

Official RecordRecording requested By
FIRST AMERICAN TITLE CO

Lincoln County - NV

Leslie Boucher - Recorder

Fee: \$23.00

Page 1 of 10

RPT:

Recorded By: LB

Book- 264 Page- 0739

APN: 13-130-19, 13-140-05, 13-140-17,
13-140-23, 13-140-24, 03-111-01,
03-121-01, 03-151-02, & 13-140-08



0138617

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO:
First American Title Company
2490 Paseo Verde Parkway, Ste.100
Henderson, NV 89074

Trustee Sale No. 2400097-RMD

Loan No. 5408156-9001

**NOTICE OF TRUSTEE'S SALE
(UNIFIED)**

YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED DECEMBER 1, 2005. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDINGS AGAINST YOU, YOU SHOULD CONTACT A LAWYER.

On **August 10, 2011 at 11:00 A.M.** **FIRST AMERICAN TITLE INSURANCE COMPANY**, a California Corporation as the duly appointed Trustee under and pursuant to a Deed of Trust Recorded on **December 12, 2005**, in Book No. **209** as Document No. **125624** of official records in the Office of the Recorder of Lincoln County, State of Nevada and re-recorded on **April 21, 2006**, in Book No. **215** as Document No. **126416** of official records in the Office of the Recorder of Lincoln County, State of Nevada executed by: **RAINBOW LAND & CATTLE COMPANY, LLC, a limited liability company** as Trustor, **ZIONS FIRST NATIONAL BANK**, as original Beneficiary. Said Deed of Trust was modified by a Modification of Deed of Trust dated **May 10, 2007** and recorded on **May 18, 2007**, in Book No. **231** as Document No. **128944** of official records in the Office of the Recorder of Lincoln County, State of Nevada, **WILL SELL AT PUBLIC AUCTION TO THE HIGHEST BIDDER FOR CASH** (payable at time of sale in lawful money of the United States, by cash, a cashier's check drawn by a state or national bank, a cashier's check drawn by state or federal credit union or a cashier's check drawn by state or federal savings and loan association, savings association, or savings bank) all right, title, and interest conveyed to and now held by the Trustee in the hereinafter described property under and pursuant to the Deed of Trust. The sale will be *made*, but without covenant or warranty expressed or implied regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, interest thereon, estimated fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale.



Trustee Sale No. 2400097-RMD

Place of Sale; At the Main Entrance to the County Courthouse, located at 1 Main Street, Pioche, Nevada 89043.

Legal Description: **SEE EXHIBIT "A" ATTACHED HERETO FOR COMPLETE LEGAL DESCRIPTION.**

The street address and other common designation, if any, of the real property described above is purported to be: **APN: 13-130-19, 13-140-05, 13-140-17, 13-140-23, 13-140-24, 03-111-01, 03-121-01, 03-151-02, & 13-140-08**

The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown herein. Said sale will be made, but without covenant or warranty, express or implied, regarding title, possession, encumbrances, condition, suitability for a particular purpose or the location or existence of any personal property, to satisfy the remaining principal sum of the note(s) secured by said Deed of Trust, with interest thereon, as provided in said note(s), advances, if any, under the terms of the Deed of Trust, estimated fee, charges and expenses of the Trustee and of the trusts created by said Deed of Trust, to wit:

Amount of unpaid balance and other charges: **\$1,243,201.58 (Estimated).**

Accrued interest and additional advances, if any, will increase this figure prior to sale. The beneficiary may elect to bid less than their full credit bid.

The beneficiary under said Deed of Trust heretofore executed and delivered to the undersigned a written Declaration of Default and Demand for Sale, and a written Notice of Default and Election to Sell. The undersigned caused said Notice of Default and Election to Sell to be recorded in the county where the real property is located and more than three months have elapsed since such recordation.

