

138565

QUITCLAIM DEED OF MINERALS

THIS INDENTURE, made and entered into as of the 9 day of December, 1991, by and between THOMAS J. TOMERA and PATSY S. TOMERA, husband and wife, Grantors, of Carlin, Nevada; THOMAS J. TOMERA and PATSY S. TOMERA, as Trustees of THE THOMAS J. TOMERA FAMILY TRUST, of Carlin, Nevada, Grantees;

W I T N E S S E T H:

That the Grantors, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful, current money of the United States of America, to them in hand paid by the said Grantees, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever quitclaim unto the said Grantees, as Trustees and to the successors and assigns of the Trustees forever, all Grantors' right, title, estate or interest in and to that certain real property situate, lying and being in the Counties of Elko and Eureka, State of Nevada, and more particularly described on Exhibits "A" and "B" attached hereto and incorporated herein by reference.

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

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances unto the said Grantees, as Trustees and to the successors and assigns of the Trustees forever.

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IN WITNESS WHEREOF, the said Grantors have hereunto set their hands as of the day and year first hereinabove written.

Thomas J. Tomera  
THOMAS J. TOMERA, aka  
THOMAS TOMERA

Patsy S. Tomera  
PATSY S. TOMERA, aka  
PATSY SUE TOMERA

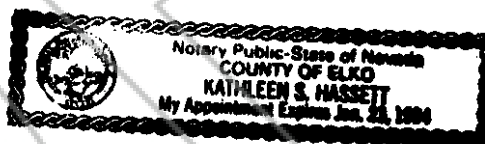
STATE OF NEVADA        )  
                              ) SS.  
COUNTY OF ELKO        )

On this 9<sup>th</sup> day of December, 1991, personally appeared before me, a Notary Public, THOMAS J. TOMERA and PATSY SUE TOMERA, known to me to be said persons, who acknowledged that they executed the foregoing instrument.

Kathleen S. Hassett  
NOTARY PUBLIC

Grantees' address:

Pine Valley Route  
Carlin, Nevada 89822



Assessor's Parcel No.

EXHIBIT "A" TO QUITCLAIM DEED OF MINERALS

TOWNSHIP 30 NORTH, RANGE 53 EAST, M.D.B.&M.

Section 9:  $E\frac{1}{2}$   $SE\frac{1}{4}$ ;  $SW\frac{1}{4}$ ;  $W\frac{1}{2}$   $SE\frac{1}{4}$ ;  
Section 11: All  
Section 17:  $E\frac{1}{2}$ ;  
Section 21: All  
Section 27:  $W\frac{1}{2}$   $NW\frac{1}{4}$ ;  $SE\frac{1}{4}$   $NW\frac{1}{4}$ ;  $SW\frac{1}{4}$ ;  $W\frac{1}{2}$   $SE\frac{1}{4}$ ;  $SE\frac{1}{4}$   $SE\frac{1}{4}$ ; and  
all other lands lying westerly of the ridge which  
runs through the said Section 27,

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

Section 3:  $E\frac{1}{2}$   $NE\frac{1}{4}$ ;  
Section 5:  $S\frac{1}{2}$   $N\frac{1}{2}$ ;  $S\frac{1}{2}$ ;  $N\frac{1}{2}$   $N\frac{1}{2}$ ;  
Section 9: All  
Section 16:  $W\frac{1}{2}$   $NW\frac{1}{4}$ ;  $N\frac{1}{2}$   $SW\frac{1}{4}$ ;  
Section 17:  $E\frac{1}{2}$ ;  
Section 21: All

BOOK 228 PAGE 287

TOWNSHIP 32 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 1: W $\frac{1}{2}$ ;  
Section 9: All  
Section 11: All  
Section 13: All  
Section 21: All  
Section 23: All  
Section 29: All  
Section 31: N $\frac{1}{2}$ ;  
Section 33: N $\frac{1}{2}$ ;  
Section 35: All

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

Those portions of Sections 1 and 12, Township 31 North, Range 52 East, M.D.B.&M., lying easterly of a fence line lying in Sections 1 and 12, Township 31 North, Range 52 East, M.D.B.&M., and more particularly described as follows:

Starting at the North East Corner of Section 1, Township 31 North, Range 52 East, thence South 9° 30' West, 925 feet; thence South 34° 30' West, 3565 feet; thence South 16° 00' West, 5105 feet; thence South 395 feet to a point 1300 feet East of the South West Corner of Section 12, Township 31 North, Range 52 East.

