center line being a curve to the right with a radius of 1,000.00 feet, through an angle of 4°49' and an arc distance of 84.07 feet to a point of tangency;

Thence continuing along said center line South 61°24' East, a distance 227.15 feet to a point on a tangent curve;

Thence continuing along said center line being a curve to the right with a radius of 100.00 feet, through an arc angle of 50°28'30" an arc distance of 88.10 feet to a point of tangency;

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Thence continuing along said center line South 10°55'30" East, a distance of 38.44 feet to a point on a tangent curve;

Thence continuing along said center line being a curve to the right with a radius of 50.00 feet, through an angle of 72°45'30" and an arc distance of 63.49 feet to a point of tangency;

Thence continuing along said easement center line South 61°49' West a distance of 150.17 feet.

TOWNSHIP 4 SOUTH, RANGE 66 EAST, M.D.B. & M.

Section 26: East Half (E½) of the Southeast Quarter (SE¼)

Section 35: The East Half (E½) of the Northeast Quarter (NE¼); the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼); and the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼)

Section 36: The Northwest Quarter (NW¼) of the Northwest Quarter (NW¼)

Also excepting the interest in the portion of said land conveyed to County of Lincoln, State of Nevada, by Deed recorded January 6, 1975 in Book 12 of Official Records at page 441, Lincoln County, Nevada records.

Excepting from all of the above described, any and all rights of way heretofore granted by the Grantors herein or their predecessors in interest to the Union Pacific Railroad Co., and its predecessors in interest and to the State of Nevada for highway purposes, which said rights or way are on file and of record in the Office of the County Recorder of said Lincoln County, Nevada.

Assessor's Parcel Number: 13-140-05 and 13-140-07

PARCEL 3:

The Southwest Quarter (SW¼) of the Northeast Quarter (NE¼), the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼), the East Half (E½) of the Southwest Quarter (SW¼) of Section 7, Township 4 South, Range 67 East, M.D.B. & M.

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EXCEPTING FROM Section 7, Township 4 South, Range 67 East, that portion of said land heretofore conveyed to the incorporated City of Caliente by Deed recorded in Book "L-1" of Real Estate Deeds, page 345, Lincoln County, Nevada records.

FURTHER EXCEPTING THEREFROM that portion conveyed to the State of Nevada, Department of Transportation by Corrected Sales Deed, Document No. 55665, Book 12, page 441, recorded January 6, 1975, Lincoln County, Nevada.

FURTHER EXCEPTING FROM Section 7, Township 4 South, Range 67 East, that portion of said land heretofore conveyed to Lincoln County Post No. 23 American Legion, the Hugh Jacobson Post No. 7114, V.F.W. and Barracks No. 2287 Veterans of World War 1 of U.S.A., by Deed recorded in Book "L-1" of Real Estate Deeds at page 346, Lincoln County, Nevada records.

FURTHER EXCEPTING FROM Section 7, Township 4 South, Range 67 East, that portion of said land heretofore conveyed to Ronal Young and Betty Young, husband and wife, by Deed recorded in Book "K-1" of Real Estate Deeds at page 356, Lincoln County, Nevada records.

FURTHER EXCEPTING FROM Section 7, Township 4 South, Range 67 East, that portion of said land conveyed to the United States of America by Deed recorded July 26, 1963, in Book "M-1" of Real Estate Deeds at page 163 Lincoln County, Nevada records.

FURTHER EXCEPTING FROM Section 7, Township 4 South, Range 67 East, that portion of said land conveyed to Ronal Young, et ux, by Deed recorded September 3, 1969, in Book "N-1" of Real Estate Deeds at page 440 Lincoln County, Nevada records.

FURTHER EXCEPTING FROM Section 7, Township 4 South, Range 67 East, those portions of said land conveyed to the Board of Co. Commissioners by Deed recorded May 27, 1936, in Book "E-1" of Real Estate Deeds at page 90 and recorded May 27, 1936, in Book "E-1" of Real Estate Deeds at page 91, Lincoln County, Nevada records.

FURTHER EXCEPTING FROM Section 7, Township 4 South, Range 67 East, all that portion of said land conveyed to the State of Nevada, by deed recorded June 16, 1967, in Book N-1, of Real Estate Deeds, page 208 Lincoln County,

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Excepting from all of the above described, any and all rights of way heretofore granted by the Grantors herein or their predecessors in interest to the Union Pacific Railroad Co., and its predecessors in interest and to the State of Nevada for highway purposes, which said rights of way are on file and of record in the Office of the County Recorder of said Lincoln County, Nevada.

Assessor's Parcel Nos. 03-111-01, 03-121-01 & 03-151-02

The object of the action is for declaratory judgment and to quiet title to the above-described real property in favor of Plaintiff.

The parties to this action are the above-named Plaintiff and the above-named Defendants.

DATED: This 18th day of November, 1999.

Michael F. Mackedon
MICHAEL F. MACKEDON
State Bar #2388
MACKEDON & McCORMICK
A Professional Corporation
179 South LaVerne Street
Post Office Box 1203
Fallon, Nevada 89407-1203

NO. 113686

This document to which this certificate is attached is a full, true and correct copy of the original, on file and of record in the County Clerks Office, Pioche, Nevada.

In witness whereof, I have hereunto set my hand and affixed the Seal of the Seventh Judicial District Court and for the County of Lincoln, State of Nevada, this 18th day of Nov 19 99.

Ann Eaton
Ann Eaton
Deputy Clerk

FILED AND RECORDED AT REQUEST OF
Mackedon & McCormick
November 23, 1999

AT 33 MINUTES PAST 11 OVN POK
AM IN BOOK 145 OF OFFICIAL
RECORDS PAGE 185 LINCOLN

COUNTY, NEVADA
Julie Boucher
COUNTY CLERK