

AMENDED WARRANTY DEED

THIS AMENDED WARRANTY DEED, made this 6th day of November, 1967, by and between MATILDA HADLEY (a widow) and ROBERT HAROLD HADLEY, JR., Joint Trustees of HADLEY TRUST, and MARY HADLEY, wife of ROBERT HAROLD HADLEY, JR., of the County of Elko, State of Nevada, First Parties, and THE UNITED STATES OF AMERICA, Second Party,

W I T N E S S E I H:

THAT WHEREAS, the Grantors and First Parties herein executed a Warranty Deed to the Second Party, under date of September 22, 1966, to certain real property therein described, as a portion of an exchange of land between said parties, and

WHEREAS, certain covenants of the Warranty Deed require clarification and certain errors existed in said Warranty Deed;

NOW, THEREFORE, the said First Parties, for and in consideration of the exchange of certain lands, as authorized by section 8 of the Act of June 28, 1934 (48 Stat. 1272), as amended by section 3 of the Act of June 26, 1936 (49 Stat. 1976), do by these presents grant, bargain and sell unto the said Second Party, and to its assigns forever, all those certain lots, pieces and parcels of land situate, lying and being in the Counties of Elko and Eureka, State of Nevada, more particularly described as follows, to-wit:

PARCEL I:

Township 37 North, Range 51 East, M.D.B. & M.

Section 26: SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; S $\frac{1}{2}$ NW $\frac{1}{4}$ ; N $\frac{1}{2}$ SE $\frac{1}{4}$   
27: N $\frac{1}{2}$ NE $\frac{1}{4}$ ; NE $\frac{1}{4}$ NW $\frac{1}{4}$   
35: SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ SE $\frac{1}{4}$

Township 33 North, Range 52 East, M.D.B. & M.

Section 1: All

5: Lot 4; SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; SW $\frac{1}{4}$ ; S $\frac{1}{2}$ SE $\frac{1}{4}$ ; EXCEPTING from the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , and Lot 4, a strip of land lying on each side of the centerline of Federal Aid Secondary 584, as conveyed to the STATE OF NEVADA by Deed dated January 10, 1966, recorded in Book 76, Official Records, page 144, Elko County Recorder's Office, contained within the following description, and being 200.00 feet in width, 100.00 feet wide on each side of said centerline, from Highway Engineer's Station "O<sub>1</sub>" 167+40.07 P.O.T., through Highway Engineer's Equation "O<sub>1</sub>" 171+77.11 P.O.T. equals "A" 171+74.62 P.T., to Highway Engineer's Station "A" 180+75.00 P.O.T., and between Highway Engineer's Stations "A" 227+23.00 P.O.T., and "A" 236+21.62 P.O.T., said centerline being more fully described as follows, to-wit:

SE $\frac{1}{4}$ SE $\frac{1}{4}$  Exception:

Beginning at the intersection of the centerline of Federal Aid Secondary 584 and the east boundary of Section 5, T. 33 N., R. 52 E., M.D.B. & M., at Highway Engineer's Station "O<sub>1</sub>" 167+40.07 P.O.T.; said point of beginning further described as bearing North, a distance of 299.69 feet from the southeast corner of said Section 5; thence N. 35°22'46" W., along said centerline a distance of 246.90 feet to a point; thence N. 36°50'10" W., continuing along said centerline a distance of 190.14 feet to Highway Engineer's Station Equation "O<sub>1</sub>" 171+77.11 P.O.T. equals "A" 171+74.62 P.T.; thence N. 36°50'10" W., continuing along said centerline a distance of 900.38 feet to the point of ending at the intersection of said centerline and the north boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 5, at Highway Engineer's Station "A" 180+75.00 P.O.T.; said parcel contains an area of 6.1 acres, more or less.

Lot 4 Exception:

Beginning at the intersection of the centerline of Federal Aid Secondary 584 and the east boundary of Lot 4, Section 5, T. 33 N., R. 52 E., M.D.B. & M., at Highway Engineer's Station "A" 227+23.00 P.O.T.; thence N. 47°32'30" W. along said centerline a distance of 898.62 feet to the point of ending at the intersection of said centerline and the north boundary of said Section 5, at Highway Engineer's Station "A" 236+21.62 P.O.T.; said point of ending further described as bearing East, a distance of 571.01 feet from the northwest corner of said Section 5; said parcel contains an area of 4.1 acres, more or less.

