

160309

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TRUSTEE'S DEED UPON SALE

T.S. No. G215653

Unit Code G

Loan No. BLUE DIAMOND RANCH/RUSSELL

T.D. SERVICE COMPANY

(herein called Trustee),

does hereby GRANT AND CONVEY, without any covenant or warranty, express or implied to

MONFORT FINANCE COMPANY, A COLORADO CORPORATION

(herein called Grantee), such interest as Trustee has in that certain property described as follows:

SEE ATTACHED EXHIBIT "A" FOR PERSONAL PROPERTY AND ATTACHED EXHIBIT "B" FOR REAL PROPERTY

This conveyance is made pursuant to the authority vested in said Trustee, as Trustee or as duly appointed Trustee by the Deed of Trust described as follows:

TRUSTOR: DANIEL H. RUSSELL  
ROBERTA A. RUSSELL

BENEFICIARY: MONFORT FINANCE COMPANY INC.

Recorded May 28, 1992 as Instr. No. 140887 In Book 234  
Page 512 of Official Records in the office  
of the recorder of Eureka County;

AP# 07-210-26

Whereas, the holder of the note secured by said Deed of Trust delivered to Trustee a written Declaration of Default and, pursuant thereto, a Notice of Default was Recorded February 16, 1995 as Instr. No. 157166 In Book 281 Page 144 of Official Records in the office of the recorder of Eureka County;

Whereas, Trustee complied with all applicable statutory provisions of the State of Nevada, and of the described Deed of Trust, including the mailing and publication of the Notice of Default and Notice of Sale, as respectively appropriate.

Said Notice of Trustee's Sale stated the time and place that Trustee would sell its interest in the described property at public auction. On November 30, 1995, the date set forth in the Notice of Trustee's Sale or the properly postponed sale date, Trustee sold the described property to Grantee, the highest qualified bidder present, for the sum of \$ 1,385,000.00 Pro-Tanto

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T.S. No. G215653

Unit Code G

Loan No. BLUE DIAMOND RANCH/RUSSELL

In Witness Whereof, the undersigned caused its corporate name and seal to be hereunto affixed.

Dated November 30, 1995 T.D. SERVICE COMPANY

By *Teri Heard*  
Teri Heard, Assistant Secretary

By *Diane Erickson*  
Diane Erickson, Assistant Secretary

STATE OF CALIFORNIA  
COUNTY OF Orange

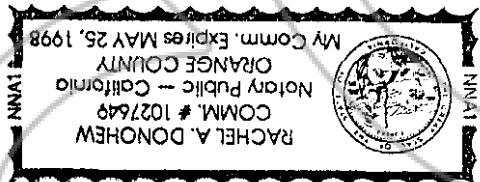
On November 30, 1995 before me, Rachel A. Donohew, Notary  
personally appeared Teri Heard, Assistant Secretary and Diane Erickson,  
Assistant Secretary

personally known to me (or proved to me on the basis of satisfactory evidence) to  
be the person(s) whose name(s) is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/her/their authorized  
capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the  
instrument.

WITNESS my hand and official seal

*Rachel A. Donohew*  
(Signature)

(Seal)



SPACE BELOW THIS LINE FOR RECORDERS USE

Recording Requested By

T.D. SERVICE COMPANY

and when recorded mail to

Thomas Van Horne  
Monfort Finance Company, Inc. Horne  
% Law Office of Thomas S. Van Horne  
2991 B Gold Canal Drive  
Rancho Cordova, CA 956700

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EXHIBIT A TO UCC-1  
DANIEL H. RUSSELL AND ROBERTA A. RUSSELL

The following property and interests in property of Debtor, whether now owned or existing or hereafter acquired or arising and wheresoever located: all Accounts, Inventory, Farm Products, General Intangibles, Equipment, Margin Accounts, Documents, all accessions to, substitutions for, and all replacements, products and proceeds of the foregoing (including, without limitation, proceeds of insurance policies insuring any of the foregoing), all books and records (including, without limitation, customer lists, credit files, computer programs, printouts and other computer material and records) pertaining to any of the foregoing, and all insurance policies insuring any of the foregoing.

