

TO CLEAR TITLE

102571

QUITCLAIM DEED

THIS INDENTURE, made and entered into this 24<sup>th</sup> day of April, 1986, by and between DUNPHY RANCH, a Nevada general partnership composed of JOHN W. MARVEL and WILBURTA S. MARVEL, husband and wife, of Battle Mountain, Nevada, and JOHN E. MARVEL and KAREN U. MARVEL, husband and wife, of Elko, Nevada, First Party; and JOHN N. DAVIS and JOANNA DAVIS, husband and wife, whose address is 165 W. Front, Battle Mountain, Nevada 89820, Second Parties;

W I T N E S S E T H:

That the said First Party, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, to it in hand paid by the said Second Parties, and other good and valuable consideration, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever quitclaim unto the Second Parties, as community property with right of survivorship, and their assigns, and to their heirs, executors, administrators and assigns of the survivor, forever, all that certain property situate, lying and being in the County of Eureka, State of Nevada, and more particularly described as follows, to-wit:

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

A parcel of land located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 26, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 25, Township 33 North, Range 48 East, M.D.B.&M. Eureka County, Nevada, more particularly described as follows:

Commencing at the Southeast Corner of said Section 26, thence North 4° 31' 30" West 4051.65 feet to Corner No. 1 the true point of beginning being on the northerly right-of-way of U.S. Highway 40,

Thence from a tangent bearing North 76° 55' 52" East, on a curve to the right, with a radius of 3112.00 feet, through a central angle of 7° 11' 34", for an arc length of 390.67 feet along the said northerly right-of-way of U.S. Highway 40 to Corner No. 2,

Thence North 5° 52' 34" West 250.00 feet to Corner No. 3;

Documentary Transfer Tax \$ .....  
 Computed on full value of property conveyed; or  
 Computed on full value of less liens and encumbrances remaining thereon at time of transfer.  
Under penalty of perjury:  
Frankie T. Hansen  
Signature of declarant or agency delimiting tax-firm name

MARVEL & HANSEN  
ATTORNEYS AT LAW  
288 TENTH STREET  
P. O. BOX 2645  
ELKO, NV 89801-2645  
(702) 738-9881

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Thence South 80° 31' 39" West 421.78 feet to  
Corner No. 4;

Thence South 13° 04' 08" East 250.00 feet to  
Corner No. 1, the point of beginning; as shown  
by the parcel map for JOHN W. MARVEL and WILBURTA S.  
MARVEL, filed in the Office of the County Recorder,  
Eureka County, Nevada, on January 19, 1981, as File  
No. 78377.

EXCEPTING THEREFROM all the grantors right, title  
and interest in and to all oil, gas, coal and all  
other minerals of whatever kind and nature and all  
geothermal resources in any and every form located  
within, on or beneath the surface of said land as  
reserved by JOHN W. MARVEL and WILBURTA S. MARVEL,  
husband and wife, by deed recorded March 4, 1981,  
in Book 92, Page 24, Official Records, Eureka  
County, Nevada.

SUBJECT TO all conditions, encroachments, codes,  
laws, zoning ordinances, restrictions and regulations,  
if any, which apply to the property.

SUBJECT TO all existing rights of way, easements,  
licenses, and privileges for highways, roads,  
trails, railroads, canals, ditches, flumes, conduits,  
pipe, pole, or transmission lines, telephone lines  
or cables, on, under, over, through or across said  
premises or any portion thereof.

SUBJECT TO all covenants, conditions, restrictions,  
exceptions, easements, rights of way, reservations,  
and rights of record.

SUBJECT TO Agricultural Use Assessment pursuant  
to Chapter 361A of Nevada Revised Statutes.

SUBJECT TO the following Covenant which shall  
apply to and run with the conveyed land:

Grantees herein covenant and agree, at their sole  
cost and expense, to construct and maintain a  
fence surrounding the above-described property.  
Said fence shall be constructed and maintained  
in accordance with generally accepted local practice  
and N.R.S. 569.450 for the intended purpose of  
livestock use on the Grantors' remaining adjacent  
property.

