

AND WHEN RECORDED MAIL TO

Name **O'Melveny & Myers**
 Street **611 West Sixth Street**
 Address **Los Angeles, California 90017**
 City & State **Attn: Lowell C. Martindale, Esq.**

RPTT PAID \$ 5.50

William A. DePaolis
 Eureka County Recorder

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO

Name **Mr. Robert A. Day, Jr.**
 Street **Cypress Partners**
 Address **19th Floor, 611 W. 6th St.**
 City & State **Los Angeles, California 90017**

DOCUMENTARY TRANSFER TAX \$ **5.50**
 X COMPUTED ON FULL VALUE OF PROPERTY CONVEYED,
 OR COMPUTED ON FULL VALUE LESS LIENS AND
 ENCUMBRANCES REMAINING AT TIME OF SALE.

Signature of Declarant or Agent determining tax. Firm Name

Corporation Grant Deed

TO 405 2 CA (8-71)

THIS FORM FURNISHED BY TITLE INSURANCE AND TRUST COMPANY

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Day Cattle Company

a corporation organized under the laws of the state of Nevada

hereby GRANTS to those persons listed on Exhibit A hereto, which is hereby incorporated by reference, (collectively referred to herein as the "Grantees") as tenants in common

the following described real property in the

County of

State of ~~RAKSHAK~~ Nevada:

a one-sixth (1/6th) landowner's royalty in perpetuity in the gas, oil, mineral and geothermal property underlying the surface of the real property described on Exhibit B hereto which is hereby incorporated by reference, subject to the express reservations, covenants and conditions set forth in the attached Addendum to this deed, which is hereby incorporated by reference.

In Witness Whereof, said corporation has caused its corporate name and seal to be affixed hereto and this instrument to be executed by its Robert A. Day, Jr. President and _____ Secretary thereunto duly authorized.

Dated: January 31, 1975

STATE OF CALIFORNIA

COUNTY OF Los Angeles

On January 31, 1975 before me, the undersigned, a Notary Public in and for said State, personally appeared Robert A. Day, Jr. **NEVADA**

to me to be the _____ President, and _____ known to me to be

Secretary of the Corporation that executed the within Instrument, known to me to be the persons who executed the within Instrument on behalf of the Corporation therein named, and acknowledged to me that such Corporation executed the within Instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Signature *Verlie Y. Randall*

VERLIE Y. RANDALL:

Name (Typed or Printed)

By *Robert A. Day, Jr.* President
 By *Verlie Y. Randall* Secretary



(This area for official notarial seal)

Title Order No. _____

Escrow or Loan No. _____

MAIL TAX STATEMENTS AS DIRECTED ABOVE

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ADDENDUM

This deed is subject to the express reservations, covenants and conditions set forth below:

1. Grantor hereby reserves and excepts from the grant hereof all rental payments in any form, including, but not limited to, any rent or bonus paid in advance and any rent or bonus which may be credited against any obligation of any lessee, present or future, of the real property described in Exhibit B hereto to pay royalties of any nature pertaining to said real property.

2. Grantees do not by these presents acquire any right to participate in the making of future gas, oil, hydrocarbon, mineral, geothermal mining or other lease affecting the real property described in Exhibit B hereto (collectively referred to herein as the "Lease"), on the portion of said lands not at this date under lease, nor of participating in the making of any future Lease should any existing or future Lease for any reason become cancelled or forfeited, nor of participating in the bonus or bonuses which Grantor herein shall receive for any future Lease.

GRANTEES

Robert A. Day, Jr., a married man, 611 West Sixth Street, Los Angeles, California 90017.

Howard M. Day, a married man, Beowawe, Nevada 89821.

Theodore J. Day, a married man, 984 South California Avenue, Palo Alto, California 94306.

Laurence H. Day, a single man, 3531 East Camden Avenue, Tucson, Arizona 84716.

Tammis M. Day, a single person, 974 Dedham, Newton, Massachusetts 02159.

