

84005

**AMENDMENT TO NOTE AND DEED OF TRUST  
AND FORBEARANCE AGREEMENT**

THIS AGREEMENT, is made this 22<sup>nd</sup> day of DECEMBER, 1981, by and between THE TRAVELERS INSURANCE COMPANY ("Travelers"); LIBERO PAUL BALDARELLI, a/k/a LEE BALDARELLI and as LIBERO P. BALDARELLI, and A'LYCE BALDARELLI, a/k/a ALYCE A. BALDARELLI, husband and wife, and LIBERO PAUL BALDARELLI, JR., a/k/a LIBERO P. BALDARELLI, JR., a single man, and LIBERO PAUL BALDARELLI, JR., Trustee for the Baldarelli Family Trust and LAPJ/VALIANT FARMS, an informal family partnership, ("Baldarelli"); VALIANT FARMS - EUREKA, INC., a Nevada corporation ("Valiant"); and BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION ("Bank of America").

**W I T N E S S E T H :**

WHEREAS, Baldarelli executed a promissory note ("the Note") in favor of Travelers dated September 7, 1978, in the principal amount of \$3,000,000.00, bearing interest at the rate of 9 3/4% per annum, with default interest at the rate of 12% per annum;

WHEREAS, the Note is secured by a first deed of trust ("the Deed of Trust") dated September 7, 1978, encumbering certain real property ("the Property") situate in the counties of Elko, Eureka, Lander, White Pine and Nye, State of Nevada, which Property is more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof;

WHEREAS, the Deed of Trust was recorded on December 15, 1978, as follows: in Book 283, page 163, Official Records of Elko County, Nevada; in Book 162, page 174, Official Records of Lander County, Nevada; in Book 67, page 473, Official Records of Eureka County, Nevada; in Book 232, page 450, Official Records of Nye County, Nevada; and Book 420, page 497, Official Real Estate Records of White Pine County, Nevada;

WHEREAS, Bank of America is the beneficiary under a deed of trust ("Second Deed of Trust") dated August 29, 1979, subsequent in priority to the Deed of Trust securing payment of a note in the original principal sum of \$3,993,000.00;

WHEREAS, subsequent to September 7, 1978, Baldarelli conveyed title to the Property to Valiant;

WHEREAS, there has been a default in payment of the Note by failure to pay the instalment of principal due thereunder on January 1, 1981, in the sum of \$100,000.00, together with accrued interest, which default resulted in the recordation by Travelers on July 8, 1981, of a Notice of Breach and Default and of Election to Cause Sale of Certain Real Property Under Deed of Trust ("Notice of Default");

WHEREAS, as a result of the recordation of the Notice of Default the principal balance due under the Note in the sum of \$2,900,000.00, together with interest from January 1, 1980, and default interest, has been declared to be, and is, immediately due and payable;

1.

Hale, Lane, Peek, Dennison and Howard  
Attorneys and Counsellors at Law  
Reno, Nevada

BOOK 101 PAGE 483

BOOK 386 PAGE 338

WHEREAS, as a further result of the recordation of the Notice of Default, notice of trustee's sale of the Property has been given pursuant to the terms of the Deed of Trust and the Nevada Revised Statutes, which trustee's sale was originally set for November 19, 1981;

WHEREAS, Travelers has caused the trustee's sale to be postponed from November 19, 1981 to December 9, 1981; from December 9, 1981 to December 10, 1981; and from December 10, 1981 to December 22, 1981; and

WHEREAS, it is appropriate to amend the terms of the Note.

NOW, THEREFORE, in consideration of the mutual promises contained herein and other valuable consideration, the parties agree as follows:

1. Travelers agrees to postpone the trustee's sale of the Property presently set for December 22, 1981, to March 23, 1982. It is understood and agreed that Travelers may give notice of such trustee's sale pursuant to the terms of the Deed of Trust and Nevada Revised Statutes at any time after the date hereof so long as such trustee's sale is not held prior to March 23, 1982.

2. The rate of interest under the Note is hereby increased to 15 1/2% per annum, and the default rate of interest to 18% per annum, from November 19, 1981, until fully paid.

3. It is understood and agreed that the original 12% default rate of interest shall apply to the Note from July 17, 1981, to November 18, 1981, and that the amended default rate of 18% per annum shall apply to the principal and interest due under the Note from November 19, 1981.

