

GRANT OF EASEMENT

THIS GRANT OF EASEMENT is by and between NEWMONT GOLD COMPANY, a Delaware corporation, "Grantor"; and NEVADA BELL, a Nevada corporation, "Grantee";

For good and valuable consideration, the undersigned Grantor hereby grants to Grantee, its successors and assigns, the nonexclusive right from time to time to construct, place, inspect, maintain, replace and remove communication facilities consisting of underground conduits, pipes, manholes, service boxes, wires, cables, other electrical conductors, aboveground markers, risers, pedestals and terminal equipment cabinets, and other appurtenances, together with an easement therefore and the right of ingress thereto and egress therefrom, across, upon, in and under the following described real property in the County of Eureka, State of Nevada:

See Exhibits "A" and "B" attached hereto and incorporated herein;

Grantor also grants to Grantee the right to trim such tree foliage and to cut such limbs or roots on said property as may be reasonably necessary for the protection of said facilities.

With the prior consent of Grantor, which will not be unreasonably withheld, Grantor also grants to Grantee the right to cut, fill or otherwise change the grade of said property and to place such drainage and retaining structures thereon, as Grantee may determine to be reasonably necessary for the protection of such communications facilities.

Grantee, its successors and assigns, shall indemnify and hold harmless Grantor, its officers, directors, employees, stockholders, successors and assigns, from and against any and all losses, costs (including without limitation attorney's fees), damages, expenses, liability, claims, awards, demands, causes of action, and judgements for injury to, or death of, persons, and damage to, or loss or destruction of, property caused by or resulting from the construction, maintenance, operation or repair of the communications facilities or the exercise by Grantee, its employees or agents, of any other rights herein set forth, except injury or damage which occurs as a result of the negligence or willful misconduct of Grantor, its employees or agents or caused by other Grantees.

Grantee, its successors and assigns, shall comply with all applicable statutes, ordinances, rules, regulations and orders in exercising the rights set forth herein.

Grantee shall have and hold the rights granted herein for so long as it uses and maintains the communications facilities on the lands described above, and the rights granted herein shall terminate upon Grantee's discontinuance of such use and maintenance for a period of one year and all such shall revert to Grantor, its successors or assigns.

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## EXHIBIT "A"

Being a parcel of land situated in the Northwest Quarter (N.W. 1/4) of Section 25, Township 33 North, Range 48 East, Mount Diablo Base Line and Meridian, Eureka County, Nevada and being more particularly described as follows:

COMMENCING at the Northeast corner of said Section 25, a scribed wooden post, from which the east quarter-corner of Section 24, a scribed wooden post, bears North  $00^{\circ}17'$  East a distance of 2617.44 feet;

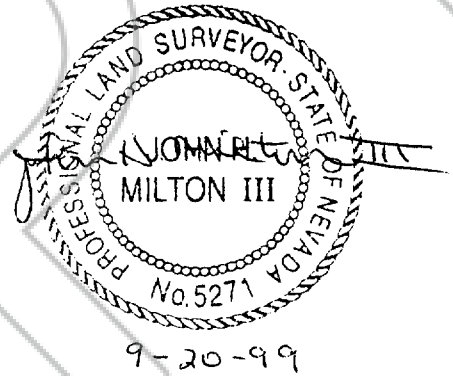
THENCE South  $69^{\circ}58'47''$  West a distance of 4191.17 feet to the **TRUE POINT OF BEGINNING**;

THENCE South  $18^{\circ}51'09''$  West a distance of 20.00 feet to a point on the north Right-of-Way line of U.S. Highway 40, a curve having a radius of 3112.00 feet, the radial of which bears North  $19^{\circ}07'43''$  East;

THENCE northwesterly along said curve, to the left, through a central angle of  $00^{\circ}33'08''$ , an arc distance of 30.00 feet;

THENCE North  $18^{\circ}51'09''$  East a distance of 20.00 feet;

THENCE South  $71^{\circ}08'51''$  East a distance of 30.00 feet to the **TRUE POINT OF BEGINNING**, containing in all 599 square feet of land, more or less;



# Exhibit "B"

A parcel of land, 20 feet by 30 feet,  
situated within the Northwest Quarter of  
Section 25, T. 33 N. R. 48 E., M.D.B. & M.,  
Eureka County, Nevada