THE SALE SUBJECT TO THIS NOTICE OF TRUSTEE'S SALE IS A UNIFIED SALE. THE PROPERTY COVERED IN THIS NOTICE OF TRUSTEE'S INCLUDES ALL REAL PROPERTY AND PERSONAL PROPERTY DESCRIBED IN THE RESPECTIVE EXHIBITS ATTACHED HERETO, INCLUDING (WITHOUT LIMITATION) ALL CERTIFICATED AND/OR PERMITTED WATER RIGHTS, WHICH REAL PROPERTY AND PERSONAL PROPERTY IS ALSO SECURITY FOR THE SAME ELECTION OF THE BENEFICIARY UNDER SAID DEED OF TRUST, AND BENEFICIARY HAS ELECTED THAT A UNIFIED SALE BE MADE OF SAID REAL PROPERTY AND PERSONAL PROPERTY IN ACCORDANCE WITH THE PROVISIONS OF THE NEVADA UNIFORM COMMERCIAL CODE SECTION 9604(1)(b), AND TO INCLUDE IN THE NON-JUDICIAL FORECLOSURE OF THE ESTATE DESCRIBED HEREIN ALL OF THE PERSONAL PROPERTY AND FIXTURES DESCRIBED IN SAID DEED OF TRUST. THE BENEFICIARY RESERVES THE RIGHT TO REVOKE ITS ELECTION AS TO SOME OR ALL OF SAID PERSONAL



Trustee Sale No. 2400097-RMD

PROPERTY AND/OR FIXTURES, OR TO ADD ADDITIONAL PERSONAL PROPERTY AND/OR FIXTURES TO THE ELECTION HEREIN EXPRESSED, AT BENEFICIARY'S SOLE ELECTION, FROM TIME TO TIME AND AT ANY TIME UNTIL THE CONSUMMATION OF THE TRUSTEE'S SALE TO BE CONDUCTED PURSUANT TO THE DEED OF TRUST.

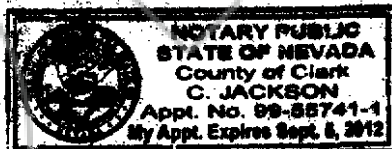
THIS PROPERTY IS SOLD AS-IS, LENDER/BENEFICIARY IS UNABLE TO VALIDATE THE CONDITION, DEFECTS OR DISCLOSURE ISSUES OF SAID PROPERTY AND BUYER WAIVES THE DISCLOSURE REQUIREMENTS UNDER NRS 113.130 BY PURCHASING AT THIS SALE AND SIGNING RECEIPT.

DATED: June 30, 2011

FIRST AMERICAN TITLE INSURANCE COMPANY
FORECLOSURE DEPARTMENT
2490 PASEO VERDE PARKWAY, STE. 100
HENDERSON, NV 89074
(702) 731-4131

Russell M. Dalton, Vice President

STATE OF NEVADA)
 : SS
COUNTY OF CLARK)



C. Jackson
No. 99-55741-1
EXP. 9-5-2012

This instrument was acknowledged before me
on 6-30-2011
by: Russell M. Dalton, Vice President of First American
Title Insurance Company

Notary Public (My commission expires: 09/05/2012)



Trustee Sale No. 2400097-RMD

Exhibit "A"
Legal Description

The land referred to herein is situated in the State of Nevada, County of LINCOLN, and is described as follows:

PARCEL I:

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

SECTION 18: ALL OF THE NORTHWEST QUARTER (NW1/4), THE NORTH HALF (N1/2) OF THE SOUTHWEST QUARTER (SW1/4); THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHEAST QUARTER (NE1/4); AND THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4)

EXCEPTING THEREFROM ALL THAT PORTION OF THE WEST HALF (W1/2) OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 67 EAST, M.D.B.&M., LYING WEST OF STATE HIGHWAY NO. 317.

