

Official Record

Recording requested By
LAWYERS TITLE OF NEVADA

Lincoln County - NV
Leslie Boucher - Recorder

Fee: \$46.00

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RPTT:

Recorded By: AE

Book- 229 Page- 0201



0128455

APN: 001-05-000-008 etal

Escrow No.: N2105191 JG

Recording Requested by and Return to:

Name: Pulte Homes of Nevada
Attention: Don Boettcher

Address: 8345 West Sunset Road

City/State/Zip: Las Vegas, NV 89113

MEMORANDUM OF RIGHT OF FIRST OFFER

(Title on Document)

**THIS CERTIFIED COPY IS BEING RE-RECORDED TO PROVIDE
CONSTRUCTIVE NOTICE IN LINCOLN COUNTY, NEVADA**

This page is added to provide additional information required by NRS 111.312 sections 1-2
(additional recording fee applies).

This cover page must be typed or printed clearly in black ink only.



Ⓢ

20051006-0004231

Fee: \$19.00
N/C Fee: \$0.00

10/06/2005 14:00:54
T20050183839

Requestor:
LAWYERS TITLE OF NEVADA

Frances Deane DGT
Clark County Recorder Pgs: 6

APN(s): 001-05-000-008 ET AL

When recorded, return to:

Pulte Homes of Nevada
8345 West Sunset Road
Las Vegas, Nevada 89113
Attn.: Don Boettcher

N
W

02105191

MEMORANDUM OF RIGHT OF FIRST OFFER

THIS MEMORANDUM OF RIGHT OF FIRST OFFER is made and entered into this 3rd day of October, 2005, by and between MESQUITE INVESTORS, LLC, a California limited liability company ("Seller"), and PN II, INC., a Nevada corporation, dba Pulte Homes of Nevada ("Buyer").

RECITALS:

A. Seller and Buyer entered into that certain Real Estate Purchase and Sale Agreement dated September 13, 2005, as amended from time to time (the "Agreement").

fee

B. Seller owns ~~fee~~ simple title to that certain real property located in the City of Mesquite, ~~Clark County~~ Nevada, which is described on Exhibit A attached hereto (the "BLM Auction Property"). *Clark County and Lincoln County

C. Pursuant to the terms of paragraph 42 of the Agreement, Seller has granted to Buyer a right of first offer (as set forth therein) with respect to the BLM Auction Property.

D. The parties desire to impart actual and constructive notice to all persons dealing with the BLM Auction Property of Buyer's right of first offer with respect to the BLM Auction Property pursuant to the terms of the Agreement.

AGREEMENT

NOW, THEREFORE, Seller and Buyer hereby impart actual and constructive notice to all persons dealing with or interested in the BLM Auction Property of Buyer's right of first offer with respect to the BLM Auction Property according to the terms and provisions of paragraph 42 of the Agreement. All persons dealing with the BLM Auction Property are advised to consult with Buyer and Seller. The escrow (Escrow No. N2105191) created under the Agreement is and shall be with Lawyers Title of Nevada, Inc., 1210 South Valley View Boulevard, Suite 202, Las Vegas, Nevada 89102 (Attn: Ms. Jane D. Grey).


Buyer's Right of First Offer terminates no later than March 1, 2011.



IN WITNESS WHEREOF, the parties have executed this Memorandum of Right of First Offer to be effective on the date first written above.

SELLER:

MESQUITE INVESTORS, LLC,
a California limited liability company

By: 
Its: MANAGER **BRIAN C. VAIL**

BUYER:

PN II, INC., a Nevada corporation
dba Pulte Homes of Nevada

By: executed in counterpart
Its: _____





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IN WITNESS WHEREOF, the parties have executed this Memorandum of Right of First Offer to be effective on the date first written above.

SELLER:

MESQUITE INVESTORS, LLC,
a California limited liability company

By: Executed in Counterpart

Its: _____

BUYER:

PN II, INC., a Nevada corporation
dba Pulte Homes of Nevada

By: 

DON BOSTCHER

Its: VP

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California }
County of Sacramento } ss.

On October 5, 2005, before me, S. N. Smith, Notary Public,
personally appeared Brian C. Vail.

personally known to me

___ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal

SNS
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Memo of Right of First Offer

Document Date:

Number of Pages:

Signer(s) Other Than Named Above:

Reference: Mesquite Investors, LLC



STATE OF _____)
)ss.
County of _____)

On this ____ day of _____, 20__, before me a Notary Public personally appeared _____, the _____ of MESQUITE INVESTORS, LLC, a California limited liability company, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument and acknowledged that he (she or they) executed it on behalf of the company.

Notary Public

My Commission Expires:

STATE OF Nevada)
)ss.
County of Clark)

On this 3rd day of October, 2005 before me a Notary Public personally appeared Don Boettcher, the VP of PN II, INC., a Nevada corporation, dba Pulte Homes Nevada, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument and acknowledged that he (she or they) executed it on behalf of the corporation.


Notary Public

My Commission Expires:

July 21, 2009

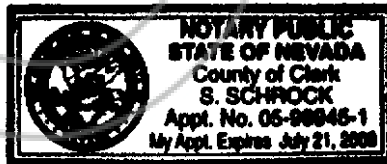




Exhibit A
to
Memorandum of Right of First Offer
Legal Description of BLM Auction Property

TOWNSHIP 12 SOUTH, RANGE 70 EAST,
SECTION 25, EAST HALF (E 1/2);
SECTION 36, EAST HALF (E 1/2), SOUTHWEST QUARTER (SW 1/4).
TOWNSHIP 12 SOUTH, RANGE 71 EAST,
SECTION 29, LOT 2;
SECTION 30 LOTS 6, 7, 10, 11, WEST HALF (W 1/2), WEST HALF (W 1/2) NORTHEAST
QUARTER (NE 1/4), WEST HALF (W 1/2) SOUTHEAST QUARTER (SE 1/4);
SECTION 31, LOTS 6, 7, 10, WEST HALF (W 1/2), WEST HALF (W 1/2) NORTHEAST QUARTER
(NE 1/4), WEST HALF (W 1/2) SOUTHEAST QUARTER (SE 1/4), SOUTHEAST QUARTER (SE 1/4)
SOUTHEAST QUARTER (SE 1/4);
SECTION 32, LOTS 2 TO 3



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THIS SIGNATURE CERTIFIES THIS IS A TRUE COPY
IF IMPRESSED WITH THE RECORDER'S SEAL.

BY: Marketta Kelley
MARKETTA KELLEY

DEPUTY COUNTY RECORDER

COPY