EXHIBIT A

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BOOK PAGE 034

EXHIBIT B

LEGAL DESCRIPTION

All that certain real property situate, lying and being in the County of Eureka, State of Nevada, particularly described as follows:

TOWNSHIP 31 NORTH, RANGE 49 EAST, M.D.B.&M.

- Section 1: All**
Section 3: South half and the Northeast quarter
Section 4: Southwest quarter of the Northwest quarter; Northwest quarter of the Southwest quarter
Section 5: All, except that portion contained within the Town of Beowawe as shown on the Plat filed in the office of the County Recorder of Eureka County, Nevada, as Document No. 2166 on June 15, 1908.
Section 9: All
Section 10: South half of the North half; North half of the South half
Section 11: All
Section 12: North half of the South half; North half

EXCEPTION from Sections 5, 9, 10, 11 and 12 all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.

TOWNSHIP 31 NORTH, RANGE 50 EAST, M.D.B.&M.

- Section 3: All, EXCEPTING THEREFROM all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.**
Section 5: All
Section 7: All that portion of Lot 3 (Northwest quarter of The Southwest quarter) lying Northerly of a line parallel with and 200.00 feet distant northerly of the center line of Central Pacific Railway Company's Railroad: Northeast quarter; East half of the Northwest quarter; Lots 1 and 2 (West half of the Northwest quarter) Northeast quarter of the Southwest quarter and North half of the Southeast quarter.

EXCEPTING all those portions lying within the

rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.

Section 8: North half of the Southwest quarter, EXCEPTING all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.

Section 9: That portion of the North half lying Northerly of a line parallel with and 100 feet distant Northerly of the center line of the Western Pacific Company's railroad as now constructed. That portion of the North half and the Southeast quarter Southeasterly of a strip of land 200 feet wide containing 23.18 acres conveyed to Western Pacific Railway Company by deed dated November 27, 1908, and Northwesterly of a line parallel with and 200.00 feet distant Northwesterly of center line of C.P.R.R. Co.'s railroad as now constructed.

Section 10: Northwest quarter of the Northeast quarter EXCEPTING all those portions lying within the rights-of-way of the Southern Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.

Section 11: That portion of the Northeast quarter lying Northeasterly of the Northeasterly boundary of that parcel conveyed to the Western Pacific Railway Company by deed dated November 27, 1908.

EXCEPTING FROM Sections 7 and 9 all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.

TOWNSHIP 31 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 6: Lot 7 (Southwest quarter of the Southwest quarter)

TOWNSHIP 32 NORTH, RANGE 48 EAST, M.D.B.&M.

Section 1: East half lying Easterly of a line parallel with and 200.00 feet distant Easterly of the center line

of the Central Pacific Railway Company's Railroad right-of-way. EXCEPTING THEREFROM all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.

- Section 12: East half of the East half, excepting all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.
- Section 13: Southeast quarter of the Northwest quarter; East half of the Northeast quarter; Southwest quarter of the Northeast quarter; East half of the Southwest quarter; Southeast quarter
- Section 23: East half of the Southeast quarter
- Section 24: East half; Southwest quarter; East half of the Northwest quarter
- Section 25: All
- Section 26: Southeast quarter; East half of the Southwest quarter; South half of the Northeast quarter; Northeast quarter of the Northeast quarter
- Section 27: South half of the Southeast quarter; Northeast quarter of the Southeast quarter
- Section 34: East half of the East half
- Section 35: All
- Section 36: North half; Southwest quarter; West half of the Southeast quarter

TOWNSHIP 32 NORTH, RANGE 49 EAST, M.D.B.&M.