Section 13: All that portion of the NE $\frac{1}{4}$  and N $\frac{1}{2}$  SE $\frac{1}{4}$  lying north of a fence line described as follows:

Commencing at the SE Corner of Section 13, thence north along the East Line of said section, a distance of 1,520 feet to Corner Number 1, the point of beginning;

thence North 57° 30' West, a distance of 330 feet along a fence to Corner Number 2;

thence North 67° 00' West, a distance of 2500 feet, more or less, along a fence to Corner Number 3, a point on the west boundary of E $\frac{1}{2}$  of Section 13, Township 31 North, Range 52 East, M.D.B.&M.

TOWNSHIP 31 NORTH, RANGE 53 EAST, M.D.B.&M.

Section 1: All  
Section 3: All  
Section 5: All  
Section 6: All  
Section 7: All

**EXHIBIT "B"**

**PARCEL ONE:**

**TOWNSHIP 30 NORTH, RANGE 52 EAST, M.D.B.&M.**

Section 1: All  
Section 5: All  
Section 8: All  
Section 9: All  
Section 11: All  
Section 13: All  
Section 16:  $W\frac{1}{2}$   $NW\frac{1}{4}$   
Section 23:  $N\frac{1}{2}$ ;  $SE\frac{1}{4}$   
Section 25: All  
Section 27:  $SE\frac{1}{4}$

**TOWNSHIP 30 NORTH, RANGE 53 EAST, M.D.B.&M.**

Section 7: All (fractional)  
Section 9:  $SW\frac{1}{4}$   
Section 17: All  
Section 19: All (fractional)  
Section 21: All  
Section 27:  $W\frac{1}{2}$   $NW\frac{1}{4}$ ;  $SE\frac{1}{4}$   $NW\frac{1}{4}$ ;  $SW\frac{1}{4}$ ;  $W\frac{1}{2}$   $SE\frac{1}{4}$ ;  $SE\frac{1}{4}$   $SE\frac{1}{4}$ ; and all other lands lying westerly of the ridge which runs through said Section 27.  
Section 29: All

**TOWNSHIP 31 NORTH, RANGE 51 EAST, M.D.B.&M.**

Section 1: That portion lying easterly and northerly of the center line of Nevada State Highway 51, as the same is now constructed.

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

Section 2: Lots 1, 2, 3 and 4;  $S\frac{1}{2}$   $N\frac{1}{2}$ ;  $S\frac{1}{2}$   
Section 3:  $E\frac{1}{2}$   $NE\frac{1}{4}$   
Section 5:  $N\frac{1}{2}$   $NE\frac{1}{4}$ ;  $N\frac{1}{2}$   $NW\frac{1}{4}$   
Section 6: That portion of the  $SE\frac{1}{4}$   $SW\frac{1}{4}$  lying northerly of the center line of Nevada State Highway 51 as the same is now constructed.  
Section 7: That portion lying easterly and northerly of the center line of Nevada State Highway 51 as the same is now constructed.  
Section 11: All

Those portions of Sections 1 and 12, Township 31 North, Range 52 East, lying westerly of a fence line more particularly described as follows:

Beginning at the NE Corner of Section 1, T. 31 N., R. 52 E.; thence South 9°30' W., 925.00'; thence South 34°30' W., 3,565.00'; thence South 16°00' W., 5,105.00'; thence South 395.00' to a point 1,300' East of the Southwest corner to Section 12, T. 31 N., R. 52 E.

Section 13: All that portion of SE $\frac{1}{4}$  and SW $\frac{1}{4}$  NE $\frac{1}{4}$  lying South of a fence line more particularly described as follows:

Commencing at the SE Corner of Section 13; thence North along the East line of said Section 1,520' to Corner No. 1, the Point of Beginning. Thence North 57°30' West, 330' along a fence to Corner No. 2; thence North 67°00' West 2,500' along a fence to Corner No. 3, a point on the West boundary of the E $\frac{1}{2}$  of Section 13.

