

Official Record

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STATE OF NEVADA

Lincoln County - NV

Leslie Boucher - Recorder

Fee: Page 1 of 35
RPTT Recorded By: LB
Book- 250 Page- 0496

APN _____

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0134196

Notice of Lis Pendens

Title of Document

Affirmation Statement

X I, the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording **does not contain** the social security number of any person or persons. (Per NRS 239B.030)

_____ I, the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording **does contain** the social security number of a person or persons as required by law:

(State specific law)

[Signature] _____
S. D. A. G. Title

J. Marty Harvard _____
Print

8/28/09 _____
Date

Grantees address and mail tax statement:



1 **APN: UN-ASSESSED RAILROAD RIGHT-OF-WAY**
2 Adjacent to APN's 08-091-01, 13-130-19, 13-140-01,
3 13-140-14, 13-140-15, 14-010-06 & 14-110-01

3 Case No.: CV08 33009

4 Dept. No.: _____

2009 AUG 28 AM 8:17
LINCOLN COUNTY CLERK
[Signature]

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

13 THE STATE OF NEVADA, on relation of its
14 Department of Transportation,

15 Plaintiff,

16 vs.

17 UNION PACIFIC RAILROAD COMPANY,
18 a Delaware corporation; DANNIEL L.
19 DUNNING and JANICE E. DUNNING,
20 husband and wife, as joint tenants;
21 RAINBOW LAND & CATTLE COMPANY,
22 LLC, a Nevada limited liability company;
23 LINCOLN COUNTY TELEPHONE SYSTEM,
24 INC., a Nevada corporation; CITY OF
25 CALIENTE, a political subdivision of the
26 State of Nevada, and all other persons
27 unknown claiming any right, title, estate, lien
28 or interest in the real property described in
the Complaint,

Defendants.

NOTICE OF LIS PENDENS

24 NOTICE IS HEREBY GIVEN that Plaintiff, the STATE OF NEVADA, on relation of its
25 DEPARTMENT OF TRANSPORTATION ("DEPARTMENT OF TRANSPORTATION"), has filed
26 an eminent domain proceeding against the above-named Defendants in the above-entitled
27 Court to condemn the property described in the complaint for eighteen (18) permanent
28 easements for construction, reconstruction, inspection, maintenance, repair, use and

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1 operation of a public highway and appurtenances, and three (3) temporary easements for
 2 construction purposes, all for the public use and the purpose of the reconstruction of Rainbow
 3 Canyon Road (SR 317), from 1 mile north of Elgin Road to the junction with US 93, lying both
 4 in the City of Caliente and the unincorporated area of Lincoln County, State of Nevada. The
 5 pending action affects the title to, and right of possession of, the real property hereinafter
 6 described.

7 The real property subject to and affected by the proceedings is located in Lincoln
 8 County, Nevada, and consists of certain portions of the property recognized by the Lincoln
 9 County Assessor's Office as APN: Un-assessed railroad right-of way. The DEPARTMENT
 10 OF TRANSPORTATION requires eighteen (18) permanent easements for construction,
 11 reconstruction, inspection, maintenance, repair, use and operation of a public highway and
 12 appurtenances totaling approximately 22.59 acres, and three (3) temporary easements for
 13 construction purposes totaling approximately 2.32 acres of the property to be condemned.

14 The property being condemned in this action is specifically designated by the DEPARTMENT
 15 OF TRANSPORTATION as Parcel Nos. S-317-LN-039.336PE, S-317-LN-039.336TE,
 16 S-317-LN 041.005PE, S-317-LN-041.635PE, S-317-LN-041.933PE, S-317-LN-042.445PE,
 17 S-317-LN-042.648PE, S-317-LN-042.884PE, S-317-LN-043.534PE, S-317-LN-043.534TE,
 18 S-317-LN-043.790PE, S-317-LN-043.790TE, S-317-LN-044.293PE, S-317-LN-045.095PE,
 19 S-317-LN-045.826PE, S-317-LN-046.292PE, S-317-LN-047.017PE, S-317-LN-053.623PE,
 20 S-317-LN-054.194PE, S-317-LN-054.293PE and S-317-LN-058.265PE, owned by the UNION
 21 PACIFIC RAILROAD COMPANY, a Delaware Corporation, and described as follows:

22 Parcel No. S-317-LN-039.336PE, to be acquired as a permanent easement for
 23 construction, reconstruction, inspection, maintenance, repair, use and operation of a
 24 public highway and appurtenances

25 Said real property situate, lying and being in the County of Lincoln, State of Nevada,
 26 and more particularly described as being a portion of that Right-of-Way Grant, CC 00360,
 27 issued by the Department of the Interior, Bureau of Land Management on April 20, 1906,

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1 located in the NE 1/4 of Section 1, T. 7 S., R. 66 E., M.D.M., and more fully described by
2 metes and bounds as follows, to wit:

3 BEGINNING at the intersection of the right or easterly right-of-way
4 line of SR-317 with the westerly 100 foot right-of-way line of the Union
5 Pacific Railroad at approximate Railroad Milepost 440.14, 45.00 feet
6 right of and at right angles to Highway Engineer's Station
7 "X1" 178+51.76 P.O.T.; said point of beginning further described as
8 bearing N. 2°48'40" E. a distance of 3,399.77 feet from the south quarter
9 corner of said Section 1; said corner further described as being a 2.5"
10 GLO BRASS CAP ON A 1" PIPESTEM IN A 3' COLLAR OF STONES,
11 STAMPED "1/4 S1/S12 1920"; thence, along a portion of the railroad
12 right-of-way line, said railroad right-of-way line further described as being
13 100 feet west of and parallel to the Union Pacific Railroad centerline from
14 approximate Railroad Station 1026+64.3 P. T. to 1021+59.9 P.S., said
15 centerline further described as being a spiral curve with a 6°00' of
16 Curvature (chord definition) with a total central angle of 19°28' and spiral
17 segments of 5°24' and lengths of 180.00 feet, thence along said westerly
18 railroad right-of-way line, subtended by the chord N. 21°39'00" W. a
19 distance of 34.21 feet; thence from a tangent which bears
20 N. 19°15'00" W., curving to the right along said westerly railroad
21 right-of-way line, with a radius of 1,054.93 feet, through an angle of
22 8°37'08", an arc distance of 158.69 feet; thence along said westerly
23 railroad right-of-way line, subtended by the chord N. 8°13'52" W. a
24 distance of 46.40 feet; thence S. 14°35'54" E. a distance of 238.61 feet
25 to the point of beginning; said parcel contains an area of 1,246 square
26 feet (0.03 of an acre).

18 Parcel No. S-317-LN-039.336TE, to be acquired as a temporary easement for
19 construction purposes for a three-year period commencing on the date of occupancy

20 Said real property situate, lying and being in the County of Lincoln, State of Nevada,
21 and more particularly described as being a portion of that Right-of-Way Grant, CC 00360,
22 issued by the Department of the Interior, Bureau of Land Management on April 20, 1906,
23 located in the NE 1/4 of Section 1, T. 7 S., R. 66 E., M.D.M., and more fully described by
24 metes and bounds as follows, to wit:

25 BEGINNING at the intersection of the right or easterly right-of-way
26 line of SR-317 with the westerly 100 foot right-of-way line of the Union
27 Pacific Railroad at approximate Railroad Milepost 440.14, 45.00 feet
28 right of and at right angles to Highway Engineer's Station
"X1" 178+51.76 P.O.T.; said point of beginning further described as
bearing N. 2°48'40" E. a distance of 3,399.77 feet from the south quarter
corner of said Section 1; said corner further described as being a 2.5"



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GLO BRASS CAP ON A 1" PIPESTEM IN A 3' COLLAR OF STONES, STAMPED "1/4 S1/S12 1920"; thence N. 14°35'54" W., along said right or easterly right-of-way line of SR-317, a distance of 238.61 feet to said westerly railroad right-of-way line; said railroad right-of-way line further described as being 100 feet west of and parallel to the Union Pacific Railroad centerline from approximate Railroad Station 1026+64.3 P.T. to 1021+59.9 P.S., said centerline further described as being a spiral curve with a 6°00' of Curvature (chord definition) with a total central angle of 19°25'08" and spiral segments of 5°24' and lengths of 180.00 feet; thence along said westerly railroad right-of-way line, subtended by the chord N. 6°44'15" W. a distance of 143.02 feet; thence along said railroad right-of-way line, subtended by the chord N. 5°12'56" W. a distance of 143.32 feet; thence along the following three (3) courses and distances:

- 1) S. 11°59'02" E. - 283.39 feet;
- 2) S. 14°35'54" E. - 412.34 feet;
- 3) S. 14°58'29" E. - 22.40 feet to a point on said westerly railroad right-of-way line;

thence along said railroad right-of-way line, subtended by the chord N. 24°38'04" W. a distance of 43.29 feet; thence along said railroad right-of-way line, subtended by the chord N. 22°58'28" W. a distance of 155.17 feet to the point of beginning; said parcel contains an area of 14,703 square feet (0.34 of an acre).