"Accounts" shall mean all present and future rights (including, without limitation, rights under any futures contracts, forward sale or purchase contracts or other contracts) of Debtor to payment for "Inventory" (as hereinafter defined) or other goods sold or leased or for services rendered, which rights are not evidenced by instruments or chattel paper, regardless of whether such rights have been earned by performance.

"Inventory" shall mean any and all goods which shall at any time constitute Farm Products (including, without limitation, goods in transit), wheresoever located, whether now owned or hereafter acquired by Debtor, which from time to time are held for sale or lease, furnished under any contract of service or held as raw materials, work in process or supplies, and all packaging or handling materials (including, without limitation, all pallets, containers, bags, cartons, boxes, wrappers and the like) used or consumed in Debtor's business.

"Farm Products" shall mean all of Debtor's livestock, whether branded or unbranded, of either sex and of all types and descriptions, including without limitation, the offspring of such livestock in gestation, and supplies, and also, all crops or seed of all types and descriptions, whether annual or perennial, now or hereafter growing or grown and all other personal property of Debtor used or for use in farming operations (including, without limitation, native grass, grain, harvested crops, seed, feed, fertilizer, hay, silage, and supplies), now or hereafter owned by Debtor or now or hereafter purchased by or for the benefit of Debtor. Farm Products shall also include, but shall not be limited to, all of Debtor's now owned or hereafter acquired feed additives, feed supplements, veterinary supplies, and related products, whether purchased by or for the benefit of Debtor, and any other "farm products" defined in the "Code".

"General Intangibles" shall mean all of Debtor's right, title and interest in and to any bank deposit accounts, customer deposit accounts, deposits, rights related to pre-paid expenses, Payment in Kind Certificates ("PIK Certificates"), negotiable or non-negotiable instruments or securities, chattel paper, choses in action, causes of

action, claims which are the subject of any and all state or federal lien avoidance actions, as well as said lien avoidance actions, and all other intangible personal property of every kind and nature (other than Accounts), whether presently owned or hereafter acquired or arising, including, without limitation, corporate or other business records, inventions, designs, patents, patent applications, trademarks, trade names, trade secrets, goodwill, registrations, copyrights, licenses, franchises, customer lists, tax refunds, tax refund claims, customs claims, guarantee claims, company memberships or patronage benefits, notes payable to Debtor for capital stock, claims against any holder of Debtor's capital stock, rights to any government subsidy, set aside, diversion, deficiency or disaster payment or payment in kind, milk bases, brands and brand registrations, water rights which are not or may not be real property (including, without limitation, water stock, ditch rights, well permits, water permits, applications and the like), Commodity Credit Corporation storage agreements or contracts, leasehold interests in real and personal property and any security interests or other security held by or granted to Debtor to secure payment by any Account Debtor of any of the Accounts.

"Equipment" shall mean any and all goods, other than Inventory (including, without limitation, equipment, machinery, motor vehicles, implements, tools, parts and accessories) which are now or hereafter owned or acquired by Debtor, together with any and all accessions, parts and appurtenances thereto.

"Margin Accounts" shall mean all existing or hereafter acquired or accumulated futures contracts or funds and other property related to such futures contracts, which Debtor or Debtor's authorized attorney-in-fact may acquire, accumulate, withdraw or pay out, and which may be held with any broker, including any balance credited to any Margin Account upon its closing.

"Documents" shall mean any and all warehouse receipts, bills of lading or similar documents of title relating to goods in which Debtor at any time has an interest, whether now or at any time or times hereafter issued to Debtor or Monfort by any Person, and whether covering Debtor's Inventory or otherwise.

