

OPTION TO PURCHASE REAL PROPERTY

In consideration of the sum of TEN DOLLARS (\$10.00), paid to the undersigned, WILLIAM EARL POLLARD and LOIS POLLARD, hereinafter referred to as SELLERS, the receipt of which consideration is hereby acknowledged, SELLERS hereby give to CAL-NEVA ENTERPRISES, hereinafter referred to as PURCHASER, an option to purchase for the further sum of THIRTY-NINE THOUSAND DOLLARS PLUS A SUM EQUAL TO THE INTEREST, POINTS, COSTS, ATTORNEY'S FEES, VALUE OF ANY PLANTED CROP ON THE PREMISES, AND THE COST OF ANY LAND CLEARING AND ANY OTHER IMPROVEMENTS ON THE PREMISES, incurred by SELLERS in the acquisition and development of said premises, hereinafter referred to as the purchase price, that certain real property situate in Diamond Valley, County of Eureka, State of Nevada, more particularly described as follows, to-wit:

Lots three (3) and four (4) in, and the South one-half ($S\frac{1}{2}$) of the Northwest quarter ($NW\frac{1}{4}$) of, Section Five (5), Township Twenty-one North (T21N), Range Fifty-four East (R54E), Mount Diablo Base and Meridian, containing 319.90 acres, more or less, together with all improvements thereon situate;

TOGETHER WITH all other rights of every kind and nature, however evidenced, to the use of water, ditches, and other accessories utilized for the irrigation or drainage of said premises, including the water rights now appurtenant to said premises under Applications for Permit to Appropriate the Public Waters of the State of Nevada, bearing Serial No's. 18850 and 19015 now on file and of record in the office of the State Engineer at Carson City, Nevada, reference thereto being made for greater certainty and particularity;

TOGETHER WITH the following described personal property situate upon the above-described real property:

- 2 Turbine deep well pumps
- 1 Caterpillar diesel engine
- 1 Cummins diesel engine
- 1 Valley Sprinkler System,

said option to expire on the 15th day of May, 1967, PROVIDED, HOWEVER, that in consideration of the procurement by Purchaser of an extension of the maturity

1 date of that certain promissory note in the principal sum of \$5,500.00, of which
 2 SELLERS are the makers and JOHN VAN DAILE and J. HARVEY JATHO, of even
 3 date herewith, SELLERS will grant PURCHASER an extension of this option for
 4 a like period of time, PROVIDED FURTHER, that such extensions of the afore-
 5 mentioned note maturity date and of this option shall in no case exceed one year
 6 from the original respective maturity date and expiration date.

8 In the event PURCHASER elects to exercise this option, the terms and
 9 conditions of paying the purchase price shall be;

10 1. Assumption by PURCHASER of encumbrance on premises in favor of
 11 TOM RUTHERFORD and HELEN RUTHERFORD;

12 2. Cash payment to SELLERS at time of exercise of option of the differ-
 13 ence between the amount of the encumbrance referred to next above and the pur-
 14 chase price;

15 3. Procurement of a reassignment by JOHN VAN DAELE and J. HARVEY
 16 JATHO to SELLERS of the note and deed of trust assigned by SELLERS as secur-
 17 ity for that certain \$5,500.00 note of even date herewith made by SELLERS
 18 JOHN VAN DAELE and J. HARVEY JATHO, said reassignment to be executed
 19 at such time as SELLERS discharge by payment the aforementioned \$5,500.00
 20 note.
 21 note.

22 At such time as PURCHASER complies with the terms and conditions set
 23 forth in Paragraph 1 and 2 above, SELLERS shall execute a quit-claim deed to
 24 the premises in favor of PURCHASER.
 25 the premises in favor of PURCHASER.

26 If PURCHASER shall exercise this option, taxes for the current year
 27 shall be apportioned as of the date of delivery of the deed by SELLERS, and
 28 possession of the premises shall be delivered to PURCHASER AT such time.
 29 possession of the premises shall be delivered to PURCHASER AT such time.

30 *William Earl Pollard*
 WILLIAM EARL POLLARD

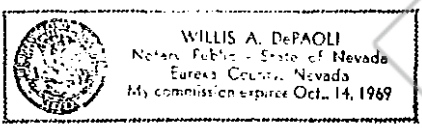
31 *Lois Pollard*
 LOIS POLLARD

1 STATE OF NEVADA,)
2 : SS.
3 COUNTY OF EUREKA.)

4 On the 8th day of February, 1967, before me, the undersigned, a
5 Notary Public in and for said County and State, personally appeared WILLIAM
6 EARL POLLARD and LOIS POLLARD, known to me to be the persons described
7 in and who executed the foregoing instrument, who acknowledged to me that they
8 executed the same freely and voluntarily and for the uses and purposes therein
9 mentioned.

10 WITNESS my hand and official seal.

Willis A. DePaoli
NOTARY PUBLIC in and for said
County and State.



44271

File No. 44271
RECORDED AT THE REQUEST OF
First National Bank of Nevada
February 17 A. D. 19 67
at 05 minutes past 11 A. M.
in Book 18 of OFFICIAL RECORDS
Page 130-132 Records of
EUREKA COUNTY, NEVADA
Willis A. DePaoli
Recorder
Fee \$ 3.55