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF CALIENTE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 67 EAST, M.D.B.&M., AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO WIT:

BEGINNING AT A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD, 28.74 FEET RIGHT OF AND MEASURED RADially FROM THE CENTERLINE OF CLOVER STREET AT HIGHWAY ENGINEER'S STATION "CS" 21+04.73 P.O.C.; SAID POINT OF BEGINNING BEING FURTHER DESCRIBED AS BEARING NORTH 89°02'18" WEST, A DISTANCE OF 2,611.28 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 18, TOWNSHIP 4 SOUTH, RANGE 67 EAST, M.D.B.&M.; THENCE SOUTH 01°01'51" WEST, ALONG THE WEST LINE OF THE MARK AND LINDA HOLT PROPERTY A DISTANCE OF 188.86 FEET TO AN INTERSECTION WITH THE RIGHT OR SOUTHEASTERLY RIGHT-OF-WAY LINE OF CLOVER STREET; THENCE ALONG SAID RIGHT OR SOUTHEASTERLY RIGHT-OF-WAY LINE OF CLOVER STREET THE FOLLOWING SIX (6) COURSES AND DISTANCES:

- (1) SOUTH 53°41'09" WEST A DISTANCE OF 145.96 FEET;
- (2) SOUTH 70°54'04" WEST A DISTANCE OF 236.89 FEET;
- (3) SOUTH 18°47'23" WEST A DISTANCE OF 183.33 FEET;
- (4) FROM A NON-TANGENT CURVE, CONCAVE TO THE EAST, HAVING A TANGENT BEARING OF SOUTH 01°12'41" WEST, A RADIUS OF 470.00 FEET AND A DELTA OF 04°55'20" FOR AN ARC LENGTH OF 40.38 FEET TO A POINT OF REVERSE CURVATURE,
- (5) FROM A TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A TANGENT BEARING OF SOUTH 03°42'40" EAST, A RADIUS OF 280.00 FEET AND A DELTA OF 62°59'58", FOR AN ARC LENGTH OF 307.87 FEET TO A POINT OF REVERSE CURVATURE:
- (6) FROM A TANGENT CURVE, CONCAVE TO THE SOUTHEAST, HAVING A TANGENT BEARING OF SOUTH 59°17'18" WEST, A RADIUS OF 37.00 FEET AND A DELTA OF 41°50'01" FOR AN ARC LENGTH OF 27.02 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 317;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE OF ROUTE 317, ALONG A NON-



TANGENT CURVE, CONCAVE TO THE NORTHEAST, HAVING A TANGENT BEARING OF NORTH 32°30'55" WEST, A RADIUS OF 1,624.07 FEET AND A DELTA OF 8°37'27" FOR AN ARC LENGTH OF 244.45 FEET, MORE OR LESS, TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID UNION PACIFIC RAILROAD;

THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD ALONG A NON-TANGENT CURVE, CONCAVE TO THE SOUTHEAST, HAVING A TANGENT BEARING OF NORTH 32°30'23" EAST, A RADIUS OF 1,860.08 FEET AND A DELTA OF 24°52'56" FOR AN ARC LENGTH OF 807.79 FEET, MORE OR LESS, TO THE BEGINNING OF A SPIRAL CURVE;

THENCE ALONG SAID SPIRAL CURVE, BEING CONCAVE TO THE SOUTHEAST, HAVING A TANGENT BEARING OF NORTH 57°18'46" EAST AND A LONG CHORD OF NORTH 58°35'02" EAST A DISTANCE OF 123.31 FEET TO THE POINT OF BEGINNING.

SECTION 19: GOVERNMENT LOT 1, PREVIOUSLY DESCRIBED AS THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4)

EXPECTING THEREFROM ALL THAT PORTION OF THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 67 EAST, M.D.B. &M., LYING WEST OF STATE HIGHWAY NO. 317

EXCEPT THE INTEREST IN THE PORTION OF SAID LAND CONVEYED TO COUNTY OF LINCOLN, STATE OF NEVADA, BY DEED RECORDED JANUARY 6, 1975 IN BOOK 12 OF OFFICIAL RECORDS AT PAGE 441, LINCOLN COUNTY, NEVADA RECORDS.

EXCEPTING FROM ALL OF THE ABOVE DESCRIBED, ANY AND ALL RIGHTS OF WAY HERETOFORE GRANTED BY THE GRANTORS HEREIN OR THEIR PREDECESSORS IN INTEREST TO THE UNION PACIFIC RAILROAD CO., AND ITS PREDECESSORS IN INTEREST AND TO THE STATE OF NEVADA FOR HIGHWAY PURPOSES, WHICH SAID RIGHTS OF WAY ARE ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF SAID LINCOLN COUNTY, NEVADA.

PARCEL II:

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

SECTION 24: THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4)

EXCEPTING THEREFROM ALL THAT PORTION OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 66 EAST, M.D.B.&M., LYING WEST OF STATE HIGHWAY NO. 55.

PARCELS 3, 4 AND 8 OF THAT CERTAIN PARCEL MAP RECORDED NOVEMBER 18, 2005 IN THE OFFICE OF THE COUNTY RECORDER OF LINCOLN COUNTY, NEVADA IN BOOK C OF PLATS, PAGE 147 AS FILE NO. 125536, LINCOLN COUNTY, NEVADA RECORDS.

EXCEPTING FROM ANY PORTION OF SAID LAND SITUATE WITHIN THE NORTHWEST QUARTER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 25, TOWNSHIP 25, TOWNSHIP 4 SOUTH, RANGE 66 EAST, M.D.B.&M., ALL URANIUM, THORIUM, OR OTHER MATERIAL WHICH MAY BE DETERMINED TO BE PECULIARLY ESSENTIAL TO THE PRODUCTION OF FISSIONABLE MATERIAL LYING IN AND UNDER SAID LAND AS RESERVED BY THE UNITED STATES OF AMERICA, IN PATENT RECORDED JUNE 22, 1959, IN BOOK L-1 OF REAL ESTATE DEEDS, PAGE 209, LINCOLN COUNTY, NEVADA.

ALSO EXCEPTING THE INTEREST IN THE PORTION OF SAID LAND CONVEYED TO COUNTY OF

LINCOLN, STATE OF NEVADA, BY DEED RECORDED JANUARY 6, 1975 IN BOOK 12 OF OFFICIAL RECORDS AT PAGE 441, LINCOLN COUNTY, NEVADA RECORDS.

FURTHER EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

PARCEL S-317-LN-055.610

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 THE NE 1/4 OF SECTION 25, T. 4 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 RIGHT OR EASTERLY RIGHT-OF-WAY LINE OF SR-317, 41.84 FEET RIGHT OF AND AT RIGHT ANGLES TO HIGHWAY ENGINEER'S STATION "X13" 1037+50.00 P.O.T.; SAID POINT OF BEGINNING FURTHER DESCRIBED AS BEARING S. 0°38'55" E. A DISTANCE OF 910.17 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 25; SAID CORNER FURTHER DESCRIBED AS BEING A 3.25" BLM BRASS CAP ON 3" PIPE FLUSH WITH SANDY GROUND WITH NO MOUND OF STONE, STAMPED "T4S R66E 1/4 S24/25 1997"; THENCE N. 7°33'00" E., ALONG THE FORMER RIGHT OR EASTERLY RIGHT-OF-WAY LINE OF SR-317, A DISTANCE OF 375.00 FEET; THENCE ALONG SAID RIGHT OR EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1) S. 82°34'53" E. - 27.30 FEET;
- 2) S. 7°25'07" W. - 375.00 FEET;
- 3) N. 82°34'53" W. - 28.16 FEET TO THE POINT OF BEGINNING.

PARCEL S-317-LN-055.611

SITUATE, LYING AND BEING IN THE COUNTY OF LINCOLN, STATE OF NEVADA, AND MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THE NE 1/4 OF THE NW 1/4 OF SECTION 25, T. 4 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 LEFT OR WESTERLY RIGHT-OF-WAY LINE OF SR-317, 38.16 FEET LEFT OF AND AT RIGHT ANGLES TO HIGHWAY ENGINEER'S STATION "X13" 1037+50.00 P.O.T.; SAID POINT OF BEGINNING FURTHER DESCRIBED AS BEARING S. 4°23'13" W. A DISTANCE OF 902.43 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 25; SAID CORNER FURTHER DESCRIBED AS BEING A 3.25" BLM BRASS CAP ON 3" PIPE FLUSH WITH SANDY GROUND WITH NO MOUND OF STONE, STAMPED "T4S R66E 1/4 S24/25 1997"; THENCE ALONG SAID LEFT OR WESTERLY RIGHT-OF-WAY LINE OF SR-317 THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

- 1) N. 82°34'53" W. - 26.84 FEET;
- 2) N. 7°25'07" E. - 200.00 FEET;
- 3) S. 82°34'53" E. - 15.00 FEET;
- 4) N. 7°25'07" E. - 175.00 FEET;
- 5) S. 82°34'53" E. - 12.70 FEET;



THENCE S. 7°33'00" W., ALONG THE FORMER LEFT OR WESTERLY RIGHT-OF-WAY LINE OF SR-317 A DISTANCE OF 375.00 FEET TO THE POINT OF BEGINNING.

PARCEL S-317-LN-055.610TE

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 THE NE 1/4 OF SECTION 25, T. 4 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 RIGHT OR EASTERLY RIGHT-OF-WAY LINE OF SR-317, 41.72 FEET RIGHT OF AND AT RIGHT ANGLES TO HIGHWAY ENGINEER'S STATION "X13" 1037+0.00 P.O.T.; SAID POINT OF BEGINNING FURTHER DESCRIBED AS BEARING S. 0°13'21" E. A DISTANCE OF 959.69 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 25; SAID CORNER FURTHER DESCRIBED AS BEING A 3.25" BLM BRASS CAP ON 3" PIPE FLUSH WITH SANDY GROUND WITH NO MOUND OF STONE, STAMPED "T4S R66E 1/4 S24/25 1997"; THENCE ALONG SAID RIGHT OR EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1) N. 7°33'22" E. -50.00 FEET;
- 2) S. 82°34'53" E. -28.16 FEET;
- 3) N. 7°25'07" E. -250.00 FEET;

THENCE ALONG THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1) S. 82°34'53" E. -80.00 FEET;
- 2) S. 7°25'07" W. -300.00 FEET;
- 3) N. 82°34' 53" W. -108.28 FEET TO THE POINT OF BEGINNING.

PARCEL S-317-LN-055.611TE

SITUATE, LYING AND BEING IN THE COUNTY OF LINCOLN, STATE OF NEVADA, AND MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THE NE 1/4 OF THE NW 1/4 OF SECTION 25, T. 4 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 LEFT OR WESTERLY RIGHT-OF-WAY LINE OF SR-317, 65.00 FEET LEFT OF AND AT RIGHT ANGLES TO HIGHWAY ENGINEER'S STATION "X13" 1039+00.00 P.O.T.; SAID POINT OF BEGINNING FURTHER DESCRIBED AS BEARING S. 5°49'33" W. A DISTANCE OF 751.46 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 25; SAID CORNER FURTHER DESCRIBED AS BEING A 3.25" GLO BRASS CAP ON 3" PIPE FLUSH WITH SANDY GROUND WITH NO MOUND OF STONE, STAMPED "T4S R66E 1/4 S24/25 1997"; THENCE ALONG THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1) N. 82°34'53" W. -35.00 FEET;
- 2) N. 7°25'07" E. -200.00 FEET;
- 3) S. 82°34'53" E. -50.00 FEET TO SAID 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) S. 7°25'07" W. -150.00 FEET;
- 2) N. 82°34'53" W. -15.00 FEET;
- 3) S. 7°25'06" W. -50.00 FEET TO THE POINT OF BEGINNING;

NOTE: THE ABOVE METES AND BOUNDS LEGAL DESCRIPTION APPEARED PREVIOUSLY IN THAT



CERTAIN DOCUMENT RECORDED AUGUST 11, 2009 IN BOOK 250, PAGE 129 AS INSTRUMENT NO. 134096.

EXCEPTING FROM ALL OF THE ABOVE DESCRIBED, ANY AND ALL RIGHTS OF WAY HERETOFORE GRANTED BY THE GRANTORS HEREIN OR THEIR PREDECESSORS IN INTEREST TO THE UNION PACIFIC RAILROAD CO., AND ITS PREDECESSORS IN INTEREST AND TO THE STATE OF NEVADA FOR HIGHWAY PURPOSES, WHICH SAID RIGHTS OF WAY ARE ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF SAID LINCOLN COUNTY, NEVADA.

PARCEL III:

THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHEAST QUARTER (NE1/4), THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHWEST QUARTER (NW1/4), THE EAST HALF (E1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 7, TOWNSHIP 4 SOUTH, RANGE 67 EAST, M.D.B.&M.

EXCEPTING FROM SECTION 7, TOWNSHIP 4 SOUTH, RANGE 67 EAST, THAT PORTION OF SAID LAND HERETOFORE CONVEYED TO THE INCORPORATED CITY OF CALIENTE BY DEED RECORDED IN BOOK "L-1" OF REAL ESTATE DEEDS, PAGE 345, LINCOLN COUNTY, NEVADA RECORDS.

FURTHER EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF NEVADA, DEPARTMENT OF TRANSPORTATION BY CORRECTED SALES DEED, DOCUMENT NO. 55665, BOOK 12, PAGE 441, RECORDED JANUARY 6, 1975, LINCOLN COUNTY, NEVADA.

FURTHER EXCEPTING FROM SECTION 7, TOWNSHIP 4 SOUTH, RANGE 67 EAST, THAT PORTION OF SAID LAND HERETOFORE CONVEYED TO LINCOLN COUNTY POST NO. 23 AMERICAN LEGION, THE HUGH JACOBSON POST NO. 7114, V.F.W. AND BARRACKS NO. 2287 VETERANS OF WORLD WAR 1 OF U.S.A., BY DEED RECORDED IN BOOK "L-1" OF REAL ESTATE DEEDS AT PAGE 346, LINCOLN COUNTY, NEVADA RECORDS.

FURTHER EXCEPTING FROM SECTION 7, TOWNSHIP 4 SOUTH, RANGE 67 EAST, THAT PORTION OF SAID LAND HERETOFORE CONVEYED TO RONAL YOUNG AND BETTY YOUNG, HUSBAND AND WIFE, BY DEED RECORDED IN BOOK "K-1" OF REAL ESTATE DEEDS AT PAGE 356, LINCOLN COUNTY, NEVADA RECORDS.

FURTHER EXCEPTING FROM SECTION 7, TOWNSHIP 4 SOUTH, RANGE 67 EAST, THAT PORTION OF SAID LAND CONVEYED TO THE UNITED STATES OF AMERICA BY DEED RECORDED JULY 26, 1963, IN BOOK "M-1" OF REAL ESTATE DEEDS AT PAGE 163 LINCOLN COUNTY, NEVADA RECORDS.

FURTHER EXCEPTING FROM SECTION 7, TOWNSHIP 4 SOUTH, RANGE 67 EAST, THAT PORTION OF SAID LAND CONVEYED TO RONAL YOUNG, ET UX, BY DEED RECORDED SEPTEMBER 3, 1969, IN BOOK "N-1" OF REAL ESTATE DEEDS AT PAGE 440 LINCOLN COUNTY, NEVADA RECORDS.

FURTHER EXCEPTING FROM SECTION 7, TOWNSHIP 4 SOUTH, RANGE 67 EAST, THOSE PORTIONS OF SAID LAND CONVEYED TO THE BOARD OF CO. COMMISSIONERS BY DEED RECORDED MAY 26, 1936, IN BOOK "E-1" OF REAL ESTATE DEEDS AT PAGE 90 AND RECORDED MAY 27, 1936, IN BOOK "E-1" OF REAL ESTATE DEEDS AT PAGE 91, LINCOLN COUNTY, NEVADA RECORDS.

FURTHER EXCEPTING FROM SECTION 7, TOWNSHIP 4 SOUTH, RANGE 67 EAST, ALL THAT PORTION OF SAID LAND CONVEYED TO THE STATE OF NEVADA, BY DEED RECORDED JUNE 16, 1967, IN BOOK N-1, OF REAL ESTATE DEEDS, PAGE 208 LINCOLN COUNTY, NEVADA RECORDS.