All that certain lot, piece or parcel of land situate in the County of Eureka, State of Nevada, described as follows:

Sadler Ranch - Parcels One and Two:

PARCEL ONE:

TOWNSHIP 23 NORTH, RANGE 52 EAST, MDB&M

Section 36: An undivided 1/2 interest in and to Southwest 1/4 Northeast 1/4; Southeast 1/4 Northwest 1/4

TOWNSHIP 24 NORTH, RANGE 52 EAST, MDB&M

Section 12: East 1/2 Northeast 1/4

Section 13: Northeast 1/4; Southwest 1/4; Northwest 1/4

Section 23: Southeast 1/4; South 1/2 Southeast 1/4

Section 23: East 1/2 East 1/2; West 1/2 Southeast 1/4

Section 24: All

Section 25: North 1/2; North 1/2 South 1/2

Section 26: East 1/2 Northeast 1/4; West 1/2 Northeast 1/4; Northwest 1/4 Southeast 1/4

Section 26: 1/4

TOWNSHIP 24 NORTH, RANGE 53 EAST, MDB&M

Section 17: Southwest 1/4 Southeast 1/4

Section 18: Lots 3 and 4, East 1/2 Southwest 1/4; West 1/2

Section 19: Southeast 1/4; Southeast 1/4 Southeast 1/4

Section 19: Lots 1, 2, 3 and 4; East 1/2 West 1/2; West 1/2

Section 29: East 1/2

Section 29: Northwest 1/4; West 1/2 Southeast 1/4; North 1/2

Section 29: Southwest 1/4; West 1/2 Northeast 1/4; Southeast

Section 30: 1/4 Southeast 1/4

Section 30: Lots 1 and 2, East 1/2 Northwest 1/4; Northeast

Section 32: 1/4; North 1/2 Southeast 1/4

Section 32: North 1/2 Northeast 1/4

TOWNSHIP 25 NORTH, RANGE 53 EAST, MDB&M

Section 5: Southeast 1/4 Southeast 1/4

EXCEPTING FROM the west 1/2 of the Northeast 1/4 of Section 36, Township 22 North, Range 48 East, M.D.B. & M., all the oil and gas as reserved in Patent executed by United States of America, recorded February 5, 1962 in Book 26 of Deeds at page 175, Eureka County, Nevada records.

Section 31: Lots 1 and 2

TOWNSHIP 22 NORTH, RANGE 49 EAST, MDB&M

Section 36: Northeast 1/4; North 1/2 Southeast 1/4; Lot 4

TOWNSHIP 22 NORTH, RANGE 48 EAST, MDB&M

Section 35: Northeast 1/4 Southeast 1/4  
Section 10: Northeast 1/4 Southeast 1/4; Northwest 1/4  
Southeast 1/4; South 1/2 Southeast 1/4  
Northwest 1/4; Northwest 1/4

TOWNSHIP 21 NORTH, RANGE 48 EAST, MDB&M

Section 16: Northeast 1/4; Northeast 1/4 Northwest 1/4  
Section 15: South 1/2 Northwest 1/4; North 1/2 Southwest 1/4;  
Section 9: Southwest 1/4  
Section 8: North 1/2 Southeast 1/4

TOWNSHIP 20 NORTH, RANGE 49 EAST, MDB&M

PARCEL THREE--Santa Fe Ranch:

EXCEPTING THEREFROM all mineral deposits in and under said land, reserved by the United States of America, in Patent recorded January 25, 1979 in Book 68, Page 392 of Official Records, Eureka County, Nevada.

Section 25: South 1/2 Southwest 1/4  
Section 13: Southeast 1/4 Northwest 1/4

TOWNSHIP 24 NORTH, RANGE 52 EAST, MDB&M

PARCEL TWO:

EXCEPTING THEREFROM an undivided 1/2 interest in and to all coal, oil, gas and other minerals of every kind and nature whatsoever existing upon, beneath the surface of, or within said lands as reserved in deed from REINHOLD SADLER, et al, recorded February 6, 1976 in Book 53, Page 583 of Official Records, Eureka County, Nevada.



EXCEPTING FROM the South 1/2 of the Northwest 1/4; North 1/2 of the Southwest 1/4; Northwest 1/4 of the Southeast 1/4 of Section 15, the Northeast 1/4 of the Northeast 1/4 and the South 1/2 of the Northeast 1/4 of Section 16, Township 20 North, Range 49 East, M.D.B. & M., all the oil, gas, potash and sodium as reserved in Patent executed by United States of America, recorded December 2, 1965 in Book 9 of Official Records at Page 195, Eureka County, Nevada.