Parcel No. S-317-LN-041.005PE, to be acquired as a permanent easement for construction, reconstruction, inspection, maintenance, repair, use and operation of a public highway and appurtenances

Said real property situate, lying and being in the County of Lincoln, State of Nevada, and more particularly described as being a portion of that Right-of-Way Grant, CC 00360, issued by the Department of the Interior, Bureau of Land Management on April 20, 1906, located in a portion of the SW 1/4 of Section 25, T. 6 S., R. 66 E., M.D.M., and more fully described by metes and bounds as follows, to wit:

BEGINNING at an intersection of the left or westerly right-of-way line of SR-317 with the westerly 100 foot right-of-way line of the Union Pacific Railroad at approximate Railroad Milepost 441.8, 30.00 feet left of and at right angles to Highway Engineer's Station "X1" 266+77.18 P.O.T.; said point of beginning further described as bearing S. 3°57'20" E. a distance of 3,830.03 feet from the northwest corner of said Section 25; said corner further described as being a 3"



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GLO BRASS CAP ON A 3" PIPE IN A 3' COLLAR OF STONES, STAMPED "T6 R66E S23/S24/S26/S25 1916"; thence N. 39°08'25" E., along said left or westerly right-of-way line of SR-317, a distance of 129.94 feet; thence from a tangent which bears the last described course curving to the left along said left or westerly right-of-way line, with a radius of 470.00 feet, through an angle of 20°06'17", an arc distance of 164.92 feet to the easterly right-of-way line of said Union Pacific Railroad; thence S. 9°32'15" E., along said easterly railroad right-of-way line, a distance of 131.10 feet to the right or easterly right-of-way line of SR-317; thence from a tangent which bears S. 31°13'52" W., curving to the right along said right or easterly right-of-way line, with a radius of 545.00 feet, through an angle of 7°54'33", an arc distance of 75.23 feet; thence S. 39°08'25" W., along said right or easterly right-of-way line, a distance of 196.29 feet to said westerly railroad right-of-way line; thence N. 9°21'45" W., along said westerly railroad right-of-way line, a distance of 100.14 feet to the point of beginning; said parcel contains an area of 21,035 square feet (0.48 of an acre).

Parcel No. S-317-LN-041.635PE, to be acquired as a permanent easement for construction, reconstruction, inspection, maintenance, repair, use and operation of a public highway and appurtenances

Said real property situate, lying and being in the County of Lincoln, State of Nevada, and more particularly described as being a portion of that Right-of-Way Grant, CC 00360, issued by the Department of the Interior, Bureau of Land Management on April 20, 1906, located in a portion of the NW 1/4 of Section 25 and the NE 1/4 of Section 26, all in T. 6 S., R. 66 E., M.D.M., and more fully described by metes and bounds as follows, to wit:

BEGINNING at an intersection of the easterly 100 foot right-of-way line of the Union Pacific Railroad at approximate Railroad Milepost 442.4 with the left or westerly right-of-way line of SR-317, 34.62 feet left of and measured radially from Highway Engineer's Station "X2" 299+74.83 P.O.C.; said point of beginning further described as bearing S. 17°19'17" E. a distance of 759.63 feet from the northwest corner of said Section 25; said corner further described as being a 3" GLO BRASS CAP ON A 3" PIPE IN A 3' COLLAR OF STONES, STAMPED "T6 R66E S23/S24/S26/S25 1916"; thence along said left or westerly right-of-way line of SR-317 the following six (6) courses and distances:

- 1) S. 40°29'14" W. - 5.38 feet;

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- 2) from a tangent which bears N. 49°30'47" W., curving to the left with a radius of 595.00 feet, through an angle of 1°56'54", an arc distance of 20.23 feet to a point of compound curvature;
- 3) from a tangent which bears N. 51°27'41" W., curving to the left with a radius of 1,510.00 feet, through an angle of 6°46'53", an arc distance of 178.72 feet;
- 4) N. 58°14'34" W. - 223.38 feet;
- 5) N. 58°50'18" W. - 310.92 feet;
- 6) from a tangent which bears the last described course, curving to the right with a radius of 990.00 feet, through an angle of 8°34'55", an arc distance of 148.29 feet to said easterly 100 foot railroad right-of-way line at approximate Railroad Station 898+03.6 P.O.S.;

said railroad right-of-way line further described as being 100 feet east of and parallel to the Union Pacific Railroad centerline; said centerline further described as being a spiral curve with an 8°00' of curvature (chord definition) with a total central angle of 78°23 1/2' and spiral segments of 9°36' and lengths of 240.00 feet; thence along said easterly railroad right-of-way line, subtended by the chord S. 63°20'37" E. a distance of 44.52 feet; thence S. 64°16'27" E., along said railroad right-of-way line, a distance of 316.44 feet; thence along said railroad right-of-way line from approximate Railroad Station 901+77.1 P.S. to Station 906+91.6 P.O.C.; said centerline further described as being a spiral curve having an 8°00' of curvature (chord definition) with a total central angle of 61°46' with spiral segments of 9°36' and lengths of 240.00 feet; thence along said easterly railroad right-of-way line the following four (4) courses and distances:

- 1) along the spiral segment of said 8°00' spiral curve, subtended by the chord S. 62°48'13" E. - 104.73 feet;
- 2) along the spiral segment of said 8°00' spiral curve, subtended by the chord S. 60°20'13" E. - 105.07 feet;
- 3) along the spiral segment of said 8°00' spiral curve, subtended by the chord S. 56°20'13" E. - 46.84 feet;
- 4) thence from a tangent which bears S. 54°44'13" E., curving to the right along the central curve of said 8°00' spiral, with a radius of 816.20 feet, through an angle of 19°16'06", an arc distance of 274.49 feet to the point of beginning;

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1 said parcel contains an area of 31,690 square feet (0.73 of an acre).
2 Parcel No. S-317-LN-041.933PE, to be acquired as a permanent easement for
3 construction, reconstruction, inspection, maintenance, repair, use and operation of a
4 public highway and appurtenances

5 Said real property situate, lying and being in the County of Lincoln, State of Nevada,
6 and more particularly described as being a portion of that Right-of-Way Grant, CC 00360,
7 issued by the Department of the Interior, Bureau of Land Management on April 20, 1906,
8 located in a portion of the SE 1/4 of Section 23, T. 6 S., R. 66 E., M.D.M., and more fully
9 described by metes and bounds as follows, to wit:

BEGINNING at an intersection of the easterly 100 foot
right-of-way line of the Union Pacific Railroad at approximate Railroad
Milepost 442.7 with the left or westerly right-of-way line of SR-317, 40.00
feet left of and measured radially from Highway Engineer's Station
"X" 315+24.34 P.O.C.; said point of beginning further described as
bearing N. 72°30'13" W. a distance of 973.74 feet from the southeast
corner of said Section 23; said corner further described as being a 3"
GLO BRASS CAP ON A 3" PIPE IN A 3' COLLAR OF STONES,
STAMPED "T6 R66E S23/S24/S26/S25 1916"; thence along said left or
westerly right-of-way line of SR-317 the following five (5) courses and
distances:

- 1) from a tangent which bears N. 20°22'24" W., curving to the right with a radius of 490.00 feet, through an angle of 29°35'32", an arc distance of 253.08 feet;
- 2) S. 80°46'52" E. - 5.00 feet;
- 3) N. 7°47'20" E. - 200.37 feet;
- 4) N. 13°49'15" E. - 547.29 feet;
- 5) N. 15°03'17" E. - 22.14 feet to said easterly right-of-way line of the Union Pacific Railroad at approximate Railroad Milepost 442.6;

said railroad right-of-way being 100 feet east of and parallel to the Union Pacific Railroad centerline from approximate Railroad Station 876+27.4 P.S. to Station 898+48.1 P.T.; said centerline further described as being a spiral curve with a 4°00' of curvature (chord definition) a total central angle of 28°22' with spiral segments of 2°24' and lengths of 120.00 feet and being a spiral curve with an 8°00' of curvature (chord definition) a total central angle of 78°23 1/2' with spiral segments of 9°36'



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and lengths of 240.00 feet; thence along said railroad right-of-way line the following seven (7) courses and distances:

- 1) from a tangent which bears S. 2°53'36" E., curving to the right along the central curve of said 4°00' spiral, with a radius of 1,532.39 feet, through an angle of 14°43'49", an arc distance of 393.97 feet;
- 2) along the spiral segment of said 4°00' spiral curve, subtended by the chord S. 13°22'14" W. - 124.13 feet;
- 3) S. 14°12'06" W. - 174.92 feet;
- 4) along the spiral segment of said 8°00' spiral curve, subtended by the chord S. 13°03'08" W. - 95.53 feet;
- 5) along the spiral segment of said 8°00' spiral curve, subtended by the chord S. 10°13'10" W. - 94.58 feet;
- 6) along the spiral segment of said 8°00' spiral curve, subtended by the chord S. 6°13'10" W. - 33.16 feet;
- 7) from a tangent which bears S. 4°37'10" W., curving to the left along the central curve of said 8°00' spiral, with a radius of 616.20 feet, through an angle of 9°10'10", an arc distance of 98.62 feet to the point of beginning;

said parcel contains an area of 45,524 square feet (1.05 acres).