Section 13: All that portion of the NE $\frac{1}{4}$  and N $\frac{1}{2}$  SE $\frac{1}{4}$  lying North of a fence line described as follows:

Commencing at the SE corner of Section 13, thence North along the East line of said Section a distance of 1,520 feet to Corner No. 1, the point of beginning;

thence N. 57°30' W., a distance of 330 feet along a fence to Corner No. 2;

thence N. 67°00' W., a distance of 2,500 feet more or less, along a fence to Corner No. 3, a point on the West boundary of E $\frac{1}{2}$  of Section 13, Township 31 North, Range 52 East, M.D.B.&M.

Section 17: That portion of the W $\frac{1}{2}$  lying easterly and northerly of the center line of Nevada State Highway 51 as the same is constructed.

Section 18: That portion of the E $\frac{1}{2}$  NE $\frac{1}{4}$  and NE $\frac{1}{4}$  SE $\frac{1}{4}$  lying easterly and northerly of the center line of Nevada State Highway 51 as the same is now constructed.

TOWNSHIP 31 NORTH, RANGE 53 EAST, M.D.B.&M.

Section 1: All  
Section 3: All  
Section 5: All  
Section 7: All  
Section 9: All  
Section 11: All

Section 12: SW $\frac{1}{4}$  SW $\frac{1}{4}$   
 Section 13: All  
 Section 14: NE $\frac{1}{4}$  NE $\frac{1}{4}$ ; SW $\frac{1}{4}$  NE $\frac{1}{4}$ ; N $\frac{1}{2}$  NW $\frac{1}{4}$ ; SE $\frac{1}{4}$  NE $\frac{1}{4}$ ; NW $\frac{1}{4}$  SW $\frac{1}{4}$   
 Section 15: All  
 Section 17: All  
 Section 21: All, EXCEPTING from Section 21, a parcel deeded to WESTERN UNION TELEGRAPH CO., a corporation, by Deed recorded in Book 37, of Official Records at Page 217, Elko County, Nevada records, described as follows:

Beginning at the West one-quarter Corner of said Section 21, said Corner being an 18" x 5" chiseled limestone in a rock mound, thence South 80°37'03" East, 972.12 feet to the true point of beginning; thence North 87°48'42" East, 208.71 feet; thence South 2°11'18" East 208.71 feet to a point, which bears North 60°51'28" West, 4,530.07 feet more or less from the Southeast Corner of said Section 21, said Corner being a notched stone; thence South 87°48'42" West, 208.71 feet; thence North 2°11'18" West, 208.71 feet to the true point of beginning.

Section 23: All

TOWNSHIP 32 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 1: W $\frac{1}{2}$   
 Section 4: W $\frac{1}{2}$  NE $\frac{1}{4}$ ; W $\frac{1}{2}$ ; Lot 1 (NE $\frac{1}{4}$  NE $\frac{1}{4}$ ); SE $\frac{1}{4}$  NE $\frac{1}{4}$ ; SE $\frac{1}{4}$   
 Section 5: SW $\frac{1}{4}$  SE $\frac{1}{4}$ ; SE $\frac{1}{4}$  SW $\frac{1}{4}$ ; SE $\frac{1}{4}$  SE $\frac{1}{4}$   
 Section 8: W $\frac{1}{2}$  SE $\frac{1}{4}$ ; NE $\frac{1}{4}$  SW $\frac{1}{4}$ ; SE $\frac{1}{4}$  SE $\frac{1}{4}$ ; W $\frac{1}{2}$  NE $\frac{1}{4}$ ; E $\frac{1}{2}$  NW $\frac{1}{4}$ ; E $\frac{1}{2}$  NE $\frac{1}{4}$ ; NE $\frac{1}{4}$  SE $\frac{1}{4}$   
 Section 9: All  
 Section 10: SW $\frac{1}{4}$  NE $\frac{1}{4}$   
 Section 11: All  
 Section 13: All  
 Section 14: SW $\frac{1}{4}$  NW $\frac{1}{4}$ ; NE $\frac{1}{4}$  SW $\frac{1}{4}$ ; E $\frac{1}{2}$ ; N $\frac{1}{2}$  NW $\frac{1}{4}$ ; SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; W $\frac{1}{2}$  SW $\frac{1}{4}$ ; SE $\frac{1}{4}$  SW $\frac{1}{4}$   
 Section 15: All  
 Section 16: All  
 Section 17: All that portion lying easterly of the easterly boundary line of the Western Pacific Railway Company's right-of-way.  
 Section 20: E $\frac{1}{2}$ ; SW $\frac{1}{4}$  SW $\frac{1}{4}$ ; E $\frac{1}{2}$  SW $\frac{1}{4}$   
 Section 21: All  
 Section 23: All  
 Section 24: SW $\frac{1}{4}$  SW $\frac{1}{4}$   
 Section 26: All  
 Section 28: All  
 Section 29: All



Section 31: N $\frac{1}{2}$   
Section 33: N $\frac{1}{2}$   
Section 35: All

TOWNSHIP 32 NORTH, RANGE 54 EAST, M.D.B.&M.