FURTHER EXCEPTING from all of the above described lands one-half of all oil, gas or mineral rights of any name or nature as reserved by PIETRINA ETCHEGARAY, et al, in Deed recorded June 20, 1966 in Book 11 of Official Records at Page 37, Eureka County, Nevada.

PARCEL FOUR--Segura Ranch:

TOWNSHIP 15 NORTH, RANGE 50 EAST, MDB&M

Section 4: Lots 1 and 2; South 1/2 Northeast 1/4; Southeast 1/4

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

PARCEL FIVE--The Blue Diamond Ranch:

TOWNSHIP 21-NORTH, RANGE 53 EAST, MDB&M

Section 20: West 1/2

EXCEPTING THEREFROM that portion thereof conveyed to CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, A UTAH CORPORATION SOLE, in Deed recorded September 7, 1984 in Book 127, Page 467 as Document No. 95671, Official Records, which is described as follows:

Commencing at the West 1/4 corner of said Section 20, thence North 0°09'00" East 1767.82 feet along the West line of said Section 20 to corner No. 1 the true point of beginning; thence continuing North 0°09'00" East 840.25 feet along the West line of said Section 20 to corner No. 2, being on the southerly right of Way line of 7th Street; thence South 89°59'48" East 840.95 feet along the said southerly right of way line of 7th Street to corner No. 3; thence from a tangent bearing South 70°38'55" West on a curve to the left, with a radius of 1380.00 feet, through a central angle of 51°05'48", for an arc length of 1230.69 feet to corner No. 1, the point of beginning, now known as Parcel One and Two of the certain Parcel Map recorded June 4, 1984, under File No. 93464, Eureka County, Nevada records.

Section 29: North 1/2

TOWNSHIP 21 NORTH, RANGE 53 EAST, MDB&M

Section 20: East 1/2

EXCEPTING THEREFROM, all potassium, oil and gas as reserved in patent dated March 13, 1963, executed by UNITED STATES OF AMERICA to JAMES J. KAHL recorded May 3, 1963 in Book 26 of Deeds at Page 426, Eureka County, Nevada records.

PARCEL SEVEN--The Blue Diamond Ranch:

TOWNSHIP 21 NORTH, RANGE 53 EAST, MDB&M

Section 22: East 1/2  
Section 27: East 1/2

EXCEPTING THEREFROM, all the oil, gas, potash and sodium as reserved in patents executed by UNITED STATES OF AMERICA to THOMAS H. GALLAGHER and JOHN B. BONDS, recorded April 9, 1964 in Book 3 of Official Records at Page 555 and December 30, 1964 in Book 6 of Official Records at Page 348, Eureka County, Nevada.

PARCEL EIGHT--The Blue Diamond Ranch:

TOWNSHIP 21 NORTH, RANGE 53 EAST, MDB&M

Section 28: All

EXCEPTING THEREFROM all the oil and gas as reserved in patents executed by UNITED STATES OF AMERICA to DOROTHY S. GALLAGHER and MILLIE S. SEWELL, recorded December 30, 1964 in Book 6 of Official Records at Pages 349 and 350, Eureka County, Nevada.

PARCEL NINE--Willow Creek Ranch:

TOWNSHIP 16 NORTH, RANGE 53 EAST, MDB&M

Section 7: Southeast 1/4 Northeast 1/4

East 1/2; Northwest 1/4; South 1/2  
Northwest 1/4; North 1/2 Southwest 1/4; Southeast 1/4  
1/4 Southwest 1/4  
Northeast 1/4 Northeast 1/4; South 1/2 Northeast 1/4; North 1/2

Section 9: Northeast 1/4 Northeast 1/4; South 1/2 Northeast 1/4; Northwest 1/4; South 1/2  
Northwest 1/4; South 1/2  
North 1/2; North 1/2 South 1/2; Southwest 1/4  
Southeast 1/4; South 1/2 Southwest 1/4