Parcel No. S-317-LN-042.445PE, to be acquired as a permanent easement for construction, reconstruction, inspection, maintenance, repair, use and operation of a public highway and appurtenances

Said real property situate, lying and being in the County of Lincoln, State of Nevada, and more particularly described as being a portion of that Right-of-Way Grant, CC 00360, issued by the Department of the Interior, Bureau of Land Management on April 20, 1906, located in a portion of the NE 1/4 of Section 23, T. 6 S., R. 66 E., M.D.M., and more fully described by metes and bounds as follows, to wit:

BEGINNING at an intersection of the easterly 100 foot right-of-way line of the Union Pacific Railroad at approximate Railroad Milepost 443.2 with the left or westerly right-of-way line of SR-317, 40.00 feet left of and measured radially from Highway Engineer's Station "X" 342+37.79 P.O.C.; said point of beginning further described as bearing N. 22°22'16" W. a distance of 3,121.27 feet from the southeast corner of said Section 23; said corner further described as being a 3"



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GLO BRASS CAP ON A 3" PIPE IN A 3' COLLAR OF STONES, STAMPED "T6 R66E S23/S24/S26/S25 1916"; thence from a tangent which bears N. 37°49'45" W., curving to the left along said left or westerly right-of-way line of SR-317, with a radius of 1,960.00 feet, through an angle of 4°59'28", an arc distance of 170.74 feet; thence N. 42°49'13" W., along said left or westerly right-of-way line, a distance of 247.93 feet to said easterly railroad right-of-way line; said railroad right-of-way line described as being 100 feet east of and parallel to the Union Pacific Railroad centerline from approximate Railroad Station 859+70 P.O.T. to Station 866+75.4 P.T.; said centerline further described as being a spiral curve with an 8°00' of curvature (chord definition) a total central angle of 34°30' with spiral segments of 9°36' and lengths of 240.00 feet; thence along said railroad right-of-way line the following five (5) courses and distances:

- 1) S. 48°13'26" E. - 33.99 feet;
- 2) along the spiral segment of said 8°00' spiral curve, subtended by the chord S. 46°51'18" E. - 48.84 feet;
- 3) along the spiral segment of said 8°00' spiral curve, subtended by the chord S. 46°35'33" E. - 97.50 feet;
- 4) along the spiral segment of said 8°00' spiral curve, subtended by the chord S. 42°27'58" E. - 110.47 feet;
- 5) from a tangent which bears S. 38°35'33" E., curving to the right along the central curve of said 8°00' spiral, with a radius of 816.20 feet, through an angle of 9°06'43", an arc distance of 129.80 feet to the point of beginning;

said parcel contains an area of 3,617 square feet (0.08 of an acre).

Parcel No. S-317-LN-042.648PE. to be acquired as a permanent easement for construction, reconstruction, inspection, maintenance, repair, use and operation of a public highway and appurtenances

Said real property situate, lying and being in the County of Lincoln, State of Nevada, and more particularly described as being a portion of that Right-of-Way Grant, CC 00360, issued by the Department of the Interior, Bureau of Land Management on April 20, 1906, located in a portion of the NE 1/4 of Section 23, T. 6 S., R. 66 E., M.D.M., and more fully described by metes and bounds as follows, to wit:

BEGINNING at an intersection of the easterly 100 foot right-of-way line of the Union Pacific Railroad at approximate Railroad Milepost 443.4



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with the left or westerly right-of-way line of SR-317, 35.00 feet left of and at right angles to Highway Engineer's Station "X4" 352+76.62 P.O.T.; said point of beginning further described as bearing N. 25°55'09" W. a distance of 4,135.73 feet from the southeast corner of said Section 23; said corner further described as being a 3" GLO BRASS CAP ON A 3" PIPE IN A 3" COLLAR OF STONES, STAMPED "T6 R66E S23/S24/S26/S25 1916"; thence along said left or westerly right-of-way line of SR-317 the following five (5) courses and distances:

- 1) N. 27°12'37" W. - 39.45 feet;
- 2) from a tangent which bears the last described course, curving to the right with a radius of 355.00 feet, through an angle of 11°30'27", an arc distance of 71.30 feet;
- 3) N. 74°17'50" E. - 10.00 feet;
- 4) from a tangent which bears N. 15°42'10" W., curving to the right with a radius of 345.00 feet, through an angle of 57°31'54", an arc distance of 346.42 feet;
- 5) N. 41°49'44" E. - 85.65 feet to said easterly railroad right-of-way line;

said railroad right-of-way line described as being 100 feet east of and parallel to the Union Pacific Railroad centerline from approximate Railroad Station 846+87.1 P.O.C. to Station 852+76.1 P.O.C.; said centerline further described as being a spiral curve with a 7°00' of curvature (chord definition) a total central angle of 89°20' with spiral segments of 7°21' and lengths of 210.00 feet; thence from a tangent which bears S. 31°39'01" W., curving to the left along said railroad right-of-way line, with a radius of 718.51 feet, through an angle of 40°48'09", an arc distance of 511.68 feet to the point of beginning; said parcel contains an area of 15,562 square feet (0.36 of an acre).

Parcel No. S-317-LN-042.884PE, to be acquired as a permanent easement for construction, reconstruction, inspection, maintenance, repair, use and operation of a public highway and appurtenances

Said real property situate, lying and being in the County of Lincoln, State of Nevada, and more particularly described as being a portion of that Right-of-Way Grant, CC 00360, issued by the Department of the Interior, Bureau of Land Management on April 20, 1906, located in a portion of the NE 1/4 of Section 23 and the SE 1/4 of Section 14, all in T. 6 S., R. 66 E., M.D.M., and more fully described by metes and bounds as follows, to wit:

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BEGINNING at an intersection of the easterly 100 foot right-of-way line of the Union Pacific Railroad at approximate Railroad Milepost 443.6 with the left or westerly right-of-way line of SR-317, 35.00 feet left of and at right angles to Highway Engineer's Station "X4" 364+15.56 P.O.T.; said point of beginning further described as bearing N. 15°44'00" W. a distance of 4,867.47 feet from the southeast corner of said Section 23; said corner further described as being a 3" GLO BRASS CAP ON A 3" PIPE IN A 3' COLLAR OF STONES, STAMPED "T6 R66E S23/S24/S26/S25 1916"; thence along said left or westerly right-of-way line of SR-317 the following eight (8) courses and distances:

- 1) N. 25°28'59" E. - 134.73 feet;
- 2) S. 64°31'01" E. - 5.00 feet;
- 3) from a tangent which bears N. 25°28'59" E., curving to the left with a radius of 1,270.00 feet, through an angle of 14°31'03", an arc distance of 321.79 feet;
- 4) N. 10°57'56" E. - 1,620.07 feet;
- 5) from a tangent which bears the last described course, curving to the right with a radius of 2,030.00 feet, through an angle of 4°45'34", an arc distance of 168.63 feet;
- 6) N. 15°43'30" E. - 194.87 feet;
- 7) S. 74°16'30" E. - 5.00 feet;
- 8) from a tangent which bears N. 15°43'30" E., curving to the left with a radius of 825.00 feet, through an angle of 5°48'40", an arc distance of 83.67 feet to said easterly railroad right-of-way line;

said railroad right-of-way line described as being 100 feet east of and parallel to the Union Pacific Railroad centerline from approximate Railroad Station 814+84.3 P.O.C. to Station 839+64.8 P.O.C.; said centerline further described as being a simple curve with a 1°30' of curvature with a central angle of 18°44' and a spiral curve with a 6°00' of curvature (chord definition) a total central angle of 29°50' with spiral segments of 5°24' and lengths of 180.00 feet; thence along said easterly railroad right-of-way line the following seven (7) courses and distances:

- 1) from a tangent which bears S. 3°24'15" W., curving to the right along said 1°30' curve, with a radius of 3,919.71 feet, through an angle of 7°33'57", an arc distance of 517.59 feet;

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- 2) S. 10°58'12" W. - 1,359.41 feet;
- 3) along the spiral segment of said 6°00' spiral curve, subtended by the chord S. 12°22'57" W. - 82.36 feet;
- 4) along the spiral segment of said 6°00' spiral curve, subtended by the chord S. 12°21'30" W. - 105.16 feet;
- 5) from a tangent which bears S. 15°17'00" W., curving to the right along the central curve of said 6°00' spiral curve, with a radius of 1,054.93 feet, through an angle of 19°14'02", an arc distance of 354.13 feet;
- 6) along the spiral segment of said 6°00' spiral curve, subtended by the chord S. 37°31'02" W. - 110.25 feet;
- 7) along the spiral segment of said 6°00' spiral curve, subtended by the chord S. 39°16'50" W. - 11.05 feet to the point of beginning;

said parcel contains an area of 3.17 acres (138,079 square feet).