- Section 5: All, excepting therefrom that portion lying Northeasterly of U.S. Highway 40. Further excepting therefrom that parcel conveyed to the State of Nevada by deed recorded September 24, 1963 in Book 27 of Deeds, at page 25, Eureka County, Nevada, records.
- Section 6: Lot 5 (Southwest quarter of the Northwest quarter)

Lots 6 and 7 (West half of the Southwest quarter) Southeast quarter of the Southwest quarter; Southwest quarter of the Southeast quarter

- Section 7: All, Excepting all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.
- Section 8: Northwest quarter of the Northwest quarter; South half of the Northwest quarter; Southwest quarter; Southwest quarter of the Northeast quarter; West half of the Southeast quarter; Southeast quarter of the Southeast quarter
- Section 9: All except that portion lying Northerly of U.S. Highway 40; Further excepting therefrom that parcel conveyed to the State of Nevada by deed recorded September 24, 1963 in Book 27 of Deeds, at page 25, Eureka County, Nevada, records.
- Section 11: All except that portion lying Northerly of U.S. Highway 40; Further excepting therefrom that parcel conveyed to the State of Nevada by deed recorded August 10, 1964 in Book 5 of Official Records, at page 38, Eureka County, Nevada.
- Section 15: All
- Section 17: All
- Section 18: All excepting all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.
- Section 19: All excepting all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.
- Section 20: All
- Section 21: All
- Section 23: North half and the Southwest quarter

- Section 25: Northeast quarter; South half
- Section 27: North half; the Southwest quarter
- Section 28: West half; Northeast quarter;
West half of the Southeast quarter;
Northeast quarter of the Southeast quarter
- Section 29: All
- Section 30: All excepting all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.

TOWNSHIP 32 NORTH, RANGE 49 EAST M.D.B. & M.
(Continued)

- Section 31: North half and the East half of the Southeast quarter excepting all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.
- Section 32: North half; Southwest quarter; Southwest quarter of the Southeast quarter and the North half of the Southeast quarter, excepting all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.
- Section 33: West half and the Northeast quarter
- Section 35: South half and the Northeast quarter

TOWNSHIP 32 NORTH, RANGE 50 EAST, M.D.B. & M.

- Section 7: All except that portion lying North of U.S. Highway 40.
- Section 13: All
- Section 15: All except that portion lying Northeasterly of U.S. Highway 40.
- Section 17: All except that portion lying Northeasterly of U.S. Highway 40.
- Section 19: All
- Section 21: All

Section 23: All

Section 25: All

Section 27: All

Section 29: All

Section 31: All

Section 33: All

Section 35: All

EXCEPTING FROM Section 7, 15 and 17 those parcels conveyed to the State of Nevada by Deed recorded August 10, 1964 in Book 5 of Official Records, at page 38, Eureka County, Nevada.

FURTHER EXCEPTING FROM Section 13, that parcel conveyed to State of Nevada by deed recorded September 10, 1965 in Book 5 of Official Records, at page 38, Eureka County, Nevada.

TOWNSHIP 33 NORTH, RANGE 48 EAST, M.D.B.&M.

Section 36: Southeast quarter; West half of the Northeast quarter; East half of the Northwest quarter; Northeast quarter of the Southwest quarter Excepting all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company. Further excepting therefrom those parcels conveyed to State of Nevada by deeds recorded September 24, 1963 in Book 27 of Deeds, at page 22 and 25, Eureka County, Nevada, records.

TOWNSHIP 33 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 31: All excepting therefrom that portion lying Northeasterly of U.S. Highway 40. Excepting therefrom those parcels conveyed to State of Nevada by deeds recorded September 14, 1963 in Book 27 of Deeds, at pages 23, 25 and 31.