Section 10: North 1/2; North 1/2 South 1/2; Southwest 1/4  
Southeast 1/4; South 1/2 Southwest 1/4  
South 1/2 Northeast 1/4; Northwest 1/4; North 1/2

Section 11: South 1/2 Northeast 1/4; Northwest 1/4; North 1/2  
Southwest 1/4  
North 1/2

Section 12:

TOWNSHIP 16 NORTH, RANGE 54 EAST, MDB&M

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Section 6: South 1/2 Southwest 1/4

Section 7: Lots 1 and 2 of the Northwest 1/4



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 survey of said land, returned to the general Land office by the Surveyor-General.

Sections 7 and 8: Homestead Entry No. 98 embracing portions of said section 7 and 8 is described more particularly as follows:

TOWNSHIP 17 NORTH, RANGE 50 EAST, MDB&M

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.

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 21.41 chains to corner No. 6; thence, South 0°04' East 5.98 chains to corner No. 1, the place of beginning.

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 described as follows:

TOWNSHIP 17 NORTH, RANGE 49 EAST, MDB&M

Section 19: Lot 4; Southeast 1/4 Southwest 1/4  
 Section 29: North 1/2 Northwest 1/2; West 1/2 Northwest 1/2  
 Section 30: Northeast 1/2 Northwest 1/2; North 1/2 Northwest 1/2; East 1/2 Southwest 1/2; North 1/2 Southwest 1/2

TOWNSHIP 18 NORTH, RANGE 49 EAST, MDB&M

Section 25: North 1/2 Northeast 1/2

TOWNSHIP 18 NORTH, RANGE 50 EAST, MDB&M

Section 28: Southwest 1/2 Northeast 1/2; Northwest 1/2 Northeast 1/2; Southeast 1/2 Northwest 1/2  
 Section 30: Northwest 1/2 Northeast 1/2; Northwest 1/2 Northeast 1/2

TOWNSHIP 18 NORTH, RANGE 51 EAST, MDB&M

Section 18: West 1/2 Northeast 1/2; East 1/2 Northwest 1/2; West 1/2  
 Section 19: Southeast 1/2; Southwest 1/2; Northwest 1/2; West 1/2; West 1/2 Southeast 1/2  
 Section 30: North 1/2; North 1/2 South 1/2

TOWNSHIP 18 NORTH, RANGE 54 EAST, MDB&M

Section 18: Southeast 1/2 Northwest 1/2; Northeast 1/2 Southwest 1/2; Lot 2  
 Section 19: Northeast 1/2; Southeast 1/2 Northwest 1/2; North 1/2  
 Section 20: West 1/2 Northwest 1/2; North 1/2 Southwest 1/2; Southeast 1/2 Northwest 1/2; Lot 1

EXCEPTING FROM ALL OF THOSE PARCELS SHOWN IN TOWNSHIP 18 NORTH, RANGE 54 EAST, M.D.B.&M., EXCEPT THE NORTHEAST 1/4 NORTHEAST 1/4 OF SECTION 19, THE SOUTHEAST 1/4 NORTHEAST 1/4, LOT 1, NORTHEAST 1/4 NORTHEAST 1/4 AND THE NORTHEAST 1/4 SOUTHWEST 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, MDB&M

Section 16: West 1/2 Northeast 1/2; East 1/2 Northwest 1/2; Southwest 1/2 Northwest 1/2; Northwest 1/2 Southwest 1/2  
 Section 17: Southeast 1/2 Northeast 1/2; Northeast 1/2 Southwest 1/2

TOWNSHIP 18 NORTH, RANGE 48 EAST, MDB&M

Section 14:

East 1/2 Southwest 1/2 Northwest 1/2 Southwest 1/2;  
West 1/2 Southeast 1/2 Northwest 1/2 Southwest 1/2;  
Southeast 1/2 Southeast 1/2 Northwest 1/2 Southwest 1/2;  
Southwest 1/2 Southeast 1/2 Southwest 1/2;  
South 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Southwest 1/2 Southeast 1/2 Southwest 1/2;  
Northwest 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Southeast 1/2 Southeast 1/2 Southwest 1/2;  
North 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;