Parcel No. S-317-LN-043.534PE, to be acquired as a permanent easement for construction, reconstruction, inspection, maintenance, repair, use and operation of a public highway and appurtenances

Said real property situate, lying and being in the County of Lincoln, State of Nevada, and more particularly described as being a portion of that Right-of-Way Grant, CC 00360, issued by the Department of the Interior, Bureau of Land Management on April 20, 1906, located in a portion of the NE 1/4 of Section 14, T. 6 S., R. 66 E., M.D.M., and more fully described by metes and bounds as follows, to wit:

BEGINNING at a point on the easterly 100 foot right-of-way line of the Union Pacific Railroad at approximate Railroad Milepost 444.3 and the left or westerly right-of-way line of SR-317, 30.00 feet left of and measured radially from Highway Engineer's Station "X4" 399+68.02 P.O.C.; said point of beginning further described as bearing N. 74°17'03" W. a distance of 774.01 feet from the east quarter corner of said Section 14; said corner further described as being a 2.5" GLO BRASS CAP ON A 1" PIPE IN A 3' COLLAR OF STONES, STAMPED "1/4 S14/S13 1916"; thence along said left or westerly right-of-way line of SR-317 the following six (6) courses and distances:

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- 1) from a tangent which bears N. 15°20'29" W., curving to the left with a radius of 2,210.00 feet, through an angle of 13°28'01", an arc distance of 519.44 feet to a point of reverse curvature;
- 2) from a tangent which bears N. 28°48'30" W., curving to the right with a radius of 1,030.00 feet, through an angle of 8°59'50", an arc distance of 161.74 feet;
- 3) S. 70°11'20" W. - 30.00 feet;
- 4) from a tangent which bears N. 19°48'40" W., curving to the right with a radius of 1,060.00 feet, through an angle of 4°29'56", an arc distance of 83.23 feet;
- 5) S. 74°41'16" W. - 25.00 feet;
- 6) from a tangent which bears N. 15°18'44" W., curving to the right with a radius of 540.43 feet, through an angle of 19°01'11", an arc distance of 179.40 feet to said easterly railroad right-of-way line;

said railroad right-of-way line further described as being 100 feet east of and parallel to the Union Pacific Railroad centerline from approximate Railroad Station 795+80.7 P.O.C. to Station 805+10.5 P.O.C., said centerline further described as being portions of a spiral curve with a 4°00' of curvature (chord definition) a total central angle of 15°30' with spiral segments of 2°24' and lengths of 120.00 feet and portions of a spiral curve with a 3°00' of curvature (chord definition) a total central angle of 16°43' with spiral segments of 1°21' and lengths of 90.00 feet; thence along said easterly railroad right-of-way line the following five (5) courses and distances:

- 1) from a tangent which bears S. 19°33'17" E., curving to the left along the central curve of said 4°00' spiral, with a radius of 1,332.39 feet, through an angle of 2°31'59", an arc distance of 58.91 feet;
- 2) along the spiral segment of said 4°00' spiral curve, subtended by the chord S. 23°27'04" E. - 115.76 feet;
- 3) S. 24°31'10" E. - 391.56 feet;
- 4) along the spiral segment of said 3°00' spiral curve, subtended by the chord S. 24°03'48" E. - 75.73 feet;
- 5) from a tangent which bears S. 23°10'10" E., curving to the right along the central curve of said 3°00' spiral, with a radius of 2,009.86 feet, through an angle of 8°28'44", an arc distance of 297.43 feet to the point of beginning;

1 said parcel contains an area of 10,359 square feet (0.24 of an acre).

2 Parcel No. S-317-LN-043.534TE, to be acquired as a temporary easement for
3 construction purposes for a three-year period commencing on the date of occupancy

4 Said real property situate, lying and being in the County of Lincoln, State of Nevada,
5 and more particularly described as being a portion of that Right-of-Way Grant, CC 00360,
6 issued by the Department of the Interior, Bureau of Land Management on April 20, 1906,
7 located in a portion of the NE 1/4 of Section 14, T. 6 S., R. 66 E., M.D.M., and more fully
8 described by metes and bounds as follows, to wit:

9 BEGINNING at an intersection of the easterly 100 foot
10 right-of-way line of the Union Pacific Railroad at approximate Railroad
11 Milepost 444.4 with the left or westerly right-of-way line of SR-317, 50.00
12 feet left of and measured radially from Highway Engineer's Station
13 "X4" 413+49.59 P.O.C.; said point of beginning further described as
14 bearing N. 38°54'05" W. a distance of 1,892.56 feet from the east quarter
15 corner of said Section 14; said corner described as being a 2.5" GLO
16 BRASS CAP ON A 1" PIPE IN A 3' COLLAR OF STONES, STAMPED
17 "1/4 S14/S13 1916"; said railroad right-of-way line described as being
18 100 feet east of and parallel to the Union Pacific Railroad centerline from
19 approximate Railroad Station 789+61.0 P.O.T. to Station
20 798+41.1 P.O.C., said centerline further described as being portions of a
21 spiral curve with a 4°00' of curvature (chord definition) a total central
22 angle of 15°30' with spiral segments of 2°24' and lengths of 120.00 feet;
23 thence along said easterly railroad right-of-way line the following three
24 (3) courses and distances:

- 19 1) S. 8°59'51" E. - 99.24 feet;
- 20 2) along the spiral segment of said 4°00' spiral curve,
- 21 subtended by the chord S. 10°08'28" E. - 115.87 feet;
- 22 3) from a tangent which bears S. 11°21'56" E., curving to the
- 23 left along the central curve of said 4°00' spiral, with a radius
- 24 of 1,332.39 feet, through an angle of 8°11'21", an arc
- 25 distance of 190.44 feet to said left or westerly right-of-way
- 26 line of SR-317;

25 thence along said left or westerly right-of-way line the following three (3)
26 courses and distances:

- 27 1) from a tangent which bears S. 3°42'27" W., curving to the
- 28 left with a radius of 540.43 feet, through an angle of
- 19°01'11", an arc distance of 179.40 feet;

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- 2) N. 74°41'16" E. - 25.00 feet;
- 3) from a tangent which bears S. 15°18'44" E., curving to the left with a radius of 1,060.00 feet, through an angle of 4°29'56", an arc distance of 83.23 feet;

thence along the following four (4) courses and distances:

- 1) S. 70°11'20" W. - 38.00 feet;
- 2) N. 16°38'44" W. - 646.70 feet;
- 3) S. 80°59'10" W. - 114.73 feet;
- 4) N. 58°35'53" W. - 16.94 feet to the westerly right-of-way line of said Union Pacific Railroad;

thence N. 8°59'51" W., along said westerly railroad right-of-way line, a distance of 212.50 feet to said left or westerly right-of-way line of SR-317; thence along said left or westerly right-of-way line of SR-317 the following three (3) courses and distances:

- 1) from a tangent which bears S. 43°05'26" E., curving to the left with a radius of 325.00 feet, through an angle of 15°30'27", an arc distance of 87.96 feet;
- 2) S. 58°35'53" E. - 116.09 feet;
- 3) from a tangent which bears the last described course, curving to the right with a radius of 400.00 feet, through an angle of 10°56'14", an arc distance of 76.36 feet to the point of beginning;

said parcel contains an area of 51,844 square feet (1.19 acres).

Parcel No. S-317-LN-043.790PE, to be acquired as a permanent easement for construction, reconstruction, inspection, maintenance, repair, use and operation of a public highway and appurtenances

Said real property situate, lying and being in the County of Lincoln, State of Nevada, and more particularly described as being a portion of that Right-of-Way Grant, CC 00360, issued by the Department of the Interior, Bureau of Land Management on April 20, 1906, located in a portion of the NE 1/4 of Section 14, T. 6 S., R. 66 E., M.D.M., and more fully described by metes and bounds as follows, to wit:



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BEGINNING at a point on the easterly 100 foot right-of-way line of the Union Pacific Railroad at approximate Railroad Milepost 444.6 and the right or easterly right-of-way line of SR-317, 35.00 feet right of and at right angles to Highway Engineer's Station "X" 414+38.11 P.O.T.; said point of beginning further described as bearing S. 55°25'06" E. a distance of 1,765.75 feet from the north quarter corner of said Section 14; said corner further described as being a 2.5" GLO BRASS CAP ON A 1" PIPE IN A 3' COLLAR OF STONES, STAMPED "1/4 S11/S14 1920"; thence S. 8°59'51" E., along said easterly railroad right-of-way line, a distance of 121.16 feet to the left or westerly right-of-way line of said SR-317; thence along said left or westerly right-of-way line the following three (3) courses and distances:

- 1) from a tangent which bears N. 47°39'39" W., curving to the left with a radius of 400.00 feet, through an angle of 10°56'14", an arc distance of 76.36 feet;
- 2) N. 58°35'53" W. - 116.09 feet;
- 3) from a tangent which bears the last described course, curving to the right with a radius of 325.00 feet, through an angle of 15°30'27", an arc distance of 87.96 feet to the westerly right-of-way line of the Union Pacific Railroad;

thence N. 8°59'51" W., along said westerly railroad right-of-way line, a distance of 216.02 feet to said right or easterly right-of-way line of SR-317; thence along said right or easterly right-of-way line the following six (6) courses and distances:

- 1) S. 29°36'29" E. - 126.42 feet;
- 2) from a tangent which bears the last described course, curving to the left with a radius of 240.00 feet, through an angle of 20°21'52", an arc distance of 85.30 feet;
- 3) S. 8°52'55" E. - 13.02 feet;
- 4) N. 83°57'26" E. - 12.90 feet;
- 5) from a tangent which bears S. 54°27'22" E., curving to the left with a radius of 240.00 feet, through an angle of 4°08'31", an arc distance of 17.35 feet;
- 6) S. 58°35'53" E. - 113.46 feet to the point of beginning;

said parcel contains an area of 26,419 square feet (0.61 of an acre).