Section 12: E $\frac{1}{2}$ 

13: All

21: N $\frac{1}{2}$ ; SE $\frac{1}{4}$ ; E $\frac{1}{2}$ SW $\frac{1}{4}$ ; SW $\frac{1}{4}$ SW $\frac{1}{4}$ 24: E $\frac{1}{2}$ W $\frac{1}{2}$

Township 34 North, Range 52 East, M.D.B. & M.

Section 13: All

25: All

EXCEPTING from Sections 13 and 25 above, all petroleum, oil, natural gas and products derived therefrom within or underlying said lands or that may be produced therefrom, all rights thereto, together with the exclusive right at all times to enter on or in said land to prospect for and to drill, bore, recover and remove the same, as reserved by Southern Pacific Company.

- 31: Lots 3 and 4; E $\frac{1}{4}$ SW $\frac{1}{4}$ ; S $\frac{1}{2}$ SE $\frac{1}{4}$ ; EXCEPTING from the SE $\frac{1}{4}$ SE $\frac{1}{2}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$  a strip of land conveyed by Deed dated January 10, 1966, executed by MATILDA HADLEY, ROBERT H. HADLEY, JR. and WILLIAM L. HADLEY to the STATE OF NEVADA, recorded November 22, 1966, in Book 76, Official Records, page 144, Elko County Recorder's Office, and being 200.00 feet in width, 100.00 feet wide on each side of the centerline for Federal Aid Secondary 584, between Highway Engineer's Stations "A"243+94.25 P.O.T., and "A"255+91.00 P.O.T.; also a triangular parcel of land lying left or southwesterly of said centerline and between Highway Engineer's Stations "O $\frac{1}{2}$ "277+91.00 P.O.C., and "O $\frac{1}{2}$ "278+38.00 P.O.C., said centerline being more fully described as follows, to-wit:

SE $\frac{1}{4}$ SE $\frac{1}{2}$  Exception:

Beginning at the intersection of the centerline of Federal Aid Secondary 584 and the east boundary of Section 31, T. 34 N., R. 52 E., M.D.B.&M., at Highway Engineer's Station "A"243+94.25 P.O.T.; said point of beginning further described as bearing N. 0°06'29" E., a distance of 521.57 feet from the southeast corner of said Section 31; thence N. 47°32'30" W., along said centerline a distance of 1196.75 feet to the point of ending at the intersection of said centerline and the north boundary of the SE $\frac{1}{4}$  of the SE $\frac{1}{2}$  of said Section 31, at Highway Engineer's Station "A"255+91.00 P.O.T., said parcel contains an area of 5.5 acres, more or less.

NE $\frac{1}{4}$ SW $\frac{1}{4}$  Exception:

Said triangular piece or parcel of land more fully described as follows:

Beginning at the northeast corner of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 31, T. 34 N., R. 52 E., M.D.B. & M.; thence South, a distance of 22.00 feet to an intersection with the southwesterly 100.00 foot right of way line for F.A.S. 584, thence along a curve to the left with a radius of 9900 feet, an arc distance of 47.00 feet to a point; thence East, a distance of 36.00 feet to the point of beginning; said parcel contains an area of 0.01 of an acre, more or less.

Township 34 North, Range 52 East, M.D.B. & M. (Continued)Section 35:  $E\frac{1}{2}NE\frac{1}{4}$ ;  $SW\frac{1}{4}NE\frac{1}{4}$ ;  $SE\frac{1}{4}$ Township 37 North, Range 52 East, M.D.B. & M.

Section 2:  $SE\frac{1}{4}SW\frac{1}{4}$ ;  $SW\frac{1}{4}SE\frac{1}{4}$   
 11:  $NE\frac{1}{4}$ ;  $E\frac{1}{2}W\frac{1}{2}$ ;  $SW\frac{1}{4}SE\frac{1}{4}$   
 14:  $W\frac{1}{2}NW\frac{1}{4}$   
 17:  $NW\frac{1}{4}NW\frac{1}{4}$   
 18:  $NE\frac{1}{4}NE\frac{1}{4}$

Township 33 North, Range 53 East, M.D.B. & M.

Section 5: All  
 6: Lots 4, 5, 6 and 7 ( $W\frac{1}{2}W\frac{1}{2}$ )  
 7: All  
 8:  $W\frac{1}{2}NW\frac{1}{4}$ ;  $SE\frac{1}{4}NW\frac{1}{4}$

Township 34 North, Range 53 East, M.D.B. & M.