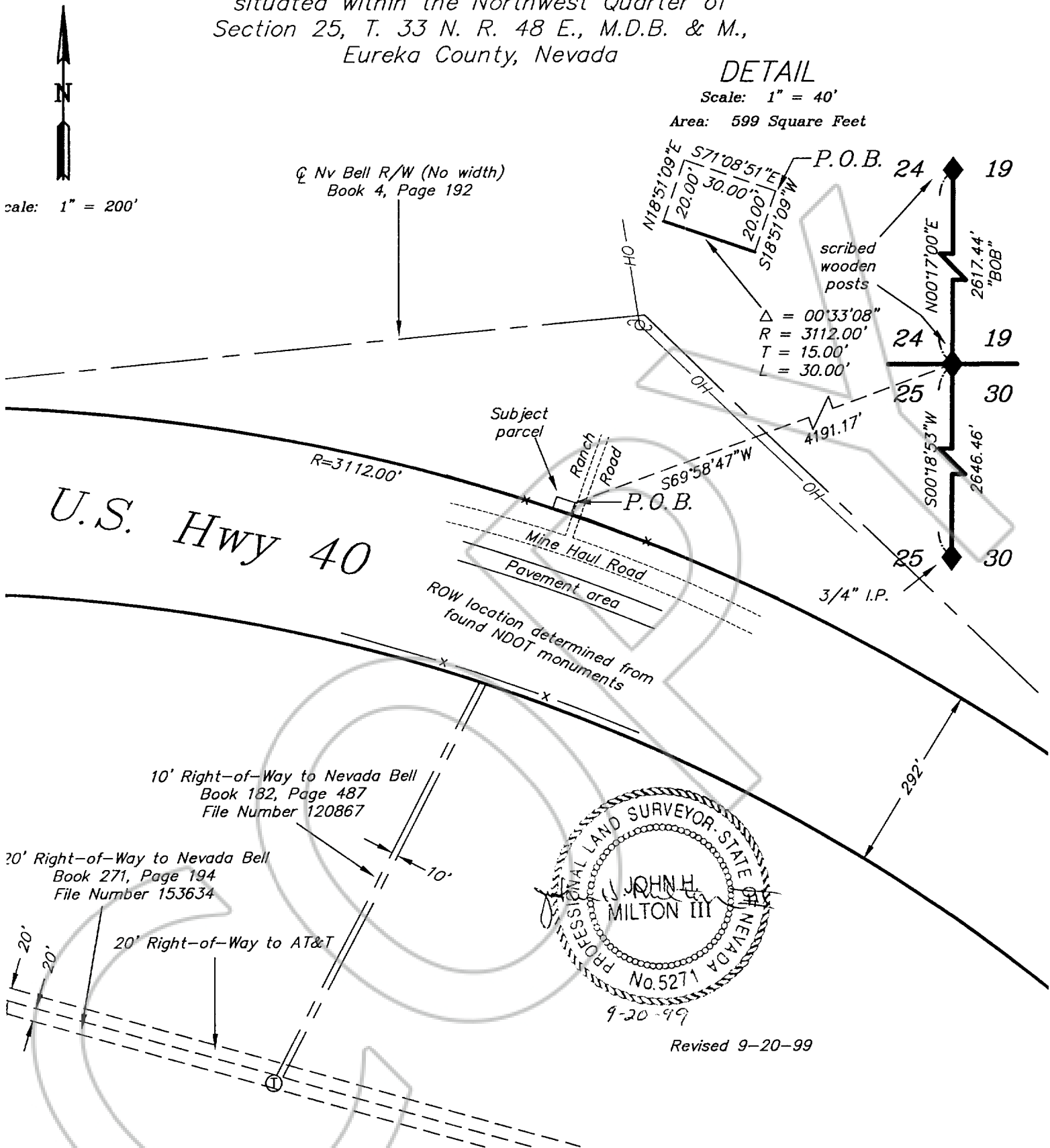
## DETAIL

Scale: 1" = 40'

Area: 599 Square Feet

☉ Nv Bell R/W (No width)  
Book 4, Page 192

Scale: 1" = 200'



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EXECUTED this 5<sup>th</sup> day of OCTOBER, 1999.

NEWMONT GOLD COMPANY

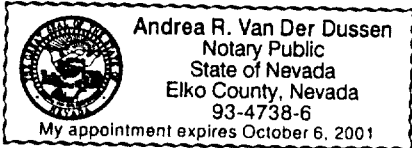
By: *W. James Mullin*

Name: W. James Mullin

Title: Senior Vice President

STATE OF NEVADA )  
 )SS.  
COUNTY OF ELKO )

On this 5 day of OCTOBER in the year 1999, before me, a Notary Public in and for the said state, personally appeared W. JAMES MULLIN, who is SENIOR VICE PRESIDENT of NEWMONT GOLD COMPANY, personally known to me to be the person who executed the above instrument on behalf of said Corporation, and acknowledged to me that he executed the same for the purposes therein stated.



*Andrea R. Van Der Dussen*  
NOTARY PUBLIC

AGREED TO AND ACCEPTED this 12 day of October, 1999.

NEVADA BELL

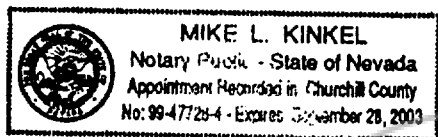
By: D. Callahan

Name: DIANA CALLAHAN

Title: Senior Engineer / REAL Estate

STATE OF Nevada )  
 ) ss.  
COUNTY OF Washoe )

On this 12 day of October in the year 1999, before me, a Notary Public in and for the said state, personally appeared Diana Callahan, who is Senior Engineer/Real Estate of NEVADA BELL, personally known to me to be the person who executed the above instrument on behalf of said Corporation, and acknowledged to me that he executed the same for the purposes therein state.



Mike L. Kinkel  
NOTARY PUBLIC



Recorded at Request of  
NEVADA BELL

No Documentary Transfer Tax Due

When Recorded Return to  
Attn: NEVADA BELL  
Right of Way, C154  
P.O. Box 11010  
645 E. Plumb Ln.  
Reno, NV 89520

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OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
Nevada Bell  
99 OCT 14 AM 10:31

EUREKA COUNTY NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO. FEES 11.00

**173096**

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