

59539

RECORDER'S STAMP

THIS DEED Made this 9<sup>th</sup> day of December, 19 74, between Francis J. Burkhardt & Beverly G. Burkhardt as joint tenants, of the County of El Paso and State of Colorado, of the first part, and The American Heritage Bank and Trust Company a corporation organized and existing under and by virtue of the laws of the State of Colorado of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten and no/100-----DOLLARS to the said parties of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm, unto the said party of the second part, its successors and assigns forever, all of the following described lot or parcel of land, situate, lying and being in the County of Eureka and State of Nevada, to wit:

The West one-half of Section 33, Township 30 North, Range 50 East, MOUNT DIABLO BASE AND MERIDIAN.

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said parties of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said party of the second part, its successors and assigns forever. And the said parties of the first part, for themselves, their heirs, executors, and administrators, do covenant, grant, bargain and agree to and with the said party of the second part, its successors and assigns, that at the time of the enrolling and delivery of these presents, they are well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and encumbrances of whatever kind or nature soever, except as listed on Exhibit A attached hereto and made a part hereof.

and the above bargained premises in the quiet and peaceful possession of the said party of the second part, its successors and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said parties of the first part shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Francis J. Burkhardt [SEAL]  
Francis J. Burkhardt  
Beverly G. Burkhardt [SEAL]  
Beverly G. Burkhardt [SEAL]

STATE OF COLORADO,

County of El Paso

ss.

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of December 19 74, by Francis J. Burkhardt and Beverly G. Burkhardt.

My commission expires

SEAL

WITNESS my hand and official seal.

Notary Public.

EXHIBIT A

1. Taxes for the fiscal year 1974-1975, including any secured personal property taxes, a lien, but not yet due or payable.
2. Reservations and conditions as set forth in deed dated January 9, 1958, executed by the Southern Pacific Company, a corporation, to Berenice (or Bernice) Strathearn, recorded in Book 25, Page 240, under File No. 33672, Deed Records of Eureka County, Nevada.
3. Reservation of 90% of all coal, oil, gas and other minerals, including the right of entry as reserved in that certain deed dated May 2, 1959, executed by Strathearn Cattle Company, a corporation, et al, to Mae Nichols, recorded May 25, 1959, in Book 25, Page 297, under File No. 34183, Deed Records of Eureka County, Nevada.

RECORDED AT THE REQUEST OF Title Insurance & Trust Co.  
on Dec. 20 1974 at 30 mins. past 11 A. M. by  
Book 50 of OFFICIAL RECORDS page 380-381 RECORDS OF  
EUREKA COUNTY, NEVADA William A. DeLoach Recorder  
File No. 59539 Fee \$4.00  
FILE NO. 59539