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1 Parcel No. S-317-LN-043.790TE, to be acquired as a temporary easement for
 2 construction purposes for a three-year period commencing on the date of occupancy

3 Said real property situate, lying and being in the County of Lincoln, State of Nevada,
 4 and more particularly described as being a portion of that Right-of-Way Grant, CC 00360,
 5 issued by the Department of the Interior, Bureau of Land Management on April 20, 1906,
 6 located in a portion of the NE 1/4 of Section 14 and a portion of the SE 1/4 of Section 11, all in
 7 T. 6 S., R. 66 E., M.D.M., and more fully described by metes and bounds as follows, to wit:

8 BEGINNING at an intersection of the easterly 100 foot
 9 right-of-way line of the Union Pacific Railroad at approximate Railroad
 10 Milepost 444.6 with the right or easterly right-of-way line of SR-317,
 11 35.00 feet right of and at right angles to Highway Engineer's Station
 12 "X" 414+38.11 P.O.T.; said point of beginning further described as
 13 bearing S. 55°25'06" E. a distance of 1,765.75 feet from the north quarter
 14 corner of said Section 14; said corner further described as being a 2.5"
 15 GLO BRASS CAP ON A 1" PIPE IN A 3' COLLAR OF STONES,
 16 STAMPED "1/4 S11/S14 1920"; thence along said right or easterly
 17 right-of-way line the following six (6) courses and distances:

- 18 1) N. 58°35'53" W. - 113.46 feet;
- 19 2) from a tangent which bears the last described course,
 20 curving to the right with a radius of 240.00 feet, through an
 21 angle of 4°08'31", an arc distance of 17.35 feet;
- 22 3) S. 83°57'26" W. - 12.90 feet;
- 23 4) N. 8°52'55" W. - 13.02 feet;
- 24 5) from a tangent which bears N. 49°58'21" W., curving to the
 25 right with a radius of 240.00 feet, through an angle of
 26 20°21'52", an arc distance of 85.30 feet;
- 27 6) N. 29°36'29" W. - 126.42 feet to the westerly right-of-way
 28 line of said Union Pacific Railroad;

said railroad right-of-way line being 100 feet west of and parallel to the
 Union Pacific Railroad centerline from approximate Railroad Station
 787+45 P.O.T. to Station 780+45 P.O.T.; thence N. 8°59'51" W., along
 said westerly railroad right-of-way line, a distance of 780.00 feet; thence
 from a tangent which bears the last described course, curving to the left
 along said westerly railroad right-of-way line, with a radius of 2,764.79
 feet, through an angle of 0°26'55", an arc distance of 21.65 feet; thence
 along the following six (6) courses and distances:

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- 1) from a tangent which bears S. 12°41'54" E., curving to the right with a radius of 4,520.00 feet, through an angle of 1°55'19", an arc distance of 151.62 feet;
- 2) S. 10°46'35" E. - 462.13 feet;
- 3) from a tangent which bears the last described course, curving to the left with a radius of 400.00 feet, through an angle of 18°49'54", an arc distance of 131.47 feet;
- 4) S. 29°36'29" E. - 165.97 feet;
- 5) from a tangent which bears the last described course, curving to the left with a radius of 175.00 feet, through an angle of 28°59'24", an arc distance of 88.55 feet;
- 6) S. 58°35'53" E. - 58.14 feet to said easterly right-of-way line of the Union Pacific Railroad;

thence S. 8°59'51" E., along said easterly railroad right-of-way line, a distance of 85.35 feet to the point of beginning; said parcel contains an area of 34,537 square feet (0.79 of an acre).

Parcel No. S-317-LN-044.293PE, to be acquired as a permanent easement for construction, reconstruction, inspection, maintenance, repair, use and operation of a public highway and appurtenances

Said real property situate, lying and being in the County of Lincoln, State of Nevada, and more particularly described as being a portion of that Right-of-Way Grant, CC 00360, issued by the Department of the Interior, Bureau of Land Management on April 20, 1906, located in a portion of the SE 1/4 of Section 11, T. 6 S., R. 66 E., M.D.M., and more fully described by metes and bounds as follows, to wit:

BEGINNING at an intersection of the westerly 100 foot right-of-way line of the Union Pacific Railroad at approximate Railroad Milepost 445.1 with the right or easterly right-of-way line of SR-317, 40.00 feet left of and at right angles to Highway Engineer's Station "X" 439+94.92 P.O.T.; said point of beginning further described as bearing N. 22°52'04" E. a distance of 1,419.92 feet from the south quarter corner of said Section 11; said corner further described as being a 2.5" GLO BRASS CAP ON A 1" PIPE IN A 3' COLLAR OF STONES, STAMPED "1/4 S11/S14 1920"; said railroad right-of-way line further described as being 100 feet west of and parallel to the Union Pacific



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Railroad centerline from approximate Railroad Station 764+95.35 P.O.T. to Station 755+86.1 P.O.C.; said centerline further described as being portions of a spiral curve with a 5°00' of curvature (chord definition) a total central angle of 45°02'30", with spiral segments of 3°45' and lengths of 150.00 feet; thence along said westerly railroad right-of-way line the following four (4) courses and distances:

- 1) N. 31°00'05" W. - 241.75 feet;
- 2) along the spiral segment of said 5°00' spiral curve, subtended by the chord N. 29°45'05" W. - 52.45 feet;
- 3) along the spiral segment of said 5°00' spiral curve, subtended by the chord N. 24°45'05" W. - 104.11 feet;
- 4) from a tangent which bears N. 27°15'05" W., curving to the right along the central curve of said 5°00' spiral, with a radius of 1,245.92 feet, through an angle of 25°24'32", an arc distance of 552.53 feet to said right or easterly right-of-way line of SR-317;

thence along said right or easterly right-of-way line the following three (3) courses and distances:

- 1) S. 14°34'53" E. - 236.93 feet;
- 2) from a tangent which bears the last described course, curving to the left with a radius of 1,960.00 feet, through an angle of 11°15'38", an arc distance of 385.21 feet;
- 3) S. 25°50'31" E. - 319.48 feet to the point of beginning;

said parcel contains an area of 20,191 square feet (0.46 of an acre).

Parcel No. S-317-LN-045.095PE, to be acquired as a permanent easement for construction, reconstruction, inspection, maintenance, repair, use and operation of a public highway and appurtenances

Said real property situate, lying and being in the County of Lincoln, State of Nevada, and more particularly described as being a portion of that Right-of-Way Grant, CC 00360, issued by the Department of the Interior, Bureau of Land Management on April 20, 1906, located in a portion of the W1/2 of Section 2, T. 6 S., R. 66 E., M.D.M., and more fully described by metes and bounds as follows, to wit:

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BEGINNING at an intersection of the westerly 100 foot right-of-way line of the Union Pacific Railroad at approximate Railroad Milepost 445.9 with the right or easterly right-of-way line of SR-317, 40.00 feet right of and at right angles to Highway Engineer's Station "X" 482+24.89 P.O.T.; said point of beginning further described as bearing N. 89°02'36" W. a distance of 729.60 feet from the south quarter corner of said Section 2; said corner further described as being a 2.5" GLO BRASS CAP ON A 1" PIPE IN A 3' COLLAR OF STONES, STAMPED "1/4 S2/S11 1919"; said railroad right-of-way line further described as being 100 feet west of and parallel to the Union Pacific Railroad centerline from approximate Railroad Station 719+75.0 P.O.C. to Station 690+00.0 P.O.C.; thence from a tangent which bears N. 25°32'29" W, curving to the right along said westerly railroad right-of-way line, with a radius of 2,964.79 feet, through an angle of 6°20'09", an arc distance of 327.85 feet; thence N. 19°12'20" W., along said westerly railroad right-of-way line, a distance of 1,191.48 feet to the left or westerly right-of-way line of SR-317; thence along said left or westerly right-of-way line the following three (3) courses and distances:

- 1) N. 70°37'43" E. - 7.79 feet;
- 2) N. 19°22'17" W. - 205.83 feet;
- 3) from a tangent which bears the last described course, curving to the left with a radius of 1,960.00 feet, through an angle of 3°54'03", an arc distance of 133.44 feet to said westerly right-of-way line of the Union Pacific Railroad;

thence along said westerly railroad right-of-way line the following four (4) courses and distances:

- 1) from a tangent which bears N. 17°36'25" W., curving to the right with a radius of 5,829.58 feet, through an angle of 7°01'23", an arc distance of 714.56 feet;
- 2) N. 10°35'02" W. - 348.10 feet;
- 3) from a tangent which bears the last described course, curving to the right with a radius of 5,829.58 feet, through an angle of 0°48'54", an arc distance of 82.92 feet;
- 4) N. 80°13'52" E. - 25.34 feet to said right or easterly right-of-way line of SR-317;

thence along said right or easterly right-of-way line the following eight (8) courses and distances:

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- 1) S. 8°44'57" E. - 542.90 feet;
- 2) from a tangent which bears the last described course, curving to the left with a radius of 960.00 feet, through an angle of 17°08'52", an arc distance of 287.31 feet;
- 3) S. 25°53'49" E. - 189.42 feet;
- 4) S. 19°25'18" E. - 821.20 feet;
- 5) from a tangent which bears S. 9°27'42" E, curving to the right with a radius of 1,040.00 feet, through an angle of 3°54'43", an arc distance of 71.01 feet;
- 6) S. 5°32'59" E. - 62.46 feet;
- 7) from a tangent which bears the last described course, curving to the left with a radius of 960.00 feet, through an angle of 13°43'58", an arc distance of 230.10 feet;
- 8) S. 19°16'57" E. - 803.59 feet to the point of beginning;

said parcel contains an area of 2.37 acres (103,414 square feet).