Section 16:  $SE\frac{1}{4}NW\frac{1}{4}$ ;  $NW\frac{1}{4}SW\frac{1}{4}$   
 20:  $NE\frac{1}{4}SW\frac{1}{4}$ ;  $SW\frac{1}{4}SW\frac{1}{4}$   
 30:  $SE\frac{1}{4}NE\frac{1}{4}$ ;  $W\frac{1}{2}SE\frac{1}{4}$

PARCEL II:Township 33 North, Range 52 East, M.D.B. & M.

Section 28:  $NE\frac{1}{4}NW\frac{1}{4}$ ;  $SW\frac{1}{4}NW\frac{1}{4}$ ;  $NE\frac{1}{4}SW\frac{1}{4}$ ; EXCEPTING THEREFROM a parcel of land in the  $SW\frac{1}{4}NW\frac{1}{4}$  of Section 28 conveyed by MATILDA HADLEY, ROBERT H. HADLEY, JR. and WILLIAM L. HADLEY by Deed dated July 22, 1965, to the STATE OF NEVADA, recorded December 27, 1965, in Book 63, Official Records, page 495, Elko County, Nevada, contained within the following description:

Beginning at the intersection of the westbound centerline of Interstate Route 80 with the east boundary of the  $SW\frac{1}{4}NW\frac{1}{4}$  of Section 28, T.33N., R.52 E., M.D.B. & M., at Highway Engineer's Station "OW" 75+78.27 P.O.C., said point of beginning further described as bearing  $N.74^{\circ}22'13''$  E., a distance of 1441.21 feet from the west quarter corner of said Section 28; thence  $S.0^{\circ}45'22''$  W. along the east boundary of the  $SW\frac{1}{4}NW\frac{1}{4}$  of said Section 28, a distance of 324.09 feet to a point on the right or southerly highway right of way line of I.R.-80(S.R.-1); thence from a tangent which bears  $S.81^{\circ}24'06''$  W., curving to the left with a radius of 1950 feet through an angle of  $2^{\circ}39'42''$ , an arc distance of 90.59 feet to a point on said right or southerly highway right of way line; thence from a tangent which bears  $S.78^{\circ}44'24''$  W., curving to the left along said highway right of way line with a radius of 4800 feet through an angle of  $3^{\circ}57'34''$ , an arc distance of 331.11 feet to a point on the south boundary of the  $NW\frac{1}{4}$  of said Section 28; thence  $N.88^{\circ}23'20''$  W., along the south boundary of the  $NW\frac{1}{4}$  of said Section 28 a distance of 971.96 feet to the west quarter corner of said Section 28; thence  $N.0^{\circ}03'51''$  E., along the west boundary of said Section 28 a distance of 157.16 feet to a point on the left or northerly highway right of way line of I.R.-80(S.R.-1); thence from a tangent which bears  $N.65^{\circ}08'25''$  E., curving to the right along said highway right of way line with a radius of 5308 feet, through an angle of  $15^{\circ}44'29''$ , an arc distance of 1458.32 feet to a point on the east boundary of the  $SW\frac{1}{4}NW\frac{1}{4}$  of said Section 28; thence  $S.0^{\circ}45'22''$  W. along the east boundary of the  $SW\frac{1}{4}NW\frac{1}{4}$  of said Section 28 a distance of 193.63 feet to the point of beginning; said parcel contains an area of 13.20 acres, more or less.

SUBJECT TO the following reservations, rights of way and easements:

1. A right of way over the South half of Section 31, Township 34 North, Range 52 East, M.D.B. & M., for communication and incidental purposes over a 16½ foot strip in width, as granted by CENTRAL PACIFIC RAILWAY COMPANY to the BELL TELEPHONE COMPANY OF NEVADA, by Deed recorded December 24, 1913, in Book 35 of Deeds at page 512, Elko County, Nevada, Records.
2. A right of way over the S½SE¼ of Section 31, Township 34 North, Range 52 East, M.D.B. & M. for State Highway and other incidental purposes over a sixty-foot strip in width, as granted by ESTATE OF WILLIAM DUNPHY to STATE OF NEVADA, by document recorded January 31, 1921, in Book 39 of Deeds at page 30, Elko County, Nevada, Records.
3. A right of way over Lot 4 and the SE¼ of Section 5, Township 33 North, Range 52 East, M.D.B. & M., for State Highway and other incidental purposes over a sixty-foot strip in width as granted by ESTATE OF WILLIAM DUNPHY to STATE OF NEVADA by document recorded January 31, 1921, in Book 39 of Deeds, at page 31, Elko County, Nevada, Records.
4. A right of way over the NE¼NW¼ of Section 28, Township 33 North, Range 52 East, M.D.B. & M., and portion of Section 31, Township 34 North, Range 52 East, M.D.B. & M., for communication and other incidental purposes over a twenty-foot strip in width along with a right of ingress and egress, as granted by T. S. CATTLE CO. to BELL TELEPHONE COMPANY OF NEVADA, by document recorded April 1, 1929, in Book 44 of Deeds at page 541, Elko County, Nevada, Records.
5. A right of way over the SW¼ of Section 24, Township 33 North, Range 52 East, M.D.B. & M., for communication and incidental purposes over a twenty-foot strip in width, as granted by the HORSESHOE CATTLE COMPANY to the BELL TELEPHONE COMPANY OF NEVADA, by Deed recorded April 24, 1942, in Book 51 of Deeds at page 374, Elko County, Nevada, Records.
6. Right of way twenty feet in width granted BELL TELEPHONE COMPANY OF NEVADA to construct, place, inspect, maintain, repair, replace, use, operate and patrol under aerial and underground wires, cables, and other electric power lines with associated poles, conduits, manholes, marker posts and other appurtenances recorded April 13, 1942, in Book 51 of Deeds at page 339, Elko County, Nevada, Records.
7. Reservation contained in Deed conveying all Section 13 and part Section 25, Township 34 North, Range 52 East, M.D.B. & M., to DEAN WITTER from SOUTHERN PACIFIC LAND COMPANY, recorded June 6, 1949, in Book 57 of Deeds at page 58, Elko County, Nevada, Records.
8. Reservation in Deed from DEXTRA BALDWIN McGONAGLE to BALDWIN M. BALDWIN, recorded June 22, 1956, in Book 70 of Deeds at page 1, Elko County, Nevada, Records.
9. Reservation in Deed from BALDWIN M. BALDWIN to R. H. HADLEY, recorded January 10, 1957, in Book 71 of Deeds at page 165, Elko County, Nevada, Records.



10. Right of Way and Easement fifty feet in width over portions of Sections 13 and 21, Township 33 North, Range 52 East, M.D.B. & M., along with a right of ingress and egress to construct, maintain and operate thereon a pipeline or pipelines with appurtenances, for the transmission of natural gas, and a road, as granted SOUTHWEST GAS CORPORATION by HADLEY TRUST by document recorded September 16, 1964, in Book 49 of Official Records at page 22, Elko County, Nevada, Records.
11. Waiver of any claim for any and all damages to lands adjacent to a public highway through the S $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 28, Township 33 North, Range 52 East, M.D.B. & M., by reason of the location, construction, landscaping and maintenance of said highway and appurtenances as granted the STATE OF NEVADA by MATILDA HADLEY, ROBERT H. HADLEY, JR. and WILLIAM L. HADLEY in Deed dated July 22, 1965, recorded December 27, 1965, in Book 63 of Official Records, page 495, Elko County, Nevada. Said Deed also relinquishes any and all abutters' and access rights.
12. Option & Agreement for Sale of Materials consisting of rock, sand and earth until October 30, 1970, from the NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 5, Township 33 North, Range 52 East, M.D.B. & M., dated November 1, 1965, executed by MATILDA HADLEY, ROBERT H. HADLEY, JR. and WILLIAM L. HADLEY to the STATE OF NEVADA, recorded May 31, 1966, in Book 69 of Official Records at page 168, Elko County, Nevada.
13. Option & Agreement for Sale of Materials consisting of rock, sand and earth until September 30, 1970, from the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 24, and the SW $\frac{1}{4}$  of Section 13, Township 33 North, Range 52 East, M.D.B. & M., dated October 5, 1965, executed by MATILDA HADLEY, ROBERT H. HADLEY, JR. and WILLIAM L. HADLEY to the STATE OF NEVADA, recorded May 31, 1966, in Book 69 of Official Records at page 170, Elko County, Nevada.
14. Waiver of any claim for any and all damages to lands adjacent to a public highway through portions of Section 5, Township 33 North, Range 52 East, M.D.B. & M., and Section 31, Township 34 North, Range 52 East, M.D.B. & M., by reason of the location, construction, landscaping and maintenance of said highway and appurtenances as granted the STATE OF NEVADA by MATILDA HADLEY, ROBERT H. HADLEY, JR. and WILLIAM L. HADLEY in Deed dated January 10, 1966, and recorded November 22, 1966, in Book 76 of Official Records, page 144, Elko County, Nevada.
15. A right of way over the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 28, Township 33 North, Range 52 East, M.D.B. & M., for state highway and other incidental purposes, of varying widths described therein, conveyed by Deed to the STATE OF NEVADA, recorded in Book 49 of Deeds at page 564, Elko County, Nevada, Records.