Section 23:

Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;

AND a parcel of land existing within a portion of Section 27 and Section 34, known as Homestead Entry No. 86 and is described as follows:

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 18 NORTH, RANGE 49 EAST, MDB&M

Section 5:

Northwest 1/2 Southwest 1/2 Southeast 1/2 Southwest 1/2;  
Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;

Section 6:

Northwest 1/2 Southwest 1/2 Southeast 1/2 Southwest 1/2;  
Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;  
Northeast 1/2 Northwest 1/2 Southeast 1/2 Southwest 1/2;

Section 5:

West 1/2 East 1/2; East 1/2 West 1/2; West 1/2 Southwest 1/2;  
Southwest 1/2 Northwest 1/2 Southeast 1/2 Northeast 1/2

Section 6:

Southeast 1/2; Southeast 1/2 Northeast 1/2

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

Section 18:

Northwest 1/2 Northeast 1/2; Northeast 1/2 Southwest 1/2;  
Southwest 1/2 Northwest 1/2; Southwest 1/2 Southeast 1/2;  
East 1/2 Southeast 1/2; Northwest 1/2 Southeast 1/2;  
Northeast 1/2

Section 19:

East 1/2 Southeast 1/2; Northwest 1/2 Southeast 1/2;  
Northeast 1/2

| Recording Date | Book | Page | Document No. | County     |
|----------------|------|------|--------------|------------|
| 4-01-88        | 509  | 407  | 248663       | Elko       |
| 4-01-88        | 125  | 420  | 250971       | White Pine |
| 4-01-88        | 175  | 121  | 117501       | Eureka     |
| 4-01-88        | 309  | 18   |              | Lander     |
| 4-01-88        |      |      | 206511       | Nye        |

EXCEPTING from all of the subject property in Section 18 and the North  $\frac{1}{2}$  Northeast  $\frac{1}{2}$ , Southwest  $\frac{1}{2}$  Northeast  $\frac{1}{2}$  and Northwest  $\frac{1}{2}$  Southeast  $\frac{1}{2}$  of Section 19, all the oil and gas as reserved in Patent executed by the UNITED STATES OF AMERICA, recorded October 5, 1966 in Book 12 of Official Records at Page 209, Eureka County, Nevada.

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

Section 20: West  $\frac{1}{2}$  Southwest  $\frac{1}{2}$ ; Southwest  $\frac{1}{2}$  Northwest  $\frac{1}{2}$

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

EXCEPTING FROM 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.

The above interest in minerals by mesne conveyances is in favor of DANIEL H. RUSSELL by those certain deeds recorded:

The Knight Ranch - Parcels Ten and Eleven

PARCEL TEN:

TOWNSHIP 26 NORTH, RANGE 50 EAST, MDB&M

- Section 1: SE 1/4 of the NE 1/4; W 1/2 of the SW 1/4; E 1/2 of the SE 1/4
- Section 11: NE 1/4 of the NE 1/4
- Section 12: E 1/2 of the NE 1/4; NE 1/4 of the SE 1/4

TOWNSHIP 26 NORTH, RANGE 51 EAST, MDB&M

- Section 6: Lots 3, 4, 5, 6 and 7; SE 1/4 of the NW 1/4; E 1/2 of the SW 1/4
- Section 7: Lots 1, 2, 3 and 4
- Section 18: Lots 1, 2, 3 and 4

TOWNSHIP 27 NORTH, RANGE 51 EAST, MDB&M

- Section 30: S 1/2 of the NE 1/4; Lot 4; E 1/2 of the SW 1/4; N 1/2 of the SE 1/4
- Section 31: Lot 1

PARCEL ELEVEN:

- Section 30: Lots 9 and 10; SW 1/4 of the SE 1/4 of the SE 1/4 of the NW 1/4; E 1/2 of the SE 1/4 of the NW 1/4
- Section 31: N 1/2 of the NW 1/4 of the NE 1/4 of the NW 1/4; SW 1/4 of the NW 1/4 of the NE 1/4 of the NW 1/4

EXCEPTING THEREFROM all oil and gas as reserved in Patent executed by the UNITED STATES OF AMERICA to LIBERTY LIVESTOCK recorded December 6, 1972 in Book 44, Page 180, of official Records, Eureka County, Nevada and FURTHER EXCEPTING a right of way thereon for ditches and canals constructed by the United States.