Parcel No. S-317-LN-045.826PE, to be acquired as a permanent easement for construction, reconstruction, inspection, maintenance, repair, use and operation of a public highway and appurtenances

Said real property situate, lying and being in the County of Lincoln, State of Nevada, and more particularly described as being a portion of that Right-of-Way Grant, CC 00360, issued by the Department of the Interior, Bureau of Land Management on April 20, 1906, located in a portion of the NW 1/4 and Government Lot 4 of Section 2, T. 6 S., R. 66 E., M.D.M., and more fully described by metes and bounds as follows, to wit:

BEGINNING at an intersection of the westerly 50 foot right-of-way line of the Union Pacific Railroad at approximate Railroad Milepost 446.6 with the right or easterly right-of-way line of SR-317, 20.00 feet right of and measured radially from Highway Engineer's Station "X" 520+91.60 P.O.C.; said point of beginning further described as bearing S. 33°38'01" E. a distance of 1,896.22 feet from the northwest corner of said Section 2; said corner further described as being a 3.25" GLO BRASS CAP ON A 3" PIPE IN A 3' COLLAR OF STONES, STAMPED "T5S R66E S34|S35 S3|S2 T6S 1916"; said railroad right-of-way line further described as being 50.00 feet west of and



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parallel to the Union Pacific Railroad centerline from approximate Railroad Station 681+72.9 P.O.C. to Station 677+25.0 P.O.C.; said centerline further described as being a portion of a spiral curve with a 6°30' of curvature (chord definition) and a total central angle of 24°14 1/2', with a spiral segment of 6°11 1/4' and length of 165.00 feet and a spiral segment of 6°20 1/4' and length of 195.00 feet; thence along said westerly railroad right-of-way line the following five (5) courses and distances:

- 1) along the spiral segment of said 6°30' spiral curve, subtended by the chord N. 0°56'44" W. - 20.66 feet;
- 2) along the spiral segment of said 6°30' spiral curve, subtended by the chord N. 1°56'28" E. - 75.54 feet;
- 3) from a tangent which bears N. 4°07'57" E., curving to the right along the central curve of said 6°30' spiral, with a radius of 931.47 feet, through an angle of 11°20'24", an arc distance of 184.36 feet;
- 4) along the spiral segment of said 6°30' spiral curve, subtended by the chord N. 18°25'20" E. - 100.03 feet;
- 5) along the spiral segment of said 6°30' spiral curve, subtended by the chord N. 20°33'57" E. - 76.65 feet to said right or easterly right-of-way line of SR-317;

thence along said right or easterly right-of-way line the following three (3) courses and distances:

- 1) from a tangent which bears S. 8°01'50" W., curving to the right with a radius of 1,220.00 feet, through an angle of 4°14'33", an arc distance of 90.34 feet;
- 2) S. 12°16'23" W. - 302.81 feet;
- 3) from a tangent which bears the last described course, curving to the left with a radius of 1,680.00 feet, through an angle of 2°03'57", an arc distance of 60.57 feet to the point of beginning;

said parcel contains an area of 7,806 square feet (0.18 of an acre).

Parcel No. S-317-LN-046.292PE, to be acquired as a permanent easement for construction, reconstruction, inspection, maintenance, repair, use and operation of a public highway and appurtenances



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1 Said real property situate, lying and being in the County of Lincoln, State of Nevada,
 2 and more particularly described as being a portion of the SW 1/4 of Section 35,
 3 T. 5 S., R. 66 E., M.D.M., and more fully described by metes and bounds as follows, to wit:

4 BEGINNING at an intersection of the westerly 50 foot right-of-way
 5 line of the Union Pacific Railroad at approximate Railroad Milepost 447.2
 6 with the right or easterly right-of-way line of SR-317, 20.00 feet right of
 7 and measured radially from Highway Engineer's Station
 8 "X6" 553+10.56 P.O.C.; said point of beginning further described as
 9 bearing S. 34°32'21" E. a distance of 1,267.17 feet from the west quarter
 10 corner of said Section 35; said corner further described as being a 2.5"
 11 GLO BRASS CAP ON A 1" PIPE IN A 3' COLLAR OF STONES,
 12 STAMPED "1/4 S34|S35 1916"; said railroad right-of-way line further
 13 described as being 50.00 feet west of and parallel to the Union Pacific
 14 Railroad centerline from approximate Railroad Station 648+59.3 P.O.T.
 15 to Station 643+21.6 P.O.T.; thence N. 15°32'02" W., along said westerly
 16 railroad right-of-way line, a distance of 537.89 feet to said right or
 17 easterly right-of-way line of SR-317; thence along said right or easterly
 18 right-of-way line the following three (3) courses and distances:

- 19 1) from a tangent which bears S. 17°10'07" E., curving to the
 20 right with a radius of 5,270.00 feet, through an angle of
 21 1°09'28", an arc distance of 106.49 feet;
- 22 2) S. 16°00'39" E. - 183.83 feet;
- 23 3) from a tangent which bears the last described course,
 24 curving to the right with a radius of 5,520.00 feet, through
 25 an angle of 2°34'13", an arc distance of 247.63 feet to the
 26 point of beginning;

27 said parcel contains an area of 1,286 square feet (0.03 of an acre).
 28 Parcel No. S-317-LN-047.017PE, to be acquired as a permanent easement for
construction, reconstruction, inspection, maintenance, repair, use and operation of a
public highway and appurtenances

Said real property situate, lying and being in the County of Lincoln, State of Nevada,
 and more particularly described as being a portion of the NW 1/4 of Section 35,
 T. 5 S., R. 66 E., M.D.M., and more fully described by metes and bounds as follows, to wit:

BEGINNING at an intersection of the easterly 50 foot right-of-way
 line of the Union Pacific Railroad at approximate Railroad Milepost 447.9
 with the right or easterly right-of-way line of SR-317, 35.00 feet right of

1 and measured radially from Highway Engineer's Station
2 "X6" 591+20.83 P.O.C.; said point of beginning further described as
3 bearing S. 65°59'45" W. a distance of 1,196.89 feet from the west
4 one-sixteenth corner common to said Section 35 and Section 26,
5 T. 5 S., R. 66 E., M.D.M., said corner described as being a 2.5" GLO
6 BRASS CAP ON A 1" PIPE IN A 3' COLLAR OF STONES, STAMPED
7 "W1/16 S26/S35 1917"; thence along said right or easterly right-of-way
8 line of SR-317 the following three (3) courses and distances:

- 9 1) from a tangent which bears S. 66°59'08" W., curving to the
10 right with a radius of 835.00 feet, through an angle of
11 8°22'43", an arc distance of 122.11 feet;
- 12 2) N. 10°01'25" W. - 3.01 feet;
- 13 3) from a tangent which bears S. 75°20'51" W., curving to the
14 right with a radius of 832.00 feet, through an angle of
15 0°53'07", an arc distance of 12.86 feet to the westerly
16 right-of-way line of the Union Pacific Railroad;

17 thence N. 24°48'37" E., along said westerly 50 foot railroad right-of-way
18 line, a distance of 101.92 feet to the left or westerly right-of-way line of
19 SR-317; thence along said left or westerly right-of-way line the following
20 five (5) courses and distances:

- 21 1) from a tangent which bears N. 71°24'13" E., curving to the
22 left with a radius of 755.00 feet, through an angle of
23 3°45'29", an arc distance of 49.52 feet;
- 24 2) S. 65°09'10" E. - 28.63 feet;
- 25 3) N. 69°47'17" E. - 8.82 feet;
- 26 4) N. 24°49'51" E. - 34.17 feet;
- 27 5) from a tangent which bears N. 63°35'44" E., curving to the
28 left with a radius of 755.00 feet, through an angle of
3°49'56", an arc distance of 50.50 feet to said easterly 50
foot right-of-way line of the Union Pacific Railroad;

thence S. 24°48'37" W., along said easterly railroad right-of-way line, a
distance of 128.08 feet to the point of beginning; said parcel contains an
area of 10,841 square feet (0.25 of an acre).

