

GRANT OF EASEMENT AND RIGHT-OF-WAY

to the United States of America, Department of the Interior, Bureau of Land Management, grantee: Southern Pacific LAND COMPANY, grantor,

WITNESSETH:

That for and in consideration of the agreement by the grantee pursuant to the acts of June 28, 1934 (43 U.S.C. 315, *et. seq.*), as amended, April 27, 1935 (16 U.S.C. 590a), July 14, 1952 (7 U.S.C. 1651), and October 21, 1976 (43 U.S.C. 1701 *et. seq.*), as amended, to construct the following improvements: Palisade-Horseshoe Division Fence, within a 10' wide easement for construction and maintenance, as shown on attached specifications for a 4 strand barbed wire line panel - Type "D-Special" fence.

the grantor does hereby grant, bargain, convey, and confirm unto the United States of America, an easement and right-of-way over the tract, lot, piece, or parcel of land situated, lying and being in the county of Eureka State of Nevada, more particularly described as follows:

Township 31 North, Range 50 East, Mount Diablo Meridian
section 1: E $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ more particularly described as follows:

The 10' wide easement on the subject lands begins from a point 621' due west of the section corner common to the southeastern corner of section 36, T. 32 N., R. 50 E., M.D.M., thence S. 20° W. for approximately 3,300', thence S. 2° W. for approximately 2,244', thence S. 34° W. for approximately 1,980' to the ending point of the easement, a total length of 7,524' (as shown on attached map, Exhibit A).

Items 1 and 2 on Rider attached are hereby made a part hereof.

The easement and right-of-way hereby granted is for the full, free, unrestricted, and quiet use and enjoyment by the grantee of the land of the grantor occupied by the said improvements for any and all purposes deemed necessary or beneficial for, or in connection with, the control, administration, or use of the public land surrounding or adjacent to the land herein described, which may be properly grazed from, serviced by, or used in connection with the said land and improvements, including the right of ingress and egress to, from, and over the land of the grantor by the grantee, its officers, agents, permittees, allottees, and licensees for the purpose of repairing, renewing, or using the said improvements, or for other

business pertaining to the use and maintenance thereof, and shall be appurtenant to said public land.

This grant shall be effective so long as the easement shall be actually used for the aforesaid purposes, and all rights hereunder shall revert to the grantor when and in the event the use thereof shall be discontinued or abandoned by the grantee of which due notice shall be given to the grantor by the grantee. Upon termination or abandonment of this easement, the grantee may at its option and within reasonable time, remove any improvements constructed by grantee on the land hereunder.

Accepted subject to approval of title
by the Department of Justice:

Dated this 7th day of January, 19 83

Accepted by:

Southern Pacific Land Company

[Signature]
Assistant Secretary (Title)

[Signature]
District Manager, Elko



ATTEST

(Acknowledgment on reverse)

BOOK 114 PAGE 560

BOOK 415 PAGE 290

R I D E R

1. Reserving unto Grantor, its successors and assigns, the right to install such gates or other facilities in said fence as may be necessary in connection with any and all use and occupancy of the lands herein before described by Grantor, its successors and assigns.

2. This grant is made upon the express condition that in the event said fence interferes with the future use or disposal by Grantor of said land, Grantor shall have the right to relocate said fence, after written notice to Grantee to such effect, upon and adjoining portion of Grantor's land, at Grantee's cost and expense, which cost and expense Grantee shall reimburse Grantor forthwith upon written demand to Grantee to do so.

STATE OF CALIFORNIA
City and County of San Francisco

s.s.
On this 1st day of FEBRUARY in the year One Thousand Nine Hundred and Eighty THREE
before me, JANETTE LEA CABRAL, a Notary Public in and for the City and County of San Francisco, State of California, personally appeared
O. G. LINDE
(One Marked Place)

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed the within instrument as president (or secretary) or on behalf of the Corporation therein named and acknowledged to me that the Corporation executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the City and County of San Francisco, the day and year in this certificate first above written.

