

When recorded mail to:
USDA Farmers Home Admin. cration
2002 Idaho
Elko, NV 89801
Attn: William L. Brewer

R.P." T.: \$110.00

127325

TRUSTEE'S DEED UPON SALE

THIS INDENTURE, made this 30th day of December, 1988, by and between McDONALD, CARANO, WILSON, McCUNE, BERGIN, FRANKOVICH & HICKS as the duly appointed Trustee or substituted Trustee under the hereinafter mentioned Deed of Trust (herein called TRUSTEE), and THE UNITED STATES OF AMERICA, ACTING THROUGH THE FARMERS HOME ADMINISTRATION, UNITED STATES DEPARTMENT OF AGRICULTURE (herein called GRANTEE),

W I T N E S S E T H:

WHEREAS, by Deed of Trust dated October 28, 1975, and recorded November 26, 1975, as Document No. 60686, in Book 53, Page 203, of Official Records in the Office of the County Recorder of Eureka County, Nevada, RONALD C. CHANEY and SANDRA L. CHANEY, his wife, did grant and convey the property herein described to THE FEDERAL LAND BANK OF BERKELEY, a corporation, Trustee, upon the Trusts therein expressed, to secure, among other obligations, payment of that certain Promissory Note and interest, according to the terms thereof; other sums of money advanced, and interest thereon; and

WHEREAS, by Substitution of Trustee recorded August 10, 1988, as Document No. 120693, in Book 182, Page 159, of Official Records in the Office of the County Recorder of Eureka County, Nevada, THE FEDERAL LAND BANK OF BERKELEY (now known as WESTERN FARM CREDIT BANK) substituted the law firm of McDONALD, CARANO, WILSON, McCUNE, BERGIN, FRANKOVICH & HICKS, a partnership, as Trustee under said Deed of Trust; and

WHEREAS, breach and default occurred under the terms of said Deed of Trust in the particulars set forth in the Notice of said Breach and Default, to which reference is hereinafter made; and

WHEREAS, on July 28, 1988, the Owner of said Note executed and delivered to Trustee written Declaration of Default and Demand for Sale, and pursuant thereto a Notice of said Breach and Default and of Election to cause Trustee to sell said property to satisfy the obligation secured by said Deed of Trust was recorded on August 10, 1988, as Document No. 120694 in Book 182, at Page 161, of Official Records in the Office of the County Recorder of Eureka County, Nevada; and

WHEREAS, in consequence of said Declaration of Default, Election, Demand for Sale and in compliance with the terms of said Deed of Trust and after the lapse of three (3) months, Trustee executed its Notice of Trustee's Sale stating that said Trustee, by virtue of the authority in it vested and pursuant to demand, would sell at public auction to the highest bidder for cash, in lawful money of the United States of America, the property particularly therein and hereinafter described, said property being in the Eureka Township, County of Eureka, State of Nevada, and fixing the time of sale as December 29, 1988, at the hour of 10:00 o'clock A.M. and the place of said sale as the

McDONALD, CARANO, WILSON, McCUNE,
BERGIN, FRANKOVICH & HICKS
ATTORNEYS AT LAW
RENO, NEVADA 89505-2670

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office of the Trustee, 241 Ridge Street, Fourth Floor, Reno, Nevada, and caused a copy of said Notice to be posted for not less than twenty (20) days before the date of sale therein fixed, in three public places in the City or Township of Eureka, where said property is located, and in three places in the City of Reno, where said property was to be sold; and said Trustee caused a copy of said Notice to be published once a week for three successive weeks before the date of sale in EUREKA SENTINEL, a newspaper of general circulation printed and published in the County in which said real property is situated, and in the RENO GAZETTE-JOURNAL, a newspaper of general circulation printed and published in the city in which said real property was to be sold, the dates of both publications being December 8, 1988, December 15, 1988, and December 22, 1988; and,

WHEREAS, copies of said recorded Notice of Default and said Notice of Sale were mailed to all those who were entitled thereto in accordance with Section 107.090 of the Nevada Revised Statutes; and

WHEREAS, all applicable statutory provisions of the State of Nevada and all of the provisions of said Deed of Trust have been complied with as to acts to be performed and notices to be given; and

WHEREAS, at the time and place fixed as aforesaid, Trustee did sell at public auction, the property hereinafter described, to Grantee, the highest bidder, for the sum of \$100,000.00 paid in lawful money of the United States of America by the satisfaction of the indebtedness then secured by the said Deed of Trust, pro tanto.