Section 23: All  
Section 25: All  
Section 27: All  
Section 29: All  
Section 31: All  
Section 33: All  
Section 35: All

TOWNSHIP 32 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 19: All  
Section 31: All

TOWNSHIP 33 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 33: A parcel of land located in the S $\frac{1}{2}$  SW $\frac{1}{4}$ , more particularly described as follows:

Commencing at the SW corner of said Section 33, thence S. 89°47'00" E., 1,094.97 feet along the southerly line of said Section 33 to Corner No. 1, the true point of beginning, being on the southeasterly right-of-way of the Southern Pacific Railroad;

thence N. 62°23'41" E., 1,561.10 feet along said Southern Pacific right-of-way to Corner No. 2;

thence from a tangent bearing N. 62°23'41" E., on a curve to the left, with a radius of 2,952.49 feet through a central angle of 9°58'23", for an arc length of 513.92 feet along the said southeasterly right-of-way of the Southern Pacific Railroad to Corner No. 3, being a point in the existing Humboldt River;

thence S. 14°22'44" W., 1,038.27 feet along the existing Humboldt River to Corner No. 4, being on the said southerly line of Section 33;

thence N. 89°47'00" W., 1,558.00 feet along the southerly line of said Section 33 to Corner No. 1, the point of beginning.



**PARCEL TWO:**

A parcel of land located in Section 4, T. 32 N., R. 52 E., M.D.B.&M., Elko County, Nevada, more particularly described as follows:

Commencing at the NW Corner of said Section 4, thence S.  $89^{\circ}47'00''$  E., 1,095.12 feet along the north line of said Section 4 to Corner No. 1, the true point of beginning,

thence continuing S.  $89^{\circ}47'00''$  E., 2,747.15 feet along the north line of said Section 4 to Corner No. 2, being a point on the westerly line of Nevada State Highway 278,

thence S.  $3^{\circ}40'04''$  E., 1,706.23 feet along the said westerly line of State Highway 278 to Corner No. 3, being a point on the northwesterly line of the Western Pacific Railroad,

thence S.  $38^{\circ}16'33''$  W., 1,206.63 feet, more or less, along the said northwesterly line of the Western Pacific Railroad to Corner No. 4, a point of the east-west quarter section line of said Section 4,

thence West 63.69 feet more or less along the east-west quarter section line of said Section 4, being the said northwesterly line of the Western Pacific Railroad to Corner No. 5,

thence S.  $38^{\circ}16'33''$  W., 609.35 feet more or less along the said northwesterly line of the Western Pacific Railroad to Corner No. 6,

thence N.  $60^{\circ}37'21''$  W., 1,337.86 feet to Corner No. 7,

thence N.  $67^{\circ}57'53''$  W., 271.59 feet to Corner No. 8,

thence N.  $41^{\circ}22'16''$  W., 1,284.46 feet to Corner No. 9,

thence N.  $26^{\circ}01'02''$  E., 135.84 feet to Corner No. 10,

thence N.  $34^{\circ}59'30''$  W., 671.15 feet to Corner No. 11, being a point on the southeasterly line of the Southern Pacific Railroad,

thence from a tangent bearing N.  $35^{\circ}10'14''$  E., on a curve to the right along the said southeasterly line of the Southern Pacific Railroad having a radius of 2,091.83 feet through a central angle of  $27^{\circ}13'27''$  for an arc length of 993.94 feet to Corner No. 12,

thence N.  $62^{\circ}23'41''$  E., 207.05 feet along the said

southeasterly line of the Southern Pacific Railroad to Corner No. 1, the true point of beginning containing 191.02 acres more or less.