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SUBJECT TO those certain Terms, Provisions, Covenants and Conditions, contained in that certain Contract of Purchase and Sale dated February 14, 1981, wherein JOHN W. MARVEL and WILBURTA S. MARVEL, husband and wife, are the Sellers and Grantees herein are the Buyers.

RESERVING AND EXCEPTING THEREFROM, HOWEVER, unto Grantor, its successors and assigns, all of Grantor's right, title, interest and estate in and to the oil, gas, coal and all other minerals of whatever kind and nature, and all geothermal resources in any and every form, located within, on, or beneath the surface of said land, or any portion thereof, including the right to the use of so much of the surface thereof as may be required in prospecting, or exploring for, locating, drilling, developing, mining, producing, removing and transporting said oil, gas, coal, or any other minerals, and any geothermal resources.

RESERVING AND EXCEPTING THEREFROM HOWEVER, all springs, wells, water, water rights, and stockwater rights appropriated to, appurtenant to or decreed to said lands, or any portion thereof; with all applications, proofs, permits, maps and certificates relating to such water and water rights, including, but not limited to, those water rights, if any, decreed to the above-described lands, or any portion thereof, by the Edward's Decree in Civil Action No. 2804 in the Sixth Judicial District Court of the State of Nevada, in and for the County of Humboldt, entitled "In the Matter of the Determination of the Relative Rights of Claimants and Appropriators of the Waters of the Humboldt River Stream System and Tributaries", and by any subsequent court orders, judgments or decrees amending or modifying said Edward's Decree; together with all dams, ditches, diversions, licenses, easements, pipelines, structures, measuring devices, headgates, rights-of way and controls incidental to, used or relating to the utilization or beneficial use of such water and water rights.

RESERVING AND EXCEPTING THEREFROM, HOWEVER, any and all rights, privileges, preferences, licenses and permits to graze livestock upon the public lands administered by the United States Department of the Interior, Bureau of Land Management, based upon, appurtenant to or used in connection with the real property or any portion thereof, with the right to transfer the same from the above-described lands to other lands of Grantor.

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TOGETHER WITH all buildings and improvements  
situate thereon.

TOGETHER WITH the tenements, hereditaments and  
appurtenances thereunto belonging or in anywise  
appertaining, and the reversion and reversions,  
remainder and remainders, rents, issues and pro-  
fits thereof.

TO HAVE AND TO HOLD the said premises, together with the  
appurtenances, unto the said Second Parties, as community property  
with right of survivorship, and their assigns, and their heirs,  
executors, administrators and assigns of the survivor, forever.

IN WITNESS WHEREOF, the said First Party has executed  
this instrument as of the day and year first hereinabove written.

DUNPHY RANCH, a Nevada general  
partnership

By: *John W. Marvel*  
JOHN W. MARVEL, General Partner


By: *Wilburta S. Marvel*  
WILBURTA S. MARVEL, General Partner

By: *John E. Marvel*  
JOHN E. MARVEL, General Partner

By: *Karen U. Marvel*  
KAREN U. MARVEL, General Partner

STATE OF NEVADA )  
                    ) ss.  
COUNTY OF ELKO )

On this 24th day of April, 1986, personally  
appeared before me, a Notary Public, JOHN W. MARVEL and WILBURTA S.  
MARVEL, husband and wife, who acknowledged to me that they executed  
the foregoing instrument.

 **SUSAN R. STEFKA**  
Notary Public - State of Nevada  
Elko County, Nevada  
My appointment expires Dec. 4, 1988

*Susan R. Stefka*  
NOTARY PUBLIC

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STATE OF NEVADA )  
 ) ss.  
COUNTY OF ELKO )

On this 24th day of April, 1986, personally appeared before me, a Notary Public, JOHN E. MARVEL and KAREN U. MARVEL, husband and wife, who acknowledged to me that they executed the foregoing instrument.



Susan R. Stefka  
NOTARY PUBLIC

RECORDED AT REQUEST OF  
Frontier Title Co.  
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OFFICIAL RECORDS  
EUREKA COUNTY, NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO. 102571  
FEE \$ 9.00

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