Parcel No. S-317-LN-053.623PE, to be acquired as a permanent easement for
construction, reconstruction, inspection, maintenance, repair, use and operation of a
public highway and appurtenances



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1 Said real property situate, lying and being in the County of Lincoln, State of Nevada,
2 and more particularly described as being a portion of that Right-of-Way Grant, CC 00360,
3 issued by the Department of the Interior, Bureau of Land Management on April 20, 1906,
4 located in a portion of the W 1/2 of Section 35, T. 4 S., R. 66 E., M.D.M., and more fully
5 described by metes and bounds as follows, to wit:

6 BEGINNING at an intersection of the easterly right-of-way line of
7 the Union Pacific Railroad at approximate Railroad Milepost 454.3 with
8 the left or westerly right-of-way line of SR-317, 60.00 feet left of and
9 measured radially from Highway Engineer's Station
10 "X12" 923+44.82 P.O.C.; said point of beginning further described as
11 bearing S. 43°45'46" E. a distance of 414.95 feet from the west quarter
12 corner of said Section 35; said corner described as being a 3.25" BLM
13 BRASS CAP ON A 3" PIPE, STAMPED "T4SR66E 1/4 S34|S35 1993";
14 thence along said left or westerly right-of-way line of SR-317 the
15 following fifteen (15) courses and distances:

- 16 1) N. 14°52'30" E. - 13.89 feet;
- 17 2) S. 74°56'56" E. - 10.00 feet;
- 18 3) from a tangent which bears N. 15°03'04" E., curving to the
19 right with a radius of 2,250.00 feet, through an angle of
20 5°17'25", an arc distance of 207.75 feet;
- 21 4) S. 69°39'31" E. - 22.00 feet;
- 22 5) from a tangent which bears N. 20°20'29" E., curving to the
23 right with a radius of 2,228.00 feet, through an angle of
24 3°31'38", an arc distance of 137.16 feet;
- 25 6) S. 66°07'53" E. - 6.00 feet;
- 26 7) from a tangent which bears N. 23°52'07" E., curving to the
27 right with a radius of 2,222.00 feet, through an angle of
28 7°03'15", an arc distance of 273.57 feet;
- 8) N. 30°55'22" E. - 271.89 feet;
- 9) from a tangent which bears the last described course,
curving to the right with a radius of 1,042.00 feet, through
an angle of 17°14'37", an arc distance of 313.60 feet;
- 10) N. 48°09'59" E. - 153.85 feet;



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- 11) from a tangent which bears the last described course, curving to the right with a radius of 522.00 feet, through an angle of 28°54'45", an arc distance of 263.41 feet;
- 12) N. 12°55'16" W. - 8.00 feet;
- 13) from a tangent which bears N. 77°04'44" E., curving to the right with a radius of 530.00 feet, through an angle of 9°38'15", an arc distance of 89.15 feet;
- 14) N. 3°17'01" W. - 10.00 feet;
- 15) N. 86°42'59" E. - 657.91 feet to said easterly 100 foot right-of-way line of the Union Pacific Railroad;

said easterly Railroad right-of-way line further described as being 100 feet east of and parallel to the Union Pacific Railroad centerline; said centerline further described as including a spiral curve with a 6°00' of curvature (chord definition) a total central angle of 52°06' with spiral segments of 5°24' and lengths of 180.00 feet; thence along said easterly railroad right-of-way line the following five (5) courses and distances:

- 1) S. 83°05'37" W. - 455.24 feet;
- 2) along the spiral segment of said 6°00' spiral curve, subtended by the chord S. 81°56'27" W. - 85.84 feet;
- 3) along the spiral segment of said 6°00' spiral curve, subtended by the chord S. 79°12'14" W. - 84.77 feet;
- 4) from a tangent which bears S. 77°41'10" W., curving to the left along the central curve of said 6°00' spiral, with a radius of 854.93 feet, through an angle of 41°27'14", an arc distance of 618.55 feet;
- 5) along the spiral segment of said 6°00' spiral curve, subtended by the chord S. 34°51'40" W. - 29.64 feet to the right or easterly right-of-way line of said SR-317;

thence along said right or easterly right-of-way line the following three (3) courses and distances:

- 1) from a tangent which bears S. 40°00'02" W., curving to the left with a radius of 980.00 feet, through an angle of 9°04'40", an arc distance of 155.27 feet;
- 2) S. 30°55'22" W. - 271.89 feet;



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3) S. 28°30'36" W. - 181.86 feet to said easterly 100 foot railroad right-of-way line;

thence S. 30°50'24" W., along said easterly railroad right-of-way line, a distance of 449.69 feet; thence N. 59°09'36" W., along said easterly railroad right-of-way line, a distance of 18.31 feet to the point of beginning; said parcel contains an area of 2.44 acres (106,095 square feet).

Parcel No. S-317-LN-054.194PE, to be acquired as a permanent easement for construction, reconstruction, inspection, maintenance, repair, use and operation of a public highway and appurtenances

Said real property situate, lying and being in the County of Lincoln, State of Nevada, and more particularly described as being a portion of that Right-of-Way Grant, CC 00360, issued by the Department of the Interior, Bureau of Land Management on April 20, 1906, located in a portion of the NE 1/4 of Section 35, T. 4 S., R. 66 E., M.D.M., and more fully described by metes and bounds as follows, to wit:

BEGINNING at an intersection of the easterly 100 foot right-of-way line of the Union Pacific Railroad at approximate Railroad Milepost 454.8 with the left or westerly right-of-way line of SR-317, 40.00 feet left of and measured radially from Highway Engineer's Station "X" 953+65.66 P.O.C.; said point of beginning further described as bearing S. 1°05'32" E. a distance of 250.08 feet from the center north one-sixteenth corner of said Section 35; said corner described as being a 3.25" BLM BRASS CAP ON A 3" PIPE IN A 3' MOUND OF STONES, STAMPED "N1/16 C--C S35 1997"; thence along said left or westerly right-of-way line of SR-317 the following six (6) courses and distances:

- 1) N. 65°21'02" E. - 53.75 feet;
- 2) N. 71°55'58" E. - 133.62 feet;
- 3) N. 63°19'27" E. - 396.29 feet;
- 4) from a tangent which bears the last described course, curving to the left with a radius of 2,480.00 feet, through an angle of 12°31'40", an arc distance of 542.25 feet;
- 5) N. 39°03'15" E. - 109.83 feet;

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6) from a tangent which bears N. 48°17'28" E., curving to the left with a radius of 2,160.00 feet, through an angle of 9°14'08", an arc distance of 348.17 feet to said easterly 100 foot right-of-way line of the Union Pacific Railroad;

said easterly Railroad right-of-way line further described as being 100 feet east of and parallel to the Union Pacific Railroad centerline; said centerline further described as including a portion of a spiral curve with a 3°30' of curvature (chord definition) a total central angle of 51°17' with spiral segments of 1°50 1/4' and lengths of 105.00 feet; thence along said easterly railroad right-of-way line the following three (3) courses and distances:

- 1) S. 31°37'32" W. - 20.59 feet;
- 2) along the spiral segment of said 3°30' spiral curve, subtended by the chord S. 32°48'48" W. - 109.47 feet;
- 3) from a tangent which bears S. 33°31'16" W., curving to the right along the central curve of said 3°30' spiral, with a radius of 1,737.02 feet, through an angle of 13°48'12", an arc distance of 418.47 feet to the right or easterly right-of-way line of said SR-317;

thence along said right or easterly right-of-way line the following six (6) courses and distances:

- 1) N. 37°21'26" W. - 6.58 feet;
- 2) from a tangent which bears S. 52°38'34" W., curving to the right with a radius of 2,525.00 feet, through an angle of 10°40'53", an arc distance of 470.72 feet;
- 3) S. 63°19'27" W. - 50.65 feet;
- 4) S. 26°40'33" E. - 2.00 feet;
- 5) S. 63°19'27" W. - 256.86 feet;
- 6) S. 26°40'33" E. - 2.25 feet to said easterly railroad right-of-way line;

thence from a tangent which bears S. 73°12'03" W., curving to the right along said easterly railroad right-of-way line, being the central curve of said 3°30' spiral, with a radius of 1,737.02 feet, through an angle of 8°04'22", an arc distance of 244.74 feet, the first 15.69 feet being coincident with said right or easterly right-of-way line of SR-317; thence along said easterly railroad right-of-way line, being the spiral segment of



1 said 3°30' spiral curve, subtended by the chord S. 81°40'40" W., a
2 distance of 39.24 feet to the point of beginning; said parcel contains an
area of 60,474 square feet (1.39 acres).