**PARCEL THREE:**

A parcel of land being portions of Section 4, 8, 9, 16 and 17, T. 32 N., R. 52 E., M.D.B.&M., Elko County, Nevada, more particularly described as follows:

Beginning at the SE corner of said Section 17, being Corner No. 1, the true point of beginning,

thence N.  $0^{\circ}05'22''$  E., 1,970.22 feet along the easterly line of said Section 17 to Corner No. 2, being a point on an existing fence,

thence N.  $36^{\circ}52'08''$  E., 858.53 feet along an existing fence to Corner No. 3,

thence N.  $36^{\circ}34'50''$  E., 2,168.21 feet along an existing fence to Corner No. 4,

thence N.  $36^{\circ}55'34''$  E., 736.76 feet along an existing fence to Corner No. 5,

thence N.  $17^{\circ}13'35''$  E., 5,499.29 feet along an existing fence to Corner No. 6,

thence N.  $17^{\circ}48'21''$  E., 2,658.50 feet along an existing fence to Corner No. 7,

thence N.  $68^{\circ}16'07''$  W., 685.31 feet along an existing fence to a point on the easterly R/W line of Nevada State Route 278, being Corner No. 8,

thence from a tangent bearing S.  $25^{\circ}28'39''$  W., on a curve to the right having a radius of 1,700.00 feet through a central angle of  $22^{\circ}10'27''$  for an arc length of 657.92 feet along the said easterly Highway R/W to Corner No. 9,

thence S.  $47^{\circ}39'06''$  W., 1,396.37 feet along the said easterly Highway R/W to Corner No. 10,

thence N.  $0^{\circ}07'46''$  W., 135.03 feet along the said easterly Highway R/W to Corner No. 11,

thence S.  $47^{\circ}39'06''$  W., 531.94 feet along the said easterly Highway R/W to Corner No. 12,

thence from a tangent bearing S.  $47^{\circ}39'06''$  W., on a curve to the left through a central angle of  $22^{\circ}17'10''$  for an

arc length of 933.52 feet along the said easterly Highway R/W to Corner No. 13,

thence S. 25°21'56" W., 8,649.59 feet along the said easterly Highway R/W to Corner No. 14,

thence N. 2°23'28" W., 107.36 feet along the said easterly Highway R/W to Corner No. 15,

thence S. 25°21'56" W., ± 3,188.92 feet along the said easterly Highway R/W to a point on the south line of said Section 17 being Corner No. 16,

thence easterly ± 3,384.93 feet to Corner No. 1, the point of beginning containing 765.58 acres more or less.

**PARCEL FOUR:**

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

TOWNSHIP 32 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 20: That portion of W½ NW¼; NW¼ SW¼ lying easterly of the easterly boundary line of the Western Pacific Railway Company's right-of-way.

FURTHER CONVEYING HERewith ANY AND ALL OF GRANTORS' RIGHT, TITLE, ESTATE OR INTEREST IN AND TO ANY AND ALL LANDS OTHER THAN LANDS WHICH ARE DESCRIBED HEREIN, WHETHER SUCH INTEREST IS PRESENT OR FUTURE AND WHETHER SAID INTEREST SHALL BE CONDITIONAL, ENTIRE OR FRACTIONAL.

BOOK 228 PAGE 285  
OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
Matthews & Wines

'91 DEC 12 P3:41

EUREKA COUNTY, NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO. FEE \$15.00  
138565

BOOK 228 PAGE 295

# DECLARATION OF VALUE

Recording Date 12/12/91 Book 228 Page 285 Instrument # 138565

Full Value of Property Interest Conveyed \$ \_\_\_\_\_

Less Assumed Liens & Encumbrances - \_\_\_\_\_

Taxable Value (NRS 375.010, Section 4) \$ \_\_\_\_\_

Real Property Transfer Tax Due \$ -0-

If exempt, state reason. NRS 375.090, Section (8) Explain:

A transfer of title, by spouses without consideration to an inter vivos trust.

## INDIVIDUAL

Under penalty of perjury, I hereby declare that the above statements are correct.

Richard J. Matthews  
Signature of Declarant

Richard J. Matthews, Esq.  
Name (Please Print)

P.O. Box 511  
Address

Elko, Nevada 89801  
City State Zip

## ESCROW HOLDER

Under penalty of perjury, I hereby declare that the above statements are correct to the best of my knowledge based upon the information available to me in the documents contained in the escrow file.

\_\_\_\_\_  
Signature of Declarant

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Escrow Number

\_\_\_\_\_  
Firm Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip