

File No. 38650

The Western Pacific Railroad Company )  
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  )  
The State of Nevada )

EASEMENT DEED

THE WESTERN PACIFIC RAILROAD COMPANY, a corporation, Grantor, hereby GRANTS to the STATE OF NEVADA, Grantee, a non-exclusive easement for the location, construction, use and maintenance of a public highway by means of an overhead structure over and across that certain real property situate in the County of Eureka, State of Nevada, described as follows:

A portion of the southeast quarter of the southwest quarter of Section 25 and the northeast quarter of the northwest quarter of Section 36, all in Township 33 North, Range 48 East, M.D.B. & M., more particularly described as follows:

Beginning at the point of intersection of the westbound lane of State Route No. 1 (Interstate Route 80) Project I-080-4(6)254 and the westerly property line of the Western Pacific Railroad Company, said point being further described as lying 100.0 feet westerly measured at right angles from Engineer's Station 4096+90.13 located on the center line of the Western Pacific Railroad Company main track, said point of beginning also being North 88° 06' 00" East, a distance of 1692.62 feet from the southwest corner of said Section 25; thence from said point of beginning North 12° 07' 01" West (Western Pacific bearing North 13° 35' West) along said

westerly property line, a distance of 217.26 feet; thence on the arc of a curve to the right (tangent bears South 79° 18' 56" East) having a radius of 13,200.00 feet, through a central angle of 00° 56' 42", an arc distance of 217.71 feet, to a point on the easterly property line of The Western Pacific Railroad Company; thence South 12° 07' 01" East (Western Pacific bearing South 13° 35' East) along said easterly property line, a distance of 533.95 feet; thence on the arc of a curve to the left (tangent bears North 77° 05' 50" West), having a radius of 12,800.00 feet, through a central angle of 00° 59' 03", an arc distance of 219.87 feet, to a point on said westerly property line; thence North 12° 07' 01" West (Western Pacific bearing North 13° 35' West) along said westerly property line, a distance of 311.45 feet, to the point of beginning.

Containing an area of 2.44 acres, more or less.

In the event the property herein described or any part thereof shall ever cease to be used for the purpose provided in this deed, said easement, or such part thereof as shall have ceased to be so used, and all right, title and interest of Grantee therein shall revert to Grantor, its successors or assigns.

This instrument is subject to all valid existing contracts, leases, liens, encumbrances or claims of title which may affect the said property herein described, and the word "grant" as used herein shall not be construed as a covenant against the existence of any thereof.

IN WITNESS WHEREOF, Grantor has, by its officers thereunto duly authorized by resolution of its Board of Directors, a certified copy of which resolution is hereunto attached, signed its corporate name and affixed its corporate seal this 8th day of May, 1963.

(CORPORATE SEAL)

THE WESTERN PACIFIC RAILROAD COMPANY

By F. B. Whitman  
(President)

By Logan Paine  
(Secretary)

STATE OF CALIFORNIA )  
 ) ss.  
CITY AND COUNTY OF SAN FRANCISCO )

On this 8th day of May, 1963, before me, EMMA N. McCLURE, A Notary Public in and for the City and County of San Francisco, State of California, residing therein, duly commissioned and sworn, personally appeared F. B. WHITMAN and LOGAN PAINE, known to me to be the President and the Secretary, respectively, of THE WESTERN PACIFIC RAILROAD COMPANY, the corporation described in and that executed the within instrument, and they acknowledged to me that such corporation executed the same pursuant to a resolution of its Board of Directors.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the City and County of San Francisco, the day and year in this certificate first above written.

(NOTARIAL SEAL)

Emma N. McClure  
EMMA N. McCLURE  
Notary Public  
in and for the City and County of San  
Francisco, State of California

My Commission expires April 5, 1967.

I, LOGAN PAINE, Secretary of THE WESTERN PACIFIC RAILROAD COMPANY, a corporation, as such Secretary, do hereby CERTIFY that at a Regular meeting of the Board of Directors of said corporation, held at the office of said corporation on the 7th day of May, 1963, at which a quorum of said Board was present, a resolution was duly and regularly passed in the words and figures following, to wit:

RESOLVED, that this corporation execute and deliver to the STATE OF NEVADA, a grant deed, subject to all valid existing contracts, leases, liens, encumbrances or claims of title which may affect the property hereinafter described, of a non-exclusive easement for the location, construction, use and maintenance of a highway by means of an overhead structure over and across that certain real property situate in the County of Eureka, State of Nevada, described as follows:

A portion of the southeast quarter of the southwest quarter of Section 25 and the northeast quarter of the northwest quarter of Section 36, all in Township 33 North, Range 48 East, M.D.B. & M., more particularly described as follows:

Beginning at the point of intersection of the westbound lane of State Route No. 1 (Interstate Route 80) Project I-080-4(6)254 and the westerly property line of The Western Pacific Railroad Company, said point being further described as lying 100.0 feet westerly measured at right angles from Engineer's Station 4096+90.13 located on the center line of The Western Pacific Railroad Company main track, said point of beginning also being North 88° 06' 00" East, a distance of 1692.62 feet from the southwest corner of said Section 25; thence from said point of beginning North 12° 07' 01" West (Western Pacific bearing North 13° 35' West) along said westerly property line, a distance of 217.26 feet; thence on the arc of a curve to the right (tangent bears South 79° 18' 56" East) having a radius of 13,200.00 feet, through a central angle of 00° 56' 42", an arc distance of 217.71 feet, to a point on the easterly property line of The Western Pacific Railroad Company; thence South 12° 07' 01" East (Western Pacific bearing South 13° 35' East) along said easterly property line, a distance of 533.95 feet; thence on the arc of a curve to the left (tangent bears North 77° 05' 50" West), having a radius of 12,800.00 feet, through a central angle of 00° 59' 03", an arc distance of 219.87 feet, to a point on said westerly property line; thence North 12° 07' 01" West (Western Pacific bearing North 13° 35' West) along said westerly property line, a distance of 311.45 feet to the point of beginning.

Containing an area of 2.44 acres, more or less.

Said deed shall provide that in the event said property or any part thereof shall ever cease to be used for the purpose provided in said deed, said easement, or such part thereof as shall have ceased to be so used, and all right, title and interest of Grantee in said deed, shall revert to this corporation, its successors or assigns.

BE IT FURTHER RESOLVED, that the President or any Vice President and the Secretary or any Assistant Secretary of this corporation be and they are hereby authorized and directed to execute said deed on behalf of this corporation and in its name and under its seal.

BE IT FURTHER RESOLVED, that the Secretary or any Assistant Secretary of this corporation be and he is hereby authorized and directed to attach to said deed a copy of this resolution duly certified to by him as such Secretary or Assistant Secretary, and under the seal of this corporation."

I FURTHER CERTIFY that said resolution has not been revoked or amended and that the same is now in full force and effect at the time of the execution of the attached deed.

IN WITNESS WHEREOF, I have hereunto signed my name as such Secretary and affixed the seal of said corporation this 8th day of May, 1963.

((CORPORATE SEAL))

Logan Paine

Secretary of  
THE WESTERN PACIFIC RAILROAD COMPANY

RECORDED AT THE REQUEST OF W. O. Wright August 21 A.D. 1963 At 11 minutes past 4 P.M.

Willis A. DePaoli - Recorder  
By Helen E. Halstead - Deputy