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164856

Trustee's Deed

This Deed, made the 26th day of September, 1994, between Judge Merlyn H. Hoyt,
 Judge of the Seventh District Court of the State of Nevada in and for the County of Eureka, and by virtue thereof
 trustee of Eureka Town Site, the party of the first part, and Diamond Lumber Company
P.O. Box 118
Eureka, NV 89316

the party of the second part,

Witnesseth:

Whereas, the said trustee, by virtue of the authority vested in him by the deed of trust hereinafter mentioned as trustee for the occupants of the Town Site of Eureka, and pursuant to the provisions of Section 2387 and 2389 of the Revised Statutes of the United States, and of an act of the Legislature of the State of Nevada entitled: "An Act prescribing rules and regulations for the execution of the trust arising under the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns upon the public lands, approved March 2, 1867,' Approved February 20, 1869," did grant and convey unto said party of the second part, in accordance with the law hereinabove mentioned, a certain tract of land situate, lying and being in the Town Site of Eureka, County of Eureka, State of Nevada, and as the same is delineated upon the official plat of the survey of said Town Site, which is now on file in the Bureau of Land Management, Washington, D. C., all of which said lands was conveyed by the United States of America to the said W. R. Reynolds, in trust, by patent No. 1122995, bearing date December 1, 1947, and which is recorded in book 23 of deeds, at page 226, records of Eureka County, State of Nevada, and which said tract of land hereinafter described in a portion of the lands described in the Patent hereinabove described, and which said land is more particularly described as follows:

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LEGAL DESCRIPTION

SOUTH PORTION BLOCK 107, APN 1-171-13

All that certain real property situate within a portion of the Northwest 1/4 of Section 24, Township 19 North, Range 53 East, further described as a portion of Block 107, as shown on the Plat of Eureka Townsite, on file in the Office of the U.S. Department of the Interior, recorded in 1937, more particularly described as follows:

BEGINNING at the East 1/16 C--C Corner of said Section 24, said point also being the Southeast corner of said Eureka Townsite, as shown on that Record of Survey for Eureka County, File No. 127448;

THENCE S 89°57'24" W, along the South line of the Northwest 1/4 of said Section 24, a distance of 171.86 to the Southeast Corner of the parcel of land described in that deed filed in Book 24, Page 248, Records of the County of Eureka, State of Nevada;

THENCE N 2°07'36" W, along the East line of said parcel, a distance of 154.00 feet;

THENCE S 89°57'24" W, along the North line of said parcel, a distance of 92.00 feet;

THENCE S 2°07'36" E, along the West line of said parcel, a distance of 154.00 feet to a point on the South line of aforesaid Northwest 1/4 of Section 24;

THENCE S 89°57'24" W, a distance of 27.43 feet to a point on the Easterly right-of-way of U.S. Highway 50;

THENCE N 9°54'39" W, along said right-of-way, a distance of 580.25 feet to a Point on the Southerly line of a parcel of land described as Parcel 3, in that deed filed in Book 119, Page 285, Records of the County of Eureka, State of Nevada;

THENCE N 80°17'51" E, along said line, a distance of 135.69 feet;

THENCE S 39°41'34" E, continuing along said parcel line, a distance of 246.19 feet;

THENCE N 58°57'54" E, continuing along said parcel line a distance of 116.61 feet, to a point on the East line of aforesaid Block 107;

THENCE S 0°01'52" E, along said East line a distance of 464.92 feet to the TRUE POINT OF BEGINNING.

CONTAINING 3.61 acres, more or less.

For corresponding plat depicting this property see Record of Survey, File No. 164719.

Also reserving to Eureka County, Nevada a ten foot (10') easement on the townsite boundry for townsite fence and a ten foot (10') utility easement as shown on the record of survey as recorded in the Eureka County, Nevada Recorder's Office.

NOW THEREFORE, in consideration of the sum of \$ 50,000.00 to me in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, the said Judge Merlyn H. Hoyt as said trustee, does by these presents grant and convey in fee simple, subject to the reservations hereinafter mentioned, unto the said party of the second part, his heirs and assigns, the tract of land hereinabove described.

TO HAVE AND TO HOLD the said tract of land with the appurtenances thereof, unto the said party of the second part, and to his heirs, successors, and assigns forever, subject to any vested and accrued water right for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts. And there is hereby reserved from the lands hereby granted a right-of-way thereon for ditches and canals constructed by the authority of the United States. Excepting and reserving, however, to the United States, pursuant to the provisions of an Act of August 1, 1946, (60 Stat. 755), all uranium, thorium, or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine and remove the same.


IN WITNESS WHEREOF the said party of the first part, as such trustee, has hereunto set his hand the day and year first above written.

Merlyn H. Hoyt
Trustee.
Dist. Judge 7th Jud. Dist.

State of Nevada, } ss.
County of Eureka,

On this 27th day of September, 1996, personally appeared before me, Jean Shangle, Clerk of the Seventh Judicial District Court of the State of Nevada in and for Eureka County, Judge Merlyn H. Hoyt, known to me to be the trustee of the Eureka Town Site, and to be the person described in and who executed the foregoing instrument and who acknowledged to me that he executed the same freely and voluntarily as such trustee for the uses and purposes therein mentioned.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal in my office in Eureka, Nevada, the day and year in this certificate first above written.

Jean Shangle
Clerk of said Court. 

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OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Seventh District Court
96 SEP 26 PM 2:43
EUREKA COUNTY NEVADA
M.N. REBALEATI, RECORDER
FILE NO. FEES No Fee

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OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Seventh District Court
96 OCT 25 PM 1:21
EUREKA COUNTY NEVADA
M.N. REBALEATI, RECORDER
FILE NO. FEES No Fee

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