EXCEPTING FROM ALL OF THE ABOVE DESCRIBED, ANY AND ALL RIGHTS OF WAY HERETOFORE GRANTED BY THE GRANTORS HEREIN OR THEIR PREDECESSORS IN INTEREST TO THE UNION

PACIFIC RAILROAD CO., AND ITS PREDECESSORS IN INTEREST AND TO THE STATE OF NEVADA FOR HIGHWAY PURPOSES, WHICH SAID RIGHTS OF WAY ARE ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF SAID LINCOLN COUNTY, NEVADA.

PARCEL IV:

THAT PORTION OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHEAST QUARTER (NE1/4) (AND THAT PORTION OF THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 25, TOWNSHIP 4 SOUTH, RANGE 66 EAST, M.D.B.&M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCELS 1, 2, 3, AND 4 OF THAT CERTAIN PARCEL MAP FOR MEADOW VALLEY PROPERTIES RECORDED MARCH 27, 1984 IN THE OFFICE OF THE COUNTY RECORDER OF LINCOLN COUNTY, NEVADA IN BOOK A OF PLATS, PAGE 228 AS FILE NO. 79735, LINCOLN COUNTY, NEVADA RECORDS.

TOGETHER WITH AN EASEMENT FOR ACCESS AND UTILITY PURPOSES IS DESCRIBED AS FOLLOWS:

ALSO INCLUDING A PARCEL OR STRIP OF LAND FORTY (40) FEET IN TOTAL WIDTH BEING TWENTY (20) FEET WIDE ON EACH SIDE OF THE SURVEYED CENTER LINE OF A ROAD AND UTILITY EASEMENT FROM STATE HIGHWAY ENGINEERS STATION 421 + 67.07 ON THE CENTER LINE OF NEVADA STATE HIGHWAY RIGHT OF WAY NO. 55 FAS ROUTE 633 (PROJECT S-633(1)) TO THE FIVE ACRE PARCEL DESCRIBED IN THE ABOVE PARAGRAPHS; SAID CENTER LINE IS MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT HIGHWAY ENGINEER'S STATION 421 + 67.07 ON THE CENTERLINE OF SAID NEVADA STATE HIGHWAY RIGHT OF WAY;

THENCE ALONG THE CENTER LINE OF SAID ROAD AND UTILITY EASEMENT SOUTH 66°14' EAST, A DISTANCE OF 283.35 FEET TO A POINT ON A TANGENT CURVE;

THENCE CONTINUING ALONG SAID EASEMENT CENTER LINE BEING A CURVE TO THE RIGHT WITH A RADIUS OF 1,000.00 FEET, THROUGH AN ANGLE OF 4°49' AND AN ARC DISTANCE OF 84.07 FEET TO A POINT OF TANGENCY;

THENCE CONTINUING ALONG SAID CENTER LINE-SOUTH 61°24' EAST, A DISTANCE OF 227.15 FEET TO A POINT ON A TANGENT CURVE,

THENCE CONTINUING ALONG SAID CENTER LINE BEING A CURVE TO THE RIGHT WITH A RADIUS OF 100.00 FEET, THROUGH AN ARC ANGLE OF 50°28'30" AND AN ARC DISTANCE OF 88.10 FEET TO A POINT OF TANGENCY;

THENCE CONTINUING ALONG SAID CENTER LINE SOUTH 10°55'30" EAST, A DISTANCE OF 38.44 FEET TO A POINT ON A TANGENT CURVE;

THENCE CONTINUING ALONG SAID CENTER LINE BEING A CURVE TO THE RIGHT WITH A RADIUS OF 50.00 FEET, THROUGH AN ANGLE OF 72°45'30" AND AN ARC DISTANCE OF 63.49 FEET TO A POINT OF TANGENCY;

THENCE CONTINUING ALONG SAID EASEMENT CENTER LINE SOUTH 61°49' WEST A DISTANCE OF 150.17 FEET;

EXCEPT THE INTEREST IN THE PORTION OF SAID LAND CONVEYED TO COUNTY OF LINCOLN, STATE OF NEVADA, BY DEED RECORDED JANUARY 6, 1975 IN BOOK 12 OF OFFICIAL RECORDS AT



PAGE 441.