3 Parcel No. S-317-LN-054.293PE, to be acquired as a permanent easement for
4 construction, reconstruction, inspection, maintenance, repair, use and operation of a
5 public highway and appurtenances

6 Said real property situate, lying and being in the County of Lincoln, State of Nevada,
7 and more particularly described as being a portion of that Right-of-Way Grant, CC 00360,
8 issued by the Department of the Interior, Bureau of Land Management on April 20, 1906,
9 located in a portion of the SE 1/4 of Section 26 and the NE 1/4 of Section 35, all in
10 T. 4 S., R. 66 E., M.D.M., and more fully described by metes and bounds as follows, to wit:

11 BEGINNING at an intersection of the east one-sixteenth section
12 line of said Section 35 with the right or easterly right-of-way line of
13 SR-317, 40.00 feet right of and measured radially from Highway
14 Engineer's Station "X" 968+83.58 P.O.C.; said point of beginning further
15 described as bearing S. 1°26'38" W. a distance of 829.46 feet from the
16 east one-sixteenth corner common to said Section 35 and Section 26,
17 T. 4 S., R. 66 E., M.D.M., said corner described as being a 3.25" BLM
18 BRASS CAP ON A 3" PIPE IN A 3' MOUND OF STONES, STAMPED
19 "E1/16 S26/S35 1997"; said point of beginning further described as
20 being on the easterly right-of-way line of the Union Pacific Railroad at
approximate Railroad Milepost 455.1; thence N. 1°26'25" E., along said
east one-sixteenth section line and said easterly right-of-way line of the
Union Pacific Railroad, a distance of 129.01 feet to the left or westerly
right-of-way line of said SR-317; thence along said left or westerly
right-of-way line of SR-317 the following fourteen (14) courses and
distances:

- 21 1) from a tangent which bears N. 38°26'27" E., curving to the
- 22 left with a radius of 2,160.00 feet, through an angle of
- 23 13°19'52", an arc distance of 502.57 feet;
- 24 2) N. 25°04'39" E. - 453.29 feet;
- 25 3) S. 64°55'21" E. - 5.00 feet;
- 26 4) N. 25°04'39" E. - 104.24 feet;
- 27 5) S. 64°55'21" E. - 5.00 feet;

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- 6) from a tangent which bears N. 25°04'39" E., curving to the right with a radius of 4,552.00 feet, through an angle of 4°17'28", an arc distance of 340.92 feet;
- 7) S. 60°37'53" E. - 5.00 feet;
- 8) from a tangent which bears N. 29°22'07" E., curving to the right with a radius of 4,547.00 feet, through an angle of 2°08'44", an arc distance of 170.27 feet;
- 9) N. 31°30'51" E. - 287.89 feet;
- 10) from a tangent which bears the last described course, curving to the right with a radius of 907.34 feet, through an angle of 5°38'46", an arc distance of 89.41 feet;
- 11) N. 52°50'23" W. - 5.00 feet;
- 12) from a tangent which bears N. 37°09'37" E., curving to the right with a radius of 912.34 feet, through an angle of 5°38'47", an arc distance of 89.91 feet;
- 13) N. 47°11'36" W. - 10.00 feet;
- 14) from a tangent which bears N. 42°48'24" E., curving to the right with a radius of 922.34 feet, through an angle of 14°18'00", an arc distance of 230.20 feet to the easterly 100 foot right-of-way line of the Union Pacific Railroad;

thence S. 31°37'32" W., along said easterly railroad right-of-way line, a distance of 1,425.65 feet to the section line common to said Sections 26 and 35 ; thence N. 89°10'54" E., along said section line, a distance of 52.21 feet to the right or easterly right-of-way line of SR-317; thence S. 25°04'39" W., along said easterly right-of-way line, a distance of 347.29 feet; thence from a tangent which bears S. 25°06'35" W., curving to the right along said easterly right-of-way line, with a radius of 2,240.00 feet, through an angle of 15°58'03", an arc distance of 624.26 feet to the point of beginning; said parcel contains an area of 3.66 acres (159,488 square feet).

Parcel No. S-317-LN-058.265PE, to be acquired as a permanent easement for construction, reconstruction, inspection, maintenance, repair, use and operation of a public highway and appurtenances

Said real property situate, lying and being in the City of Caliente and County of Lincoln, State of Nevada, and more particularly described as being a portion of that Right-of-Way

1 Grant, CC 00360, issued by the Department of the Interior, Bureau of Land Management on
2 April 20, 1906, located in a portion of the NW 1/4 of Section 18 and the S 1/2 of Section 7, all
3 in T. 4 S., R. 67 E., M.D.M., and more fully described by metes and bounds as follows, to wit:

4 BEGINNING at an intersection of the easterly right-of-way line of the
5 Union Pacific Railroad at approximate Railroad Milepost 458.6 with the left
6 or westerly right-of-way line of SR-317, 40.00 feet left of and measured
7 radially from Highway Engineer's Station "X" 1165+94.51 P.O.C.; said point
8 of beginning further described as bearing S. 38°50'25" E. a distance of
9 935.92 feet from the west one-sixteenth corner common to said Section 18
10 and Section 7, said corner described as being a 3.25" BLM BRASS CAP
11 ON A 3" PIPE, STAMPED "W1/16 S7/S18 1994"; thence along said left or
12 westerly right-of-way line of SR-317 the following six (6) courses and
13 distances:

- 14 1) from a tangent which bears N. 25°55'16" W., curving to the
15 right with a radius of 1,704.07 feet, through an angle of
16 4°20'51", an arc distance of 129.30 feet to a point of
17 compound curvature;
- 18 2) from a tangent which bears N. 21°34'25" W., curving to the
19 right with a radius of 157.07 feet, through an angle of
20 57°37'40", an arc distance of 157.98 feet;
- 21 3) N. 36°03'15" E. - 303.98 feet;
- 22 4) from a tangent which bears the last described course, curving
23 to the right with a radius of 1,240.00 feet, through an angle of
24 24°53'36", an arc distance of 538.74 feet;
- 25 5) N. 60°56'51" E. - 1,607.68 feet;
- 26 6) from a tangent which bears the last described course, curving
27 to the left with a radius of 63.76 feet, through an angle of
28 90°00'25", an arc distance of 100.16 feet to the southerly
right-of-way line of US-93;

thence N. 60°56'26" E., along said southerly right-of-way line, a distance of
80.00 feet to the right or easterly right-of-way line of SR-317; thence along
said right or easterly right-of-way line of said SR-317 the following seven
(7) courses and distances:

- 1) from a tangent which bears S. 29°03'34" E., curving to the
right with a radius of 143.76 feet, through an angle of
45°22'23", an arc distance of 113.85 feet;



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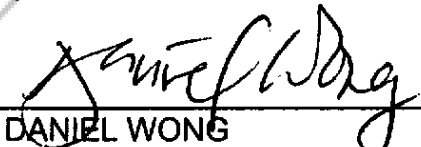
- 2) S. 53°23'57" W. - 315.61 feet;
- 3) S. 60°56'51" W. - 1,395.81 feet;
- 4) from a tangent which bears the last described course, curving to the left with a radius of 1,160.00 feet, through an angle of 24°53'36", an arc distance of 503.99 feet;
- 5) S. 36°03'15" W. - 303.98 feet;
- 6) from a tangent which bears the last described course, curving to the left with a radius of 77.07 feet, through an angle of 57°37'40", an arc distance of 77.52 feet to a point of compound curvature;
- 7) from a tangent which bears S. 21°34'25" E., curving to the left with a radius of 1,624.07 feet, through an angle of 2°57'45", an arc distance of 83.97 feet to said easterly right-of-way line of the Union Pacific Railroad;

thence S. 38°04'35" W., along said easterly railroad right-of-way line, a distance of 89.54 feet to the point of beginning; said parcel contains an area of 5.06 acres (220,454 square feet).

The Basis of Bearing for these descriptions is the NEVADA STATE PLANE COORDINATE SYSTEM, NAD 27 DATUM, East Zone, as determined by the State of Nevada, Department of Transportation.

DATED this 25TH day of August, 2009.

CATHERINE CORTEZ MASTO
Attorney General

By: 
 DANIEL WONG
 Chief Deputy Attorney General
 Nevada Bar No. 0461
 J. MARTY HOWARD
 Senior Deputy Attorney General
 Nevada Bar No. 1052
 Transportation Division
 555 E. Washington Ave., Suite 3900
 Las Vegas, Nevada 89101

Attorneys for Plaintiff State of Nevada
ex rel its Department of Transportation



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

**AFFIRMATION
(Pursuant to NRS 239B.030)**

The undersigned does hereby affirm that the preceding document: **NOTICE OF LIS
PENDENS**

X Does not contain the social security number of any person.

- OR -

Does contain the social security number of a person as required by:

A specific state or federal law, to wit: _____
(state specific state or federal law)

- OR -

For the administration of a public program or for an application for a federal or
state grant.

DATED this 25TH day of August, 2009.

CATHERINE CORTEZ MASTO
Attorney General

By: 

DANIEL WONG
Chief Deputy Attorney General
Nevada Bar No. 0461
J. MARTY HOWARD
Senior Deputy Attorney General
Nevada Bar No. 1052
Transportation Division
555 E. Washington Ave., Suite 3900
Las Vegas, Nevada 89101

*Attorneys for Plaintiff State of Nevada
ex rel its Department of Transportation*

Nevada Office of the Attorney General
555 E. Washington Ave., Suite 3900
Las Vegas, NV 89101



Certification of Copy

**STATE OF NEVADA,
COUNTY OF LINCOLN,**

I, TERESA SEEVERS, the duly elected, qualifying and acting Deputy Clerk of Lincoln County, in the State of Nevada, and Ex-Officio Clerk of the District Court, do hereby certify that the forgoing is a true, full and correct copy of the original:

Notice of Lis Pendens

District Court Case No. CR 0833009

IN WITNESS THEREOF, I have hereunto set my hand and Affixed seal of the Court at my office, Pioche, Nevada, this 28th day of Aug, 2009 A.D.

Teresa Seevers, DEPUTY CLERK

T Seevers