4. The Deed of Trust secures payment of the Note as amended by the terms hereof.

5. Bank of America consents to the terms and provisions hereof and agrees that the lien of the Deed of Trust, securing the Note as hereby amended, shall unconditionally be and remain at all times a lien upon the Property prior and superior to the lien of the Second Deed of Trust. Furthermore, Bank of America agrees not to cause a trustee's sale to be conducted under the Second Deed of Trust prior to March 24, 1982.

6. Baldarelli and Valiant agree not to file any proceeding seeking any relief under any division or chapter of the Bankruptcy Act Code prior to March 24, 1982.

7. Except as hereinabove amended the Note remains in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above-written.

THE TRAVELERS INSURANCE COMPANY,

By: *Thomas Montgomery*

(J. Thomas Montgomery) Vice President

2.



Hale, Lane, Peek, Dennison and Howard  
Attorneys and Counsellors at Law  
Reno, Nevada

BOOK 10 | PAGE 484

BOOK 385 PAGE 339



RECORDERS MEMO: LEGIBILITY  
OF WRITING, TYPING OR PRINTING  
UNSATISFACTORY IN THIS  
DOCUMENT WHEN RECEIVED

Libero Paul Baldarelli

Libero Paul Baldarelli, a/k/a  
Lee Baldarelli and as Libero P.  
Baldarelli

Alyce Baldarelli  
Alyce Baldarelli, a/k/a Alyce  
A. Baldarelli

Libero Paul Baldarelli, Jr., a/k/a  
Libero P. Baldarelli, Jr., and  
Libero Paul Baldarelli, Jr.,  
Trustee for the Baldarelli Family  
Trust

LAPJ/VALIANT FARMS, an informal  
family partnership

By: R. Cell

VALIANT FARMS - EUREKA, INC.,  
a Nevada corporation

By: R. Cell

BANK OF AMERICA NATIONAL TRUST  
AND SAVINGS ASSOCIATION

By: J. Durriller  
J. DURRILLER, A. V. P.

STATE OF CONNECTICUT )  
County of HARTFORD ) ss: City Of Hartford

On February 19th, 1982, personally appeared before me,  
a Notary Public, J. THOMAS MONTGOMERY, who acknowledged  
that he executed the above instrument on behalf of THE  
TRAVELERS INSURANCE COMPANY. \*Vice President

Patricia H. Csaszar  
Notary Public (Patricia H. Csaszar)  
My Commission Expires: 3-31-84

STATE OF Nevada )  
County of Washoe ) ss:

On December 22, 1981, personally appeared before me,  
a Notary Public, LIBERO PAUL BALDARELLI, a/ka/ Lee Baldarelli  
and as Libero P. Baldarelli, who acknowledged that he executed  
the above instrument.

J. Bourdeau  
Notary Public

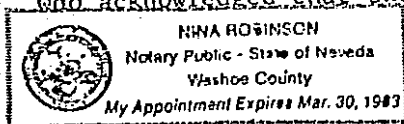
J. BOURDEAU  
Notary Public - State of Nevada  
Washoe County  
My Appointment Expires Apr. 14, 1985

3.

Hale, Lane, Peek, Dennison and Howard  
Attorneys and Counsellors at Law  
Reno, Nevada

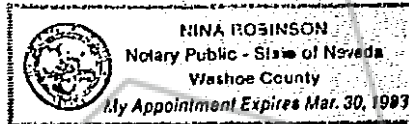
STATE OF Nevada )  
County of Washoe ) ss:

On December 22, 1981, personally appeared before me,  
a Notary Public, ALYCE BALDARELLI, a/k/a Alyce A. Baldarelli,  
who acknowledged that she executed the above instrument.



Nina Robinson  
Notary Public

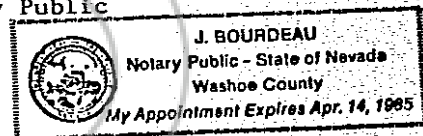
STATE OF Nevada )  
County of Washoe ) ss:



On December 22nd, 1981, personally appeared before me,  
a Notary Public, LIBERO PAUL BALDARELLI, JR., a/k/a Libero  
P. Baldarelli, Jr., and Libero Paul Baldarelli, Jr., Trustee  
for the Baldarelli Family Trust, who acknowledged that he  
executed the above instrument.

J. Bourdeau  
Notary Public

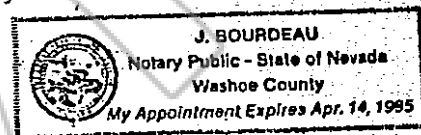
STATE OF Nevada )  
County of Washoe ) ss:



On December 22, 1981, personally appeared before me,  
a Notary Public, Paul Baldarelli, who acknowledged  
that he executed the above instrument on behalf of LAPJ/VALIANT  
FARMS, an informal family partnership.

J. Bourdeau  
Notary Public

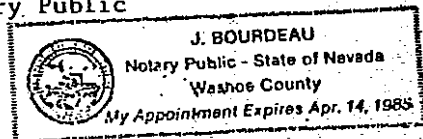
STATE OF Nevada )  
County of Washoe ) ss:



On December 22, 1981, personally appeared before me,  
a Notary Public, Paul Baldarelli, who acknowledged  
that he executed the above instrument on behalf of VALIANT  
FARMS - EUREKA, INC.

J. Bourdeau  
Notary Public

STATE OF NEVADA )  
County of Washoe ) ss:



On December 22, 1981, personally appeared before me,  
a Notary Public, J. Duthler, who acknowledged  
that he executed the above instrument on behalf of BANK OF  
AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION.

Dawn Marie Rich  
Notary Public

4.

Hale, Lane, Peek, Dennison and Howard  
Attorneys and Counsellors at Law  
Reno, Nevada





Situate in the County of White Pine, State of Nevada, as follows,  
to-wit:

TOWNSHIP 22 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 1: Lots 1 & 2; SE $\frac{1}{4}$ NE $\frac{1}{4}$

TOWNSHIP 23 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 23: SE $\frac{1}{4}$   
Section 24: NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; S $\frac{1}{2}$ NW $\frac{1}{4}$ ; SW $\frac{1}{4}$ ; E $\frac{1}{2}$   
Section 25: All  
Section 26: E $\frac{1}{2}$   
Section 35: E $\frac{1}{2}$   
Section 36: All

TOWNSHIP 25 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 2: SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; W $\frac{1}{2}$ SW $\frac{1}{4}$ ; SE $\frac{1}{4}$ SW $\frac{1}{4}$   
Section 3: Lots 1 & 2; SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; NE $\frac{1}{4}$ SE $\frac{1}{4}$   
Section 11: SE $\frac{1}{4}$ SW $\frac{1}{4}$   
Section 14: E $\frac{1}{2}$ NW $\frac{1}{4}$ ; E $\frac{1}{2}$ SW $\frac{1}{4}$ ; SW $\frac{1}{4}$ SE $\frac{1}{4}$   
Section 23: E $\frac{1}{2}$ NW $\frac{1}{4}$ ; W $\frac{1}{2}$ E $\frac{1}{2}$   
Section 26: W $\frac{1}{2}$ NE $\frac{1}{4}$ ; W $\frac{1}{2}$ SW $\frac{1}{4}$   
Section 34: SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; NE $\frac{1}{4}$ SE $\frac{1}{4}$   
Section 35: NW $\frac{1}{4}$ NW $\frac{1}{4}$

TOWNSHIP 26 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 27: SW $\frac{1}{4}$ SE $\frac{1}{4}$   
Section 34: W $\frac{1}{2}$ NE $\frac{1}{4}$ ; NW $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 22 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 6: SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Lots 3, 4 & 5

TOWNSHIP 23 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 19: E $\frac{1}{2}$ SW $\frac{1}{4}$ ; Lots 3 & 4  
Section 30: E $\frac{1}{2}$ W $\frac{1}{2}$ ; Lots 1, 2, 3 & 4  
Section 31: E $\frac{1}{2}$ W $\frac{1}{2}$ ; Lots 1, 2, 3 & 4

TOWNSHIP 25 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 5: SW $\frac{1}{4}$ SW $\frac{1}{4}$

TOWNSHIP 26 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 28: S $\frac{1}{2}$ SW $\frac{1}{2}$ SW $\frac{1}{2}$ ; Lots 5 & 6  
Section 29: SE $\frac{1}{2}$ SW $\frac{1}{2}$ ; SW $\frac{1}{2}$ SE $\frac{1}{2}$ ; S $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$   
Section 32: N $\frac{1}{2}$ NE $\frac{1}{2}$ ; NE $\frac{1}{2}$ NW $\frac{1}{2}$   
Section 33: N $\frac{1}{2}$ NW $\frac{1}{2}$ ; SW $\frac{1}{2}$ ; Lots 1 & 2

EXCEPTING THEREFROM an undivided one-half interest in and to all oil, gas and mineral rights, as reserved in deed from Katherine Frandsen and the Estate of Frank M. Frandsen, Deceased, recorded in Book 169, Page 352, Real Estate Records, White Pine County, Nevada.

TOWNSHIP 26 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 22: W $\frac{1}{2}$ NE $\frac{1}{2}$ ; SE $\frac{1}{2}$ NW $\frac{1}{2}$ ; E $\frac{1}{2}$ SW $\frac{1}{2}$   
Section 27: E $\frac{1}{2}$ NW $\frac{1}{2}$ ; NE $\frac{1}{2}$ SW $\frac{1}{2}$ ; NW $\frac{1}{2}$ SE $\frac{1}{2}$

EXCEPTING THEREFROM an undivided one-half interest in and to all oil, gas and mineral rights, as reserved in deed from Katherine Frandsen and the Estate of Frank M. Frandsen, Deceased, recorded in Book 169, Page 352, Real Estate Records, White Pine County, Nevada.

TOWNSHIP 17 NORTH, RANGE 54 EAST, M.D.B.&M.-

Section 1: NW $\frac{1}{2}$ SW $\frac{1}{2}$

TOWNSHIP 19 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 15: W $\frac{1}{2}$   
Section 22: All.

Situate in the County of Elko, State of Nevada, as follows, to-wit:

TOWNSHIP 26 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 15: SW $\frac{1}{2}$ NE $\frac{1}{2}$ ; SW $\frac{1}{2}$ SE $\frac{1}{2}$

TOWNSHIP 27 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 35: SE $\frac{1}{2}$ NW $\frac{1}{2}$ ; NE $\frac{1}{2}$ SW $\frac{1}{2}$

EXCEPTING THEREFROM, an undivided one-half interest in and to all oil, gas and mineral rights conveyed by JEFF HUNT, et ux, to KATHERINE M. FRANDSEN, et al, by Deed recorded May 29, 1952, in Book 168 of Official Records at page 37 and reserved in Deed executed by KATHERINE M. FRANDSEN, et al, in Deed recorded May 24, 1952, in Book 168 of Real Estate Records at page 22, White Pine County, Nevada, and in Book 61 of Deeds at page 296, Elko County, Nevada records.



Situate in the County of Nye, State of Nevada, as follows, to-wit:

TOWNSHIP 14 NORTH, RANGE 48 EAST, M.D.B.&M.

Section 23: W $\frac{1}{2}$ SE $\frac{1}{4}$

TOWNSHIP 14 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 10: N $\frac{1}{2}$ NE $\frac{1}{4}$

Section 11: N $\frac{1}{2}$ NW $\frac{1}{4}$

Section 24: W $\frac{1}{2}$ SW $\frac{1}{4}$ ; NE $\frac{1}{2}$ SW $\frac{1}{4}$ ; NW $\frac{1}{2}$ SE $\frac{1}{4}$

TOWNSHIP 15 NORTH, RANGE 53 EAST, M.D.B.&M.

Section 23: SW $\frac{1}{2}$ NE $\frac{1}{4}$

Section 28: NE $\frac{1}{2}$ NW $\frac{1}{4}$

EXCEPTING from the W $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 23, Township 14 North, Range 48 East, M.D.B.&M., and the SW $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 23 and the NE $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 28, Township 15 North, Range 53 East, M.D.B.&M., an undivided 1/6 of all minerals, oil, gas, and hydrocarbon substances, as granted to JOHN I. BROWN by Deed recorded February 20, 1954, in Book 56 of Deeds, page 70.

ALSO EXCEPTING from the W $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 23, Township 14 North, Range 48 East, M.D.B.&M., and the SW $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 23, and the NE $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 28, Township 15 North, Range 53 East, M.D.B.&M., an undivided 23 1/3 interest in and to all oil, gas, hydrocarbon substances within said land, as granted to SAM RUDNICK by Deed recorded March 11, 1957, in Book 18 of Official Records at Page 190.

ALSO EXCEPTING from the W $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 23, Township 14 North, Range 48 East, M.D.B.&M., and the SW $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 23, and the NE $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 28 in Township 15 North, Range 53 East, M.D.B.&M., an undivided 40% interest in and to all mineral rights, including but not limited to 'crude oil,' petroleum, gas, brea, asphaltum, or any kindred substance with and underlying as reserved in the deed executed by EUREKA LIVESTOCK COMPANY, recorded June 2, 1958, in Book 25 of Official Records, page 482.

TOWNSHIP 7 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 3: Lots 3 and 4 (N $\frac{1}{2}$ NW $\frac{1}{4}$ )

Section 4: Lot 1 (NE $\frac{1}{2}$ NE $\frac{1}{4}$ )

TOWNSHIP 8 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 13: NW $\frac{1}{2}$ NE $\frac{1}{4}$ ; NE $\frac{1}{2}$ NW $\frac{1}{4}$

Section 33: NE $\frac{1}{2}$ ; N $\frac{1}{2}$ NW $\frac{1}{4}$

Section 34: W $\frac{1}{2}$ NW $\frac{1}{4}$ ; SE $\frac{1}{2}$ NW $\frac{1}{4}$ ; N $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
SE $\frac{1}{2}$ SW $\frac{1}{4}$ ; Lot 1

TOWNSHIP 6 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 5: SW $\frac{1}{4}$ NE $\frac{1}{4}$   
Section 9: SW $\frac{1}{4}$ SW $\frac{1}{4}$   
Section 16: NW $\frac{1}{4}$ NW $\frac{1}{4}$

TOWNSHIP 8 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 14: S $\frac{1}{4}$ NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; N $\frac{1}{4}$ SW $\frac{1}{4}$   
Section 15: SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; SE $\frac{1}{4}$ ; NE $\frac{1}{4}$ SW $\frac{1}{4}$

EXCEPTING THEREFROM that portion of said land conveyed to the State of Nevada for highway and incidental purposes by deed recorded June 18, 1936, in Book 45, Page 356 of Deeds, Nye County, Nevada records.

FURTHER EXCEPTING THEREFROM that portion of said land conveyed to the State of Nevada for highway and incidental purposes by Deed recorded November 9, 1940, in Book 48 of Deeds, Page 53, under File No. 12440, Nye County, Nevada, records.

FURTHER EXCEPTING an undivided 3  $\frac{1}{4}$ -interest in the mineral rights in and to the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 12, and the E $\frac{1}{4}$ SE $\frac{1}{4}$  and the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 15, Township 8 North, Range 55 East, M.D.B.&M., as granted to J. P. Johansen and Lola H. Johansen, Husband and Wife, by deed dated August 25, 1958, recorded in Book 35, Page 481, Official Records of Nye County, Nevada.

TOWNSHIP 10 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 36: N $\frac{1}{4}$ NW $\frac{1}{4}$ ; SE $\frac{1}{4}$ NW $\frac{1}{4}$

TOWNSHIP 8 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 15: SE $\frac{1}{4}$ NW $\frac{1}{4}$

EXCEPTING THEREFROM that portion described as follows:

Beginning at a point in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 15, from which the North quarter corner of said Section 15 bears North 10° 28' 10" East, a distance of 1600.76 feet; thence South 38° 57' East, a distance of 464.46 feet; thence South 0° 02' East, a distance of 239.98 feet; thence South 51° 63' West, a distance of 390.20 feet; thence North 38° 57' West, a distance of 651.18 feet; thence North 51° 03' East, a distance of 540.95 feet to the Point of Beginning.

EXCEPTING THEREFROM that portion of said land conveyed to the State of Nevada for highway and incidental purposes by deed recorded June 18, 1936 in Book 45 Page 356, Deed Records, Nye County, Nevada.



FURTHER EXCEPTING THEREFROM that portion of said land conveyed to the State of Nevada for highway and incidental purposes by deed recorded November 9, 1940 in Book 48 of Deeds, page 53, under File No. 12440, Nye County, Nevada records.

TOWNSHIP 10 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 25: SE $\frac{1}{4}$ SW $\frac{1}{4}$

TOWNSHIP 11 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 19: E $\frac{1}{4}$ NE $\frac{1}{4}$ ; SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; SE $\frac{1}{4}$ NW $\frac{1}{4}$

Situate in the County of Eureka, State of Nevada, as follows, to-wit:

TOWNSHIP 16 NORTH, RANGE 53 EAST, M.D.B.&M.

Section 7: SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 8: E $\frac{1}{4}$ ; NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; S $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
N $\frac{1}{4}$ SW $\frac{1}{4}$ ; SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 9: NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; S $\frac{1}{4}$ NE $\frac{1}{4}$ ; NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
S $\frac{1}{4}$ NW $\frac{1}{4}$ ; S $\frac{1}{4}$

Section 10: N $\frac{1}{4}$ ; N $\frac{1}{4}$ S $\frac{1}{4}$ ; SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; S $\frac{1}{4}$ SW $\frac{1}{4}$

Section 11: S $\frac{1}{4}$ NE $\frac{1}{4}$ ; NW $\frac{1}{4}$ ; N $\frac{1}{4}$ SW $\frac{1}{4}$

Section 12: N $\frac{1}{4}$

TOWNSHIP 16 NORTH, RANGE 54 EAST, M.D.B.&M.

Section 6: S $\frac{1}{4}$ SW $\frac{1}{4}$

Section 7: Lots 1 & 2 of the NW $\frac{1}{4}$

TOWNSHIP 17 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 24: Homestead Entry No. 174, comprising Tracts "A" and "B", embracing a portion of, approximately Section 24 in Township 17 North of Range 49 East of the Mount Diablo Meridian, Nevada, more particularly bounded and described as follows:

Beginning for the description of Tract "A" at corner No. 1, identical with the Southwest corner to Section 19 in Township 17 North, Range 50 East of the Mount Diablo Meridian; thence, North 87° West 43.66 chains to Corner No. 2; thence, North 2°40' West 3.44 chains to Corner No. 3; thence North 73°35' East 22.53 chains to Corner No. 4; thence, South 63°30' East 10.92 chains to corner No. 5; thence, South 84°24' East 12.41 chains to Corner No. 6; thence, South 0°4' East 5.98 chains to Corner No. 1, the place of beginning.

Beginning for the description of Tract "B" at Corner No. 7, from which Corner No. 2 of said Tract "A" bears South 87° East 50 links distant; thence North 87° West 27.75 chains to Corner No. 8; thence North 39°12' East 12.76 chains to Corner No. 9; thence North 39°29' West 16.96 chains to Corner No. 10; thence North 47° East 4.48 chains to Corner No. 11; thence South 33°44' East 4.99 chains to Corner No. 12; thence South 48°30' East 30.75 chains to Corner No. 13; thence North 73°35' East 1.24 chains to Corner No. 14; thence South 2°40' East 3.28 chains to Corner No. 7; the place of beginning, containing in the aggregate 61.83 acres, according to the Official Plat of the Survey of said land, returned to the General Land Office by the Surveyor-General.

TOWNSHIP 17 NORTH, RANGE 50 EAST, M.D.B.&M.

Sections 7 & 8: Described more particularly as follows:

Beginning at Corner No. 1 from which the quarter corner to Sections 8 and 9 in Township 17 North of Range 50 East of the Mount Diablo Meridian bears North 82°35' East 57.53 chains distant; thence South 73°52' West 17.72 chains to Corner No. 2; thence North 76°18' West 27.40 chains to Corner No. 3; thence South 66°29' West 3.30 chains to Corner No. 4; thence North 76°43' West 30.88 chains to Corner No. 5; thence North 56°9' East 5.40 chains to Corner No. 6; thence South 79°52' East 55.00 chains to Corner No. 7; thence North 76°59' East 15.21 chains to Corner No. 8; thence South 37°41' East 5.41 chains to Corner No. 1, the place of beginning; containing 35.65 acres, according to the official plat of the Survey of said land, returned to the General Land Office by the Surveyor-General.

