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1 Case No. 2-1-2000LC

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

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DAN J. SIMKINS and ALICE C. SIMKINS,

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Plaintiffs,

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vs.

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UNION PACIFIC RAILROAD COMPANY, a Utah Corporation; LINCOLN
COUNTY, a political subdivision of the State of Nevada; PRINCE
CONSOLIDATION MINING & SMELTING CO., a Utah Corporation; PIOCHE
PACIFIC RAILROAD COMPANY; SAN PEDRO, LOS ANGELES, and SALT LAKE
RAILROAD COMPANY; JOHN DOE I through JOHN DOE X; JOHN DOE
CORPORATION I through JOHN DOE CORPORATION X; together with each
and every one and all of the unknown heirs of each and every one
of the above-named Defendants, their last known addresses being
Lincoln County, Nevada, unless otherwise stated herein; also all
other persons unknown claiming any right, title, estate, lien or
interest in the real property described in the complaint adverse
to Plaintiffs' ownership, or any cloud upon Plaintiffs', title
thereto,

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Defendants.

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DECREE QUIETING TITLE

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This cause coming on regularly to be heard on this
10th day of July, 2000, before the above-
entitled Court, sitting without a jury, the Honorable DAN L.
PAPEZ, District Judge, presiding; the Plaintiffs being
represented in Court by GARY D. FAIRMAN, ESQ., A Professional

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1 Corporation, their attorney; said action having been dismissed as
2 to all fictitious Defendants designated by the names JOHN DOE I
3 through JOHN DOE X and JOHN DOE CORPORATION I through JOHN DOE
4 CORPORATION X;

5 WHEREAS, it appears and the Court finds:

6 That a Summons and Complaint in the above-entitled
7 action was duly served on Defendants, UNION PACIFIC RAILROAD
8 COMPANY, a Utah Corporation, LINCOLN COUNTY, a political
9 subdivision of the State of Nevada, PRINCE CONSOLIDATION MINING &
10 SMELTING CO., a Utah Corporation, PIOCHE PACIFIC RAILROAD
11 COMPANY, SAN PEDRO, LOS ANGELES, and SALT LAKE RAILROAD COMPANY,
12 on the 2nd day of March, 2000, by publication in the
13 Lincoln County Record; and on the 10th day of March,
14 2000, by publication in the Salt Lake Tribune;

15 That the time within which said Defendants were
16 required to appear and plead herein has expired; that they have
17 not appeared herein; that no answer, motion, or other pleading
18 has been served or filed herein; and that the default of said
19 Defendants has been duly and regularly entered; and

20 WHEREAS, the Court has heard proof of the allegations
21 of said Complaint and has required Plaintiffs to be examined, on
22 oath, respecting ownership and possession of the real property
23 described in said Complaint; and the Court being satisfied that
24 the allegations of the Complaint are true and that the relief
25 asked for should be granted; now, therefore,
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1 On motion of GARY D. FAIRMAN, ESQ., A Professional
2 Corporation, attorney for Plaintiffs,

3 IT IS ORDERED, ADJUDGED AND DECREED:

4 1. That Plaintiffs own in fee simple and are entitled
5 to the quiet and peaceful possession of that certain parcel of
6 land situated in the County of Lincoln, State of Nevada, and more
7 particularly described as follows:

8 Attached hereto as Exhibit "A" and made a
9 part hereof.

10 2. That Plaintiffs' title to said real property is
11 hereby forever quieted against any and all claims of Defendants,
12 UNION PACIFIC RAILROAD COMPANY, a Utah Corporation, LINCOLN
13 COUNTY, a political subdivision of the State of Nevada, PRINCE
14 CONSOLIDATION MINING & SMELTING CO., a Utah Corporation, PIOCHE
15 PACIFIC RAILROAD COMPANY, SAN PEDRO, LOS ANGELES, and SALT LAKE
16 RAILROAD COMPANY, and all other persons unknown claiming any
17 right, title, estate, lien or interest in the real property;

18 3. That Defendants, UNION PACIFIC RAILROAD COMPANY, a
19 Utah Corporation, LINCOLN COUNTY, a political subdivision of the
20 State of Nevada, PRINCE CONSOLIDATION MINING & SMELTING CO., a
21 Utah Corporation, PIOCHE PACIFIC RAILROAD COMPANY, SAN PEDRO, LOS
22 ANGELES, and SALT LAKE RAILROAD COMPANY, and any person claiming
23 under him is permanently enjoined and restrained from asserting
24 any claim or interest in or to said real property or any part
25 thereof.