PARCEL TWELVE--The Held Ranch:

TOWNSHIP 19 NORTH, RANGE 54 EAST, MDB&M

- Section 2: SW 1/4 of the SW 1/4
- Section 3: S 1/2 of the SE 1/4; SE 1/4 of the SW 1/4

FURTHER EXCEPTING FROM SECTION 23, TOWNSHIP 21 NORTH, RANGE 54 EAST, M.D.B.M., all gas, oil, and mineral rights lying in and under said land as reserved by BILL HARRIS and ROSALYN HARRIS, in deed recorded March 22, 1976, in Book 54, page 208, of Official Records, Eureka County, Nevada.

EXCEPTING an undivided fifty percent interest in and to all gas, oil and mineral rights lying in and under said land, as reserved by MARIA TERESA LABARRY, et al, in deed recorded in Book 44, Page 222, Official Records, Eureka County, Nevada.

Section 35: N 1/2 of the SE 1/4; S 1/2 of the SW 1/4  
Section 34: S 1/2 of the SE 1/4; N 1/2 of the SW 1/4  
Section 23: N 1/2 of the SE 1/4; N 1/2 of the SW 1/4

TOWNSHIP 21 NORTH, RANGE 54 EAST, MDBEM

Section 34: SW 1/4 of the NE 1/4; NW 1/4 of the NW 1/4; SE 1/4 of the NW 1/4  
Section 29: SE 1/4 of the SE 1/4  
Section 28: NE 1/4 of the NE 1/4; S 1/2 of the NW 1/4; NW 1/4 of the SE 1/4; SE 1/4 of the SE 1/4  
Section 27: SW 1/4 of the NE 1/4; NW 1/4 of the NW 1/4; SE 1/4 of the NW 1/4  
Section 26: S 1/2 of the NE 1/4; N 1/2 of the SE 1/4; N 1/2 of the SW 1/4  
Section 25: NW 1/4 of the NE 1/4; NW 1/4 of the NW 1/4; N 1/2 of the SW 1/4; SE 1/4 of the SW 1/4  
Section 24: NW 1/4 of the SW 1/4  
Section 23: SW 1/4 of the NE 1/4  
Section 22: S 1/2 of the NE 1/4; NW 1/4 of the NW 1/4; SE 1/4 of the NW 1/4  
Section 21: S 1/2 of the NE 1/4; NW 1/4 of the NW 1/4; SE 1/4 of the NW 1/4; N 1/2 of the NW 1/4  
Section 20: NW 1/4 of the NE 1/4; NW 1/4 of the NW 1/4  
Section 17: S 1/2 of the SE 1/4; SE 1/4 of the SW 1/4  
Section 16: E 1/2 of the SE 1/4  
Section 15: W 1/2 of the SW 1/4  
Section 10: SE 1/4 of the NW 1/4; Lot 2 (SW 1/4 of the NW 1/4)  
Section 9: S 1/2 of the NE 1/4; SE 1/4 of the NW 1/4; NW 1/4 of the SW 1/4  
Section 5: W 1/2 of the SW 1/4  
Section 4: S 1/2 of the NE 1/4  
Section 3: Lot 5 (SW 1/4 of the NW 1/4)

TOWNSHIP 20 NORTH, RANGE 54 EAST, MDBEM



EXCEPTING from all of the parcels described herein, those lands which have been conveyed/reconveyed as follows:

- a) Order Authorizing Sale Of Real Property Free And Clear Of Liens And Other Interests, recorded November 24, 1993, in Book 256, Page 320, Official Records, Eureka County, Nevada. (Affects Parcels 10 and 11)
- b) Deed, recorded November 24, 1993, in Book 256, Page 324, Official Records, Eureka County, Nevada. (Affects Parcels 10 and 11)
- c) Quitclaim Deed, recorded July 18, 1994, in Book 271, Page 273, Official Records, Eureka County, Nevada. (Affects a portion of Parcel 1)
- d) Order Authorizing Sale Of Real Property Free And Clear Of Liens And Other Interests (Sadler Ranch), recorded July 18, 1994, in Book 271, Page 282, Official Records, Eureka County, Nevada. (Affects Parcels 1 and 2)
- e) Deed, recorded July 18, 1994, in Book 271, Page 302, Official Records, Eureka County, Nevada. (Affects Parcels 1 and 2)
- f) Order Authorizing Sale Of Real Property Free And Clear Of Liens And Other Interests (Cottonwood Ranch), recorded August 1, 1994, in Book 273, Page 448, Eureka County, Nevada. (Affects Parcel 12)
- g) Deed, recorded August 1, 1994, in Book 273, Page 461, Official Records, Eureka County, Nevada. (Affects Parcel 12)
- h) Order Authorizing Sale Of Real Property Free And Clear Of Liens And Other Interests (Santa Fe/Ferguson Ranch), recorded October 6, 1994, in Book 277, Page 096, Official Records, Eureka County, Nevada. (Affects Parcel 3)
- i) Deed, recorded October 6, 1994, in Book 277, Page 112, Official Records, Eureka County, Nevada. (Affects Parcel 3)
- j) Deed of Partial Reconveyance, recorded October 14, 1994, in Book 277, Page 283, Official Records, Eureka County, Nevada. (Affects Parcel 12)
- k) Partial Reconveyance, recorded December 14, 1994, in Book 279, Page 197, Official Records, Eureka County, Nevada. (Affects Parcel 12)

1) Trustee's Deed, recorded December 27, 1994, in Book 279, Page 298, Official Records, Eureka County, Nevada. (Affects Parcel 9)

2) Trustee's Deed Upon Sale, dated January 27, 1995, recorded February 15, 1995 in Book 281, Page 129, as Document No. 157161. (Affects Parcel 4)

**COPY**

BOOK 290 PAGE 539

OFFICIAL RECORDS

RECORDED AT THE REQUEST OF

*Trust American, Inc.*

95 DEC 15 AM 11:35

EUREKA COUNTY NEVADA

M.N. REBAL/RECORDER

FILE NO. FEES \$22.00

160309

BOOK 290 PAGE 54

DECLARATION OF VALUE

Recording Date 12/15/95 Book 290 Page 539 Instrument # 160309

Full Value of Property Interest Conveyed \$ 1,385,000.00  
 Less Assumed Liens & Encumbrances \_\_\_\_\_  
 Taxable Value (NRS 375.010, Section 2) \_\_\_\_\_  
 Real Property Transfer Tax Due \$ 1800.50

If exempt, state reason. NRS 375.090, Section \_\_\_\_\_ Explain: \_\_\_\_\_

APN#:

|  |   |
|--|---|
| <p style="text-align: center;">INDIVIDUAL</p> <p>Under penalty of perjury, I hereby declare that the above statements are correct.</p> <p>Signature of Declarant _____</p> <p>Name (Please Print) _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p> | <p style="text-align: center;">ESCROW HOLDER</p> <p>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.</p> <p>Signature of Declarant <u>Sherri Stouten</u></p> <p>Name (Please Print) <u>Sherri Stouten</u></p> <p>Escrow Number <u>441544TSG</u></p> <p>Firm Name <u>First American Title Company</u></p> <p>Address <u>331 7th Street</u></p> <p>City <u>Elko, NV.</u> State <u>89801</u> Zip _____</p> |
|--|---|

Tax paid for the above transfer on 12/15, 19 95 per NRS 375.030, Section 3.

Signature of Recorder or Representative [Signature]