Section 19: Lot 4; SE $\frac{1}{4}$ SW $\frac{1}{4}$   
 Section 29: N $\frac{1}{4}$ NW $\frac{1}{4}$ ; W $\frac{1}{4}$ NE $\frac{1}{4}$   
 Section 30: NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; N $\frac{1}{4}$ NE $\frac{1}{4}$ ; E $\frac{1}{4}$ SW $\frac{1}{4}$ ; N $\frac{1}{4}$ SE $\frac{1}{4}$   
 Section 31: W $\frac{1}{4}$ NE $\frac{1}{4}$ ; NE $\frac{1}{4}$ NE $\frac{1}{4}$

TOWNSHIP 18 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 25: N $\frac{1}{4}$ NE $\frac{1}{4}$



TOWNSHIP 18 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 5: NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; SW $\frac{1}{4}$ SW $\frac{1}{4}$   
Section 6: NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; SE $\frac{1}{4}$ SE $\frac{1}{4}$   
Section 8: NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; S $\frac{1}{2}$ NW $\frac{1}{4}$ ; NE $\frac{1}{4}$ SW $\frac{1}{4}$

TOWNSHIP 19 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 5: W $\frac{1}{2}$ E $\frac{1}{2}$ ; E $\frac{1}{2}$ W $\frac{1}{2}$ ; W $\frac{1}{2}$ SW $\frac{1}{4}$ ; SW $\frac{1}{4}$ NW $\frac{1}{4}$   
Section 6: SE $\frac{1}{4}$ ; SE $\frac{1}{4}$ NE $\frac{1}{4}$

EXCEPTING THEREFROM all coal and other valuable minerals as reserved in Patent executed by UNITED STATES OF AMERICA recorded July 6, 1950, in Book 24 of Deeds at page 79, Eureka County, Nevada records.

Section 18: NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; SW $\frac{1}{4}$ SE $\frac{1}{4}$   
Section 19: E $\frac{1}{2}$ SE $\frac{1}{4}$ ; NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; NE $\frac{1}{4}$

EXCEPTING from all of the subject property in Section 18 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 19, all the oil and gas as reserved in Patent executed by UNITED STATES OF AMERICA recorded October 5, 1966, in Book 12 of Official Records at page 209, Eureka County, Nevada.

Section 20: W $\frac{1}{2}$ SW $\frac{1}{4}$ ; SW $\frac{1}{4}$ NW $\frac{1}{4}$

EXCEPTING from the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 19 and SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 20 all minerals as reserved in Patent executed by UNITED STATES OF AMERICA recorded January 2, 1969, in Book 26 of Official Records at page 534, Eureka County, Nevada.

Section 29: SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; SW $\frac{1}{4}$ SW $\frac{1}{4}$   
Section 30: E $\frac{1}{2}$ NE $\frac{1}{4}$ ; NE $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPTING from all of the subject property in Sections 29 and 30 all of the oil and gas as reserved in Patent executed by UNITED STATES OF AMERICA recorded February 21, 1969, in Book 28 of Official Records at page 12, Eureka County, Nevada.

Situate in the County of Lander, State of Nevada, as follows, to-wit:

TOWNSHIP 18 NORTH, RANGE 48 EAST, M.D.B.&M.

Section 7: SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; W $\frac{1}{2}$ SE $\frac{1}{4}$   
Section 18: NW $\frac{1}{4}$ NE $\frac{1}{4}$

EXCEPTING an undivided one-half of all oil, petroleum, gas and minerals as reserved in Deed executed by CONLAN LAND & LIVESTOCK, INC., recorded November 7, 1962, in Book 26 of Deeds at page 300, Eureka County, Nevada, and recorded November 13, 1962 in Book 69 of Deeds at page 250, Lander County, Nevada.

TOWNSHIP 18 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 28: SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; NW $\frac{1}{4}$ SE $\frac{1}{4}$   
Section 30: NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; NE $\frac{1}{4}$ NW $\frac{1}{4}$

TOWNSHIP 18 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 18: W $\frac{1}{2}$ NE $\frac{1}{4}$ ; E $\frac{1}{2}$ NW $\frac{1}{4}$ ; W $\frac{1}{2}$ SE $\frac{1}{4}$ ; SW $\frac{1}{4}$   
Section 19: NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; W $\frac{1}{2}$ ; W $\frac{1}{2}$ SE $\frac{1}{4}$   
Section 30: N $\frac{1}{2}$ ; N $\frac{1}{2}$ S $\frac{1}{2}$

TOWNSHIP 18 NORTH, RANGE 54 EAST, M.D.B.&M.

Section 18: SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; S $\frac{1}{2}$ SE $\frac{1}{4}$ ; Lot 2  
Section 19: NE $\frac{1}{4}$ ; SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; N $\frac{1}{2}$ SE $\frac{1}{4}$   
Section 20: W $\frac{1}{2}$ NW $\frac{1}{4}$ ; N $\frac{1}{2}$ SW $\frac{1}{4}$ ; SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Lot 1

EXCEPTING from all of those parcels shown in Township 18 North, Range 54 East, M.D.B.&M., except the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 19, the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Lot 1, NW $\frac{1}{4}$ NW $\frac{1}{4}$  and the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 20, all the coal and other minerals as reserved in Patent executed by the UNITED STATES OF AMERICA recorded August 17, 1932, in Book 21 of Deeds at page 89, Eureka County, Nevada records.

TOWNSHIP 19 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 16: W $\frac{1}{2}$ NE $\frac{1}{4}$ ; E $\frac{1}{2}$ NW $\frac{1}{4}$ ; SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ SW $\frac{1}{4}$   
Section 17: SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; NE $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 18 NORTH, RANGE 48 EAST, M.D.B.&M.

Section 14: E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$   
Section 23: N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;

AND a parcel of land described as:

Beginning at Corner No. 1, from which U. S. Location Monument No. 253 bears South 26°42' East 1.55 chains distant, thence North 26°42' West 69.97 chains to Corner No. 2; thence North 9°13' West 17.37 chains to Corner No. 3; thence North 87°44' East 7.72 chains to Corner No. 4; thence South 22°51' East 86.81 chains to Corner No. 5; thence West 7.36 chains to Corner No. 1, the place of beginning, containing 78.92 acres, and being the same parcel conveyed by the UNITED STATES OF AMERICA to GEORGE WILLIAMS by Land Patent dated May 19, 1916 and recorded in Book 18 of Deeds at page 195, Eureka County, Nevada, records.



TOWNSHIP 29 NORTH, RANGE 43 EAST, M.D.B.&M.

Section 35: N $\frac{1}{2}$ NE $\frac{1}{4}$ ; SW $\frac{1}{2}$ NE $\frac{1}{4}$

TOWNSHIP 30 NORTH, RANGE 43 EAST, M.D.B.&M.

Section 36: SE $\frac{1}{4}$

Excepting and reserving, also, to the United States, pursuant to the provisions of the Act of August 1, 1946 (60 Stat 755), all uranium, thorium, or any other material which is or may be determined to be peculiarly essential to the production of fissionable material, whether or not of commercial value, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, remove the same.

EXCEPTING THEREFROM, all of the above described parcels all mineral rights and interest, including coal, oil, gas and other hydrocarbons, and all other metallic and non-metallic mineral ores and substances, and geothermal steam, hot water, hot brines, thermal energy and gasses as conveyed by VALIANT FARMS-EUREKA, INC. to APAL, a limited partnership, by various documents of record.

CERTIFICATION OF COPY

STATE OF NEVADA  
COUNTY OF ELKO ) SS.

I, JERRY D. REYNOLDS, the duly elected and qualified Recorder of Elko County, in the State of Nevada, do hereby certify that this is a true, full and correct copy of the instrument now on record in this office. In WITNESS WHEREOF, I have hereunto set my hand and the seal of my office, in Elko, Nevada this

MAR 16 1982  
JERRY D. REYNOLDS, COUNTY RECORDER  
BY *[Signature]*  
(REAL)

BOOK 101 PAGE 495

#16.00 161312  
FEE FILED  
FILED FOR RECORD  
AT REQUEST OF

First American Title Co. Of Nev.

82 MAR 16 P 1:50

RECORDED BY 386 PG 338  
JERRY D. REYNOLDS  
ELKO CO. RECORDER

161312

BOOK 386 PAGE 350

RECORDED AT REQUEST OF  
FIRST AMERICAN TITLE CO. OF NEVADA  
BOOK 101 PAGE 482

82 MAR 17 AM 11:20

OFFICIAL RECORDS  
ESSEX COUNTY, NEVADA  
WILLIS A. DEPAOLI-RECORDER  
FILE NO. 84005  
FEE \$ 17.00