

176380

Project: SPSR-0278(010)

E.A. 72629

Parcels: S-278-EU-071.539TE

S-278-EU-071.552TE

1263 S. Stewart St.
Carson City, NV 89712
Ptn. of APN 005-380-10

TEMPORARY EASEMENT DEED

THIS DEED made this th day of JANUARY , 2001 between JULIAN TOMERA RANCHES, II, STONEHOUSE DIVISION, a Nevada corporation, hereinafter called GRANTOR, and the STATE OF NEVADA, acting by and through its Department of Transportation, hereinafter called GRANTEE,