All those parcels lying within the townsite of Beowawe as shown on the plat filed in the office of the County Recorder of Eureka County, Nevada on June 15, 1908 described as follows:

Block 1: Lots 1 thru 12 inclusive
Block 2: Lots 1 thru 12 inclusive

Block 3: Lots 1 thru 12 inclusive
 Block 4: Lots 1, 2, 3, 10,
 11 and 12
 Block 5: Lots 1 thru 6 inclusive
 Block 6: Lots 1 thru 6 inclusive
 Block 7: Lots 1 thru 6 inclusive
 Block 8: Lots 1, 2, 3, 7 thru
 18 inclusive
 Block 9: Lots 7 thru 12 inclusive
 and Lots 15 thru 18 inclusive
 Block 10: Lots 5, 6 and 18
 Block 11: Lots 1 thru 6, Lots 8, 9,
 10, 16, 17 and 18
 Block 12: Lots 1 thru 15 inclusive
 Block 13: Lots 1 thru 18 inclusive
 Block 14: Lots 1 thru 18 inclusive
 Block 15: Lots 1 thru 18 inclusive
 Block 16: Lots 1 thru 12 inclusive
 Block 17: Lots 6 thru 12 inclusive
 Block 18: Lots 1 thru 6 inclusive
 except the Northwesterly 13 feet
 of Lot 6
 Block 19: Lots 1 thru 18 inclusive
 Block 20: Lots 1, 2, 9, 10, 11, 12,
 13, 14 and 18
 Lots 3, 4, 5, 6, 7, 8, 15, 16, 17
 excepting therefrom that parcel
 conveyed by R. H. Hadley et ux to
 Roman Catholic Bishop of Reno by
 deed recorded April 2, 1958 in
 Book 25 of Deeds at page 214,
 Eureka County, Nevada, records.
 Block 21: Lots 4 thru 18 inclusive
 Block 22: Lots 13, 14, 15, 16,
 17 and 18
 Block 23: Lots 1 thru 18 inclusive
 Block 24: Lots 1 thru 18 inclusive
 Block 25: Lots 1 thru 12 inclusive
 Block 26: Lots 1 thru 12 inclusive
 Block 27: Lots 1 thru 12 inclusive
 Block 28: Lots 1 thru 12 inclusive
 Block 29: Lots 1 thru 12 inclusive

Excepting from Townsite of Beowawe
 a plot of ground upon which the jail
 building of the County of Eureka,
 State of Nevada is situate, together
 with 30 feet in each direction from
 the outer wall thereof and surrounding
 said jail as conveyed to County of
 Eureka by deed recorded June 6, 1904
 in Book 14 of Deeds at page 583,
 Eureka County, Nevada, records.

Further excepting therefrom those
 portions of Lot 1, 2 and 18, Block
 20; Lots 9 thru 18, Block 21; Lots
 13 and 14, Block 22; Lots 1 and 12,
 Block 29; Lots 1 thru 12, Block 28;
 Lots 1 thru 12, Block 27; and Lots
 7 and 8, Block 26 conveyed to Eureka

County School District by deed recorded November 14, 1967 in Book 21 of Official Records, at page 87, Eureka County, Nevada, and described as follows:

Commencing at the Northwest corner of parcel, which point bears North $63^{\circ} 28' 16''$ East a distance of 7098.59 feet from the Southwest corner of Section 6, Township 31 North, Range 49 East, M.D.B.&M.; thence North $49^{\circ} 12'$ East a distance of 609.75 feet to the intersection of the West right-of-way boundary of Nevada State Route 21; thence along the West right-of-way boundary of said highway on a 1,250.00 foot radius, curving to the right, through a central angle of $48^{\circ} 17' 12''$, an arc distance of 1,053.45 feet to end of said curve; thence South $12^{\circ} 53' 41''$ West along said right-of-way boundary a distance of 130.82 feet; thence North $40^{\circ} 48'$ West a distance of 966.99 feet to the point of beginning.

RECORDED AT THE REQUEST OF Vaughan, Hull, Marfisi, Goicoechea & Miller
on Feb. 24 19 75 at 01 mins. cost 8 A. M
Book 51 of OFFICIAL RECORDS, page 32-42 RECORDS
EUREKA COUNTY, NEVADA Julius A. DeCarlin
File No. 59772 Fee \$ 11.00

FILE NO. 59772