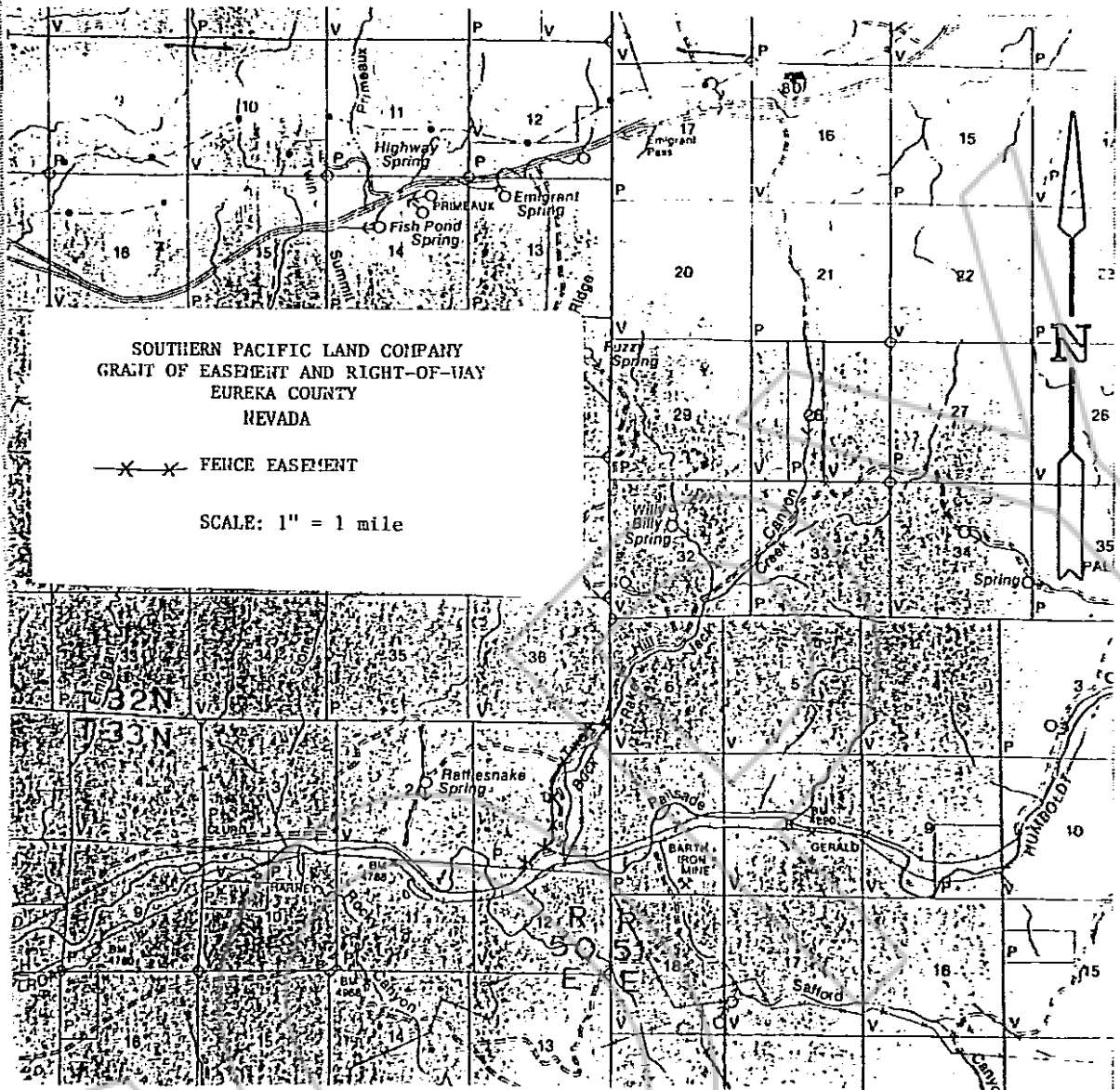


Corporation
My Commission Expires December 13, 1985

Janette Lea Cabral
Notary Public in and for the City and County of San Francisco, State of California.

BOOK 114 PAGES 61

BOOK 415 PAGE 291



SOUTHERN PACIFIC LAND COMPANY
 GRANT OF EASEMENT AND RIGHT-OF-WAY
 EUREKA COUNTY
 NEVADA

— x — FENCE EASEMENT

SCALE: 1" = 1 mile

RECORDED AT REQUEST OF
 Bureau of Land Management
 BOOK 114 PAGE 560

83 OCT 10 A 8: 30

OFFICIAL RECORDS
 EUREKA COUNTY, NEVADA
 M.M. REBALCATTI, RECORDER
 FILE NO. 89373

BOOK 114 PAGE 562

Mc
 FEE FILE # 173346
 FILED FOR RECORD
 AT REQUEST OF
 Bureau of Land Management

83 FEB 10 A 10: 17

RECORDED BY 415 PG 290
 JERRY D. REYNOLDS
 ELKO CO. RECORDER

INDEXED

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BOOK 415 PAGE 292