NOW, THEREFORE, Trustee in consideration of the premises recited and by virtue of the authority vested in it by said Deed of Trust, does, by these presents, GRANT AND CONVEY unto Grantee, but without any covenant or warranty, express or implied, all that certain property situate in the Township of Eureka, County of Eureka, State of Nevada, described as follows:

PARCEL I

TOWNSHIP 21 1/2 NORTH, RANGE 54 EAST, M.D.B.&M.
Section 34: Lots 3 and 4; S 1/2 NW 1/4;
 SW 1/4

EXCEPTING THEREFROM all oil and gas as reserved in Patent executed by United States of America.

PARCEL II

TOWNSHIP 21 NORTH, RANGE 54 EAST, M.D.B.&M.
Section 4: Lots 1, 2, 3 and 4 (N 1/2
 N 1/2); S 1/2 N 1/2

EXCEPTING THEREFROM, all coal and other minerals as reserved in Patent from United States of America to William A. Jones recorded January 24, 1956, in Book 24, of Deeds at Page 501, Eureka County, Nevada, records.

Containing 607.28 acres, more or less.

TOGETHER WITH the right to pump 4.0 c.f.s. of water from well located in the SW 1/4 of the SW 1/4 of Section 34, Township 21 1/2 North, Range 54 East, M.D.B.&M. for irrigation of 205.718 acres of the above described land, evidenced by Certificate of Appropriation of Water No. 8527 (Application No. 28956) issued to Ronald C. Chaney by the Nevada State Engineer.

TOGETHER WITH all of Trustors' existing and future rights, however evidenced, to the use of water for irrigating said lands and for domestic and stock watering uses, including ditches, laterals, conduits, and rights of way used to convey such water or to drain said land, all of which rights are hereby made appurtenant to said land, and all pumping plants now or hereafter used in connection therewith, and all wind machines used on said land, which pumping plants and wind machines are hereby declared to be fixtures; all grazing leases, permits, and licenses used with said land; all tenements, hereditaments, easements, rights of way, and appurtenances to said land, and the rents, issues, and profits thereof.

TOGETHER WITH all appurtenances, water rights and rights of way, including all shares, of which Trustor has any interest, of the capital stock of any Water Company, the water represented by which stock is used on or is in anywise appurtenant to aforesaid premises.

EXCEPTING THEREFROM certain real property which has been released from said Deed of Trust pursuant to a Deed of Partial Reconveyance dated January 31, 1978, recorded June 9, 1978, as Document No. 65051, in Book 63, Page 514, of Official Records of Eureka County, Nevada, being more particularly described as follows:

The North half of Section 4, Township 21 North, Range 54 East, M.D.B.&M.

IN WITNESS WHEREOF, said Trustee, has caused this Trustee's Deed Upon Sale to be executed the day and year first above written.

MCDONALD, CARANO, WILSON, McCUNE,
BERGIN, FRANKOVICH & HICKS

By Valerie N. Strandell
Valerie N. Strandell

Trustee

NEVADA ONLY - The United States does not seek exclusive jurisdiction over the property herein described.

William L. Brewer
WILLIAM L. BREWER, County Supervisor, Farmers Home
Administration, U.S. Department of Agriculture

STATE OF NEVADA)
 : ss.
COUNTY OF WASHOE)

On this 30th day of December, 1988, personally appeared before me, a Notary Public in and for said County and State, VALERIE N. STRANDELL, ESQ., of the law firm of McDONALD, CARANO, WILSON, McCUNE, BERGIN, FRANKOVICH & HICKS, duly appointed Trustee under the Deed of Trust recorded November 26, 1975, Document No. 60686, Official Records of Eureka County, Nevada, who acknowledged that she executed this instrument freely and voluntarily and for the uses and purposes therein mentioned.

Donna Gerwin Ott
Notary Public



RECORDED AT THE REQUEST OF
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Frontier Title Co.
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OFFICIAL RECORDS
EUREKA COUNTY, NEVADA
M.N. REBALEATI, RECORDER
FILE NO 115 58⁰⁰

127325

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