

FILED FOR RECORDING
AT THE REQUEST OF

A Portion of APN: 006-261-09

WHEN RECORDED,
RETURN TO:

First American Title

2004 SEP 17 PM 12 37

Carl D. Savely
Lionel Sawyer & Collins
1100 Bank of America Plaza
50 West Liberty Street
Reno, Nevada 89501

LINCOLN COUNTY RECORDED
FEE \$17.00 DEF
LESLIE BOUCHER

Escrow No. NCS 95316

GRANT OF EASEMENT

THIS GRANT OF EASEMENT ("Grant"), is made as of this 15 day of September, 2004, by Pyramid Development, LLC, a Wyoming limited liability company ("Grantor"), in favor of Howard McCrosky, Max McCrosky, Robert E. McCrosky and William L. McCrosky (collectively, the "Grantee"), whose address is HC 74 Box 170 Pioche, Nevada 89403.

WITNESSETH:

That Grantor, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does by these presents grant, bargain, sell and convey to Grantee, its successors and assigns, an exclusive easement and right-of-way for the purposes of maintaining and repairing the existing Lytle Cemetery and for purposes of maintaining, repairing and using a three (3) inch diameter water pipeline to irrigate the Lytle Cemetery in, on, over and across a portion of the land commonly known as the Cemetery Meadow and as more fully described on Exhibit A attached hereto and incorporated herein and as shown on Exhibit B attached hereto and incorporated herein, together with the right of ingress and egress over and through Cemetery Meadow for the purposes granted herein (the "Easement").

Further, Grantor shall and Grantee shall determine the prorata share of the existing water right appurtenant to the Cemetery Meadow that should appropriately be allocated to the Cemetery Meadow for irrigation purposes. At such time as the Grantor and Grantee mutually determine the water right to be allocated to the Lytle Cemetery, Grantor shall convey legal title of such water to Grantee for permanent irrigation of the Lytle Cemetery. Prior to the time of such conveyance, Grantee shall be entitled to use the portion of the existing water right that is reasonably necessary to maintain the cemetery landscaping in good condition; provided, that such usage does not exceed the maximum per acre use rate.

Grantee, its successors and assigns, shall maintain the Easement in a safe and clean manner at Grantee's sole costs and expense.

Grantor reserves the right, in Grantor's sole discretion, to create a separate legal parcel for the Lytle Cemetery, including legal access thereto, and to convey such parcel, when created, to Grantee at anytime within five (5) years after the date on which this Easement is recorded in the Official

Records, Lincoln County, Nevada. In the event Grantor so elects, Grantee shall cooperate with and assist Grantor in the creation of the legal parcel and agrees to accept legal title to such parcel if and when offered.

Upon the recording of a deed conveying the Lytle Cemetery to Grantee this Easement shall terminate concurrently with the recording of such deed and this Grant shall be of no further force or effect.

IN WITNESS WHEREOF, Grantor has caused this Grant to be executed as of the date first written above.

GRANTOR:

**PYRAMID DEVELOPMENT, LLC,
a Wyoming limited liability company**

By: Harvey Whittemore
Harvey Whittemore, Manager

STATE OF NEVADA)
) ss.
COUNTY OF WASHOE)

This instrument was acknowledged before me on September 15, 2004, by Harvey Whittemore as the Manager of Pyramid Development, LLC, a Wyoming limited liability company.



D.A. Blades
Notary Public

Exhibit A

Legal Description of Easement

That certain real property situate in the S½NW¼ of Section 2, T1N, R69E, M.D.M., Lincoln County, State of Nevada, described as follows:

The S½ of that portion of the following described parcel lying easterly of a line 290 feet west of and parallel to the eastern boundary of said parcel.

Beginning at the Northwest corner of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 2, Township 1 North, Range 69 East, M.D.B.&M.; thence East 1110 feet more or less;
Thence South 73 East 1472 feet more or less;
Thence South 23 30' West 87 feet;
Thence South 68 East 160 feet, more or less, to the East line of the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of said Section 2;
Thence South 280 feet, more or less;
Thence South 71 West 210 feet;
Thence North 71 45' West 1582 feet;
Thence West across highway right of way to West boundary thereof;
Thence Southerly along the West boundary of highway right of way to the South boundary of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 2;
Thence West 880 feet, more or less, to the section line common to Sections 2 and 3;
Thence North along said section line 1320 feet to the point of beginning.