TOGETHER WITH any and all improvements situate thereon.

RESERVING, HOWEVER, to the First Parties, their heirs, administrators, executors, successors or assigns, all

right, title and interest to coal, oil, gas and other minerals of every kind and nature whatsoever existing upon, beneath the surface of, or within said lands, including the rights to the use of so much of the surface thereof as may be required in prospecting for, in locating, developing, producing and transporting said coal, oil, gas or minerals and any of their by-products. First Parties covenant that rock, sand and earth are not reserved by this paragraph. Upon termination of the options and agreements set forth above as items 12 and 13 respectively, that the remaining right to rock, sand and earth on the lands described by and in said items 12 and 13 shall become the property of the United States of America.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said Second Party, and to its assigns forever.

And the said First Parties, for themselves, their heirs, executors, administrators, successors and assigns, do hereby covenant, grant, bargain and agree to and with the said Second Party, and to its assigns, that at the time of the unsealing and delivery of these presents, they are well seized of the premises above conveyed as of a good, absolute and indefeasible estate, and have lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, liens, taxes, assessments and encumbrances of what kind and nature soever, and the above bargained premises in the quiet and peaceable possession of said Second Party, and its assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said First Parties will warrant and forever defend against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the First Parties have hereunto set their hands as of the day and year in this instrument first

above written.

NO I.R.S. REQUIRED.  
AFFIXED TO ORIGINAL WARRANTY DEED

# HADLEY TRUST

By /s/ Matilda Hadley  
MATILDA HADLEY - Joint Trustee

/s/ Robert Harold Hadley, Jr.  
ROBERT HAROLD HADLEY, JR.,  
Joint Trustee

/s/ Mary Hadley  
MARY HADLEY, wife of ROBERT HAROLD  
HADLEY, JR.

STATE OF OREGON, }  
COUNTY OF WALLOWA. } SS.

On Nov 6, 1967, personally appeared before me, a Notary Public, MATILDA HADLEY, one of the Joint Trustees of the HADLEY TRUST, who acknowledged that she executed the above instrument.

**SEAL**  
AFFIXED

/s/ JACK COLEMAN  
NOTARY PUBLIC.

STATE OF OREGON, }  
COUNTY OF WALLOWA. } SS.

On Nov 6, 1967, personally appeared before me, a Notary Public, ROBERT HAROLD HADLEY, JR., one of the Joint Trustees of the HADLEY TRUST, who acknowledged that he executed the above instrument.

**SEAL**  
AFFIXED

/s/ JACK COLEMAN  
NOTARY PUBLIC.

STATE OF OREGON, }  
COUNTY OF WALLOWA. } SS.

On Nov 6, 1967, personally appeared before me, a Notary Public, MARY HADLEY, wife of ROBERT HAROLD HADLEY, JR., who acknowledged that she executed the above instrument.

**SEAL**  
AFFIXED

/s/ JACK COLEMAN  
NOTARY PUBLIC.

*File No. 33611*  
FILED FOR RECORD  
AT REQUEST OF  
*Nevada Title Guaranty Co.*  
Nov 17 4 32 PM '67  
RECORDED BOOK 89 PAGE 69  
ESTHER H. SNELTON  
ELKO COUNTY RECORDER  
*Fee N/C*



I, ESTHER N. SKELTON County Recorder in and for Elko County, do hereby certify that I have compared the foregoing with the original record thereof as the same appears in my office under File Number 33611 and recorded in Volume 89 of Official Records, Page 69 and that the foregoing document is a full, true and correct transcript, therefrom, and of the whole of such original record.

WITNESS my hand and official seal hereunto set this 17th day of November A.D. 19 67.

Esther N. Skelton  
County Recorder  
By Shirley Harris  
Deputy Recorder

RECORDED AT THE REQUEST OF  
Nevada Title Guaranty Co.  
on November 20, 19 67  
at 02 mins. past 8 A. M.  
in Book 20 of OFFICIAL  
RECORDS, page 100-108 RECORDS  
OF BUREKA COUNTY, NEVADA  
Willis A. McFarlane  
Recorder.  
File No. 45487 Fee No Fee