

56146

NOTICE OF CONTRACT OF SALE

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that J. NORMAN REBALEATI and MAXINE REBALEATI, his wife, of Eureka, Eureka County, Nevada, as Sellers, have on the 26<sup>TH</sup> day of JULY, 1972, sold to MT. WHEELER POWER, INC., a nonstock, nonprofit cooperative corporation organized and existing under and by virtue of the laws of the State of Nevada, as Buyer, by Agreement dated the 19th day of May, 1971, deposited in Escrow in the First National Bank of Nevada, Eureka Branch, Eureka, Nevada, to which Escrow reference is made for particulars of this sale, all that certain property situated in the County of Eureka, State of Nevada, and more particularly described as follows:

(a) All electric transmission and distribution lines and facilities and appurtenances thereto, owned or operated by the Seller or under Seller's direction, in Eureka County, State of Nevada, including without limitation, the following:

- (1) Approximately 22 conductor miles of 2400 volt primary distribution/transmission line; and
- (2) Approximately 11.3 conductor miles of 220/110 volt secondary distribution/ transmission line; and

(b) All substations, extensions, taps, laterals, under-build and service and connecting lines, and all poles, posts, cross-arms, wires, cables, conduits, mains, pipes, tubes, transformers, insulators, meters, switches, meter bases, electrical connections, lamps, fuses, junction boxes, fixtures, appliances, street lighting, equipment, machinery, tools, hardware and other equipment which are incorporated in or attached or connected to any of the electric lines or facilities included in the System, and owned by Seller, all of which shall be deemed to be a part thereof; and

(c) All stores, materials, supplies, tools, machinery, motor vehicles, office equipment, and other facilities and equipment used, useful, held for use or acquired in connection with any



part of the system hereinabove or hereinafter described or referred to, including, without limitation, the following:

- 1- 1957 Ford  $\frac{1}{2}$  ton Service Truck;
- 1- 1951 Ford Winch  $1\frac{1}{2}$  ton Truck;
- 1- 1936 Ford Ladder  $1\frac{1}{2}$  ton Truck; and
- 1- 1967 Ford  $\frac{1}{2}$  ton Service Truck.
- 1- 1971 Ford truck with areal bucket

(d) All leases, easements, rights-of-way, rights of ingress and egress and other interest in land subject to the exclusion hereafter stated; and all contracts and privileges granted to or owned or held by the Seller, giving to or vesting in the Seller the right (inchoate or complete), license or privilege to construct, operate or maintain upon lands owned or held by others any of the physical properties included in the system; and

(e) All agreements and contracts granting privileges for power line, telephone or telegraph line crossings or parallels, and all joint use or occupancy of poles, rights-of-way and encroachment agreements granted to or owned or held by the Seller with respect to any of the physical properties included in the system; and

(f) All licenses, franchises, ordinances, authorizations, privileges and permits owned or held by the Seller or heretofore granted, issued or executed to the Seller by United States of America, or by the State of Nevada, or by any county, municipality, township or other political subdivision thereof, or by any agency, board, commission or department of any of the foregoing, authorizing the construction, operation or maintenance of any of the physical properties included in the system, insofar as such licenses, franchises, ordinances, authorizations, privileges and permits, permit of such conveyance or assignment, specifically including Certificate of Public Convenience and Necessity 396 issued by the Public Service Commission of the State of Nevada; and

(g) All existing contracts relating to the purchase or sale of electric energy by the Seller from, through or for any of the electric lines or facilities included in the system; and



(h) All books, records, contracts, abstracts, maps, drawings, charts, tracings, blueprints, diagrams, engineering and accounting data, correspondence and memoranda, books and periodicals, and bookkeeping systems and equipment relating wholly or in part to any part of the system hereinabove or hereinafter described or referred to; and

(i) All leases, easements, privileges, rights-of-way and other interests in land (including, without limitation, the right to cut and trim trees and shrubbery), to the extent necessary to give or vest in the purchaser the right, license or privilege to operate and maintain upon such lands and in or upon all streets, roads and highways abutting such lands, any part of the electric lines or facilities presently owned or operated by the Seller, or included in the system; and

(j) All materials, merchandise, appliances, supplies and equipment acquired or held by the Seller for use in connection with the operation of the system; and

Excluding from the terms of this conveyance the following specifically described property, to-wit:

(a) The real property, land, buildings and improvements, wherein the generation plants and cooling ponds of the Seller are located, the same being Lots 1-6 inclusive of Block 34 of Lots 1-8 inclusive of Block 44 of the Town of Eureka, County of Eureka, State of Nevada; and

(b) The following listed generating plants owned and operated by the Seller, to-wit:

- 1 - 250 KS Cooper Bessemer;
- 1 - 250 KW Model 38E Fairbanks-Morse;
- 1 - 150 KW Fairbanks-Morse;
- 1 - 100 KW Fairbanks-Morse (generator only); and

(c) Among the automotive tools and fixtures described as follows:

Lathe;  
Press;  
Arc Welder;



Acetylene Welder;  
Auto Tire Changer;  
Wheel Balancer;  
Air Compressor; and

IN WITNESS WHEREOF, the Buyer and Sellers have executed  
this Notice of Contract of Sale the 26<sup>th</sup> day of JULY, 1972.

J. Norman Rebaleti  
J. NORMAN REBALEATI

Maxine Rebaleti  
MAXINE REBALEATI

- Sellers

MT. WHEELER POWER, INC., a Nevada  
corporation

BY Wayne D. Gardner  
President



ATTEST:

Jeanette S. Briggs  
Secretary

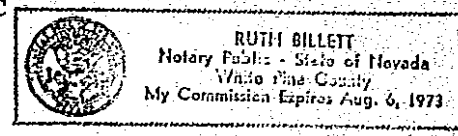
- Buyer

STATE OF NEVADA )  
COUNTY OF White Pine ) SS.

On July 26, 1972, personally appeared before me,  
a Notary Public, J. NORMAN REBALEATI and MAXINE REBALEATI, who  
acknowledged that they executed the above instrument.

Ruth Billett  
NOTARY PUBLIC

STATE OF Nevada )  
COUNTY OF White Pine ) SS.



On July 26, 1972, personally appeared before me,  
a Notary Public, Wayne D. Gardner, the duly qualified and  
acting President of MT. WHEELER POWER, INC., a Nevada corpora-  
tion, who acknowledged the he executed the above instrument.

Ruth Billett  
NOTARY PUBLIC

RECORDED AT THE REQUEST OF Proctor Hug, Jr.  
on August 15 19 72, at 55 mins. past 10 A. M. in  
Book 42 of OFFICIAL RECORDS, page 510-513 RECORDS OF  
EUREKA COUNTY, NEVADA. Hull & Marfisi Recorder  
File No. 56146 Fee \$ 6.00

VAUGHAN, HULL & MARFISI  
ATTORNEYS AND COUNSELORS  
530 IDAHO STREET  
ELKO, NEVADA 89801

