

174712

QUITCLAIM DEED

THIS INDENTURE, made this 7th day of June, 2000, by and between GEORGE M. SMIRALDO and SARAH R. SMIRALDO, husband and wife, parties of the first part, and GEORGE M. SMIRALDO, as Trustee of the GEORGE M. SMIRALDO LIVING TRUST dated May 23, 2000, party of the second part;

WITNESSETH:

WHEREAS, by Deed dated February 20, 1961, and recorded in Book 26 of Deeds, at Page 16, in the Office of the Eureka County Recorder, Eureka, Nevada, wherein GEORGE M. SMIRALDO and ALMA SMIRALDO, his wife, were the Grantors, and TOM JOHNSON, et al, were the Grantees, there was reserved to GEORGE M. SMIRALDO and ALMA SMIRALDO an undivided one-half interest in the coal, oil, gas and other mineral rights held in connection with the following described property situate in the County of Eureka, State of Nevada:

TOWNSHIP 25 NORTH, RANGE 53 EAST, MDB&M.

Section 5: Lots 3 and 4 of NW $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$

Section 6: Lots 1 and 2 of NE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 8: NW $\frac{1}{4}$ NW $\frac{1}{4}$

TOWNSHIP 26 NORTH, RANGE 53 EAST, MDB&M.

Section 32: S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$

WHEREAS, ALMA SMIRALDO is now deceased and GEORGE M. SMIRALDO is the successor to her interest in the above described coal, oil, gas and mineral rights, and it is now the desire of GEORGE M. SMIRALDO to convey all of his interest and the interest formerly held by

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ROSS P. EARDLEY

ATTORNEY AT LAW
469 IDAHO STREET
ELKO, NEVADA 89801

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ALMA SMIRALDO in said coal, oil, gas and mineral rights to the Trustee of the GEORGE M. SMIRALDO LIVING TRUST named above;

NOW THEREFORE, the parties of the first part, for good and valuable consideration, to them in hand paid by the party of the second part, do hereby remise, release and quitclaim to the party of the second part, and to his successor and assigns forever, all of their right, title and interest in the coal, oil, gas and mineral rights held in connection with the above described property as reserved in the above mentioned Deed of February 20, 1961, as follows:

All of the first parties' right, title and 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, including the right to use of so much of the surface hereof as is required in prospecting for, in locating, developing, producing and transporting said coal, oil, gas or minerals and any of the by-products thereof.

TO HAVE AND TO HOLD said premises, together with the appurtenances, unto the party of the second part, and to his successors and assigns, forever.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands the day and year first above written.

George M. Smiraldo
GEORGE M. SMIRALDO

Sarah R. Smiraldo
SARAH R. SMIRALDO

State of Nevada Declaration of Value

FOR RECORDERS OPTIONAL USE ONLY	
Document/Instrument #	<u>174712</u>
Book	<u>335</u> Page <u>015</u>
Date of Recording:	<u>6/13/00</u>
Notes:	_____

1. Assessor Parcel Number(s)

- a) _____
- b) _____
- c) _____
- d) _____

2. Type of Property:

- a) Vacant Land
- b) Single Fam.Res.
- c) Condo/Twnhse
- d) 2-4 Plex
- e) Apt. Bldg.
- f) Comm'/Ind'l
- g) Agricultural
- h) Mobile Home
- i) Other Mineral Rights

3. Total Value/Sales Price of Property: \$ _____
 Deduct Assumed Liens and/or Encumbrances: (_____)

(Provide recording information: Doc/Instrument #: _____ Book: _____ Page: _____)

Transfer Tax Value per NRS 375.010, Section 2: \$ _____
 Real Property Transfer Tax Due: \$ _____

4. **If Exemption Claimed:**

- a. Transfer Tax Exemption, per NRS 375.090, Section: 8
- b. Explain Reason for Exemption: Transfer to trust without consideration

5. Partial Interest: Percentage being transferred: _____ %

The undersigned Seller (Grantor)/Buyer(Grantee), declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1 1/2% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

SELLER (GRANTOR) INFORMATION

BUYER (GRANTEE) INFORMATION

Seller Signature: _____
 Print Name: _____
 Address: _____
 City: _____
 State: _____
 Telephone: () _____
 Capacity: _____

Buyer Signature: Ross P. Erdley
 Print Name: Ross P. Erdley
 Address: 469 Idaho St.
 City: Elko
 State: NV- 89801
 Telephone: 775 738-4046
 Capacity: Attorney

COMPANY REQUESTING RECORDING

Co. Name: _____ Esc. #: _____

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)