26 . . .

DATED this 10 day of July, 2000.

Marilyn A. Hoyt
DISTRICT JUDGE

Submitted by:

GARY D. FAIRMAN, ESQ.
A Professional Corporation
Attorney for Plaintiffs
P.O. Box 5
Ely, Nevada 89301

Gary D. Fairman
GARY D. FAIRMAN, ESQ.

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Legal description of Simkins property (after Mathews trade) Page 1 of 2 pages

Simkins property description all in one piece with railroad right-of-way included within.

Description:

That property as shown on the Record of Survey Boundary Line Adjustment recorded in Plat Book B page 165 of Lincoln County Records - adjusting boundaries in the N1/2NW1/4 Section 8, T.2S., R.68E., M.D.M. specifically Map Parts D, E, F, K, L, N, , P, Q, and S. Within these boundaries is the abandoned U.P. right-of-way shown as Map Parts G, H, I, and M.

This property is more particularly described as follows:

Beginning at a point* on the north line of said Section 8 from which the NW corner of said Section 8 bears N. 89°58'19" W. 1,569.27 feet;
Thence S. 89°58'19" E. 94.43 feet, on the said north line of Section 8*;
Thence S. 0°04'38" E. 146.06 feet* to the west right-of-way of the abandoned Union Pacific Railroad;
Thence continuing S. 0°04'38" E. 28.94 feet*;
Thence S.89°58'19" E. 96.76 feet to the east right-of-way of said abandoned UPRR;
Thence S. 89°58'19" E. 223.24 feet to the west right-of-way of the existing Lincoln County Road*;
Thence S. 0°04'39" E. 50.00 feet along the said west right-of-way of Lincoln County Road*;
Thence N. 89°58'19" W. 246.53 feet to the east right-of-way of said abandoned UPRR*;
Thence continuing N. 89°58'19" W. 30.92 feet*;
Thence S. 0°05'33" E. 66.34 feet to the east right-of-way of said abandoned UPRR*;
Thence continuing S. 0°05'33" E. 923.16 feet*;
Thence S. 89°54'19" E. 277.20 feet to the west right-of-way of existing Lincoln County Road;
Thence S. 0°04'39" E. 100.00 feet on the west right-of-way of said Lincoln County Road to the north 1/16th line of said Section 8*;
Thence N. 89°54'19" W. 864.00 feet to an existing fence and the west right-of-way of the abandoned UPRR*;
Thence N. 24°55'13" E. 427.37 feet* along said fence;
Thence N. 15°52'05" E. 90.04 feet* along said fence;
Thence N. 15°52'05" E. 373.01 feet* along said fence;
Thence N. 15°54'00" E. 421.75 feet* along said fence;
Thence N. 19°11'44" E. 84.21 feet to the Point of Beginning.

Page 2 of 2 of Simkins property now - described all in one piece

Containing 11.0391 acres more or less.

The abandoned UP Railroad right-of-way inside this piece of Simkins property amounts to 2.8633 acres.

* monumented by a 5/8" rebar with cap stamped L. SMITH PLS 12751

The Basis of Bearings is the east line of said Section 8 as shown on the as yet unapproved BLM dependent Resurvey of Section 9, T.2S., R.68E., M.D.M. (N. 0°06'10" W.)

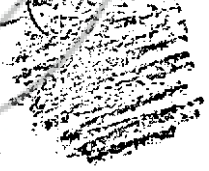
- End of Description - Simkins one whole piece with railroad included inside

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

In witness whereof, I have hereunto set my hand and affixed the Seal of the Seventh Judicial District Court in and for the County of Lincoln, State of Nevada, this 12th day of July 20 00

Clerk
[Signature]

Deputy



NO. 114823

FILED AND RECORDED AT REQUEST OF
Gary D. Fairman

July 12 2000

AT 02 MINUTES PAST 03 O'CLOCK

PM IN BOOK 149 OF OFFICIAL

RECORDS PAGE 263 LINCOLN

COUNTY, NEVADA

Leslie Boucher

COUNTY RECORDER

By [Signature], Deputy