EXCEPTING FROM THE ENTIRE OF THE ABOVE DESCRIBED, ANY AND ALL RIGHTS OF WAY HERETOFORE GRANTED BY THE GRANTORS HEREIN OR THEIR PREDECESSORS IN INTEREST TO THE UNION PACIFIC RAILROAD CO., AND ITS PREDECESSORS IN INTEREST AND TO THE STATE OF NEVADA FOR HIGHWAY PURPOSES, WHICH SAID RIGHTS OF WAY ARE ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF SAID LINCOLN COUNTY, NEVADA.

TOGETHER WITH AND INCLUDING ANY AND ALL WATER RIGHTS THAT ARE APPURTENANT TO, USED ON, OR USED IN ASSOCIATION WITH THE ABOVE-DESCRIBED PROPERTY, AND INCLUDING THE FOLLOWING DESCRIBED WATER RIGHTS, AND ALL SUBJECT TO THE EXCEPTIONS AND RESERVATIONS STATED BELOW:

PERMIT NO. 10614, CERTIFICATE NO. 3211, AS APPEARING IN THE RECORDS OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, DIVISION OF WATER RESOURCES, OFFICE OF THE STATE ENGINEER: 147.83 ACRE-FEET SEASONALLY ("AFS") FOR IRRIGATION OF AND DOMESTIC USE ON 40.8 ACRES OF LAND FROM A WELL, EXCEPTING THEREFROM THIRTY-EIGHT AND 044/1000 (38.044) AFS FOR IRRIGATION AND DOMESTIC FROM THE SAID WELL;

PERMIT NO. 29834, CERTIFICATE NO. 10491, AS APPEARING IN THE RECORDS OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, DIVISION OF WATER RESOURCES, OFFICE OF THE STATE ENGINEER: 80.34 ACRE-FEET ANNUALLY ("AFA") FOR IRRIGATION OF AND DOMESTIC USE ON 17.7 ACRES OF LAND FROM A WELL, EXCEPTING THEREFROM SEVENTY-FIVE (75) AFA, SUCH EXCEPTION BEING WITHOUT A RIGHT OF USE OF OR ACCESS TO THE WELL;

PROOF NO. 01076, "FINDINGS OF FACT, CONCLUSIONS OF LAW, JUDGEMENT AND DECREE" DATED JUNE 9, 1999, CASE NO. 5706 IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF LINCOLN, "IN THE MATTER OF DETERMINATION OF THE RELATIVE RIGHTS IN AND TO THE WATERS OF CAMP VALLEY CREEK, EAGLE VALLEY CREEK PANACA BIG SPRING, CLOVER VALLEY WASH, MEADOW VALLEY WASH AND THEIR TRIBUTARIES IN LINCOLN AND CLARK COUNTIES, NEVADA", AND ALSO AS APPEARING IN THE RECORDS OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, DIVISION OF WATER RESOURCES, OFFICE OF THE STATE ENGINEER: 1.647 CFS AND 329 AFS FOR IRRIGATION, STOCKWATER AND DOMESTIC USE ON 65.8 ACRES FROM MEADOW VALLEY WASH, EXCEPTING THEREFROM NINETY-NINE (99) AFS, SUCH EXCEPTION BEING WITHOUT A RIGHT OF USE OR ACCESS TO OR ACROSS ANY OF THE ABOVE-DESCRIBED LANDS;

PERMIT NO. 9935, CERTIFICATE NO. 2483, AS APPEARING IN THE RECORDS OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, DIVISION OF WATER RESOURCES, OFFICE OF THE STATE ENGINEER: 71.0 AFS OF IRRIGATION OF 16.7 ACRES OF LAND FROM A WELL; AND

PERMIT NO. 28559, CERTIFICATE NO. 9056, AS APPEARING IN THE RECORDS OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, DIVISION OF WATER RESOURCES, OFFICE OF THE STATE ENGINEER: 8.675 AFA FOR IRRIGATION OF 1.735 ACRES OF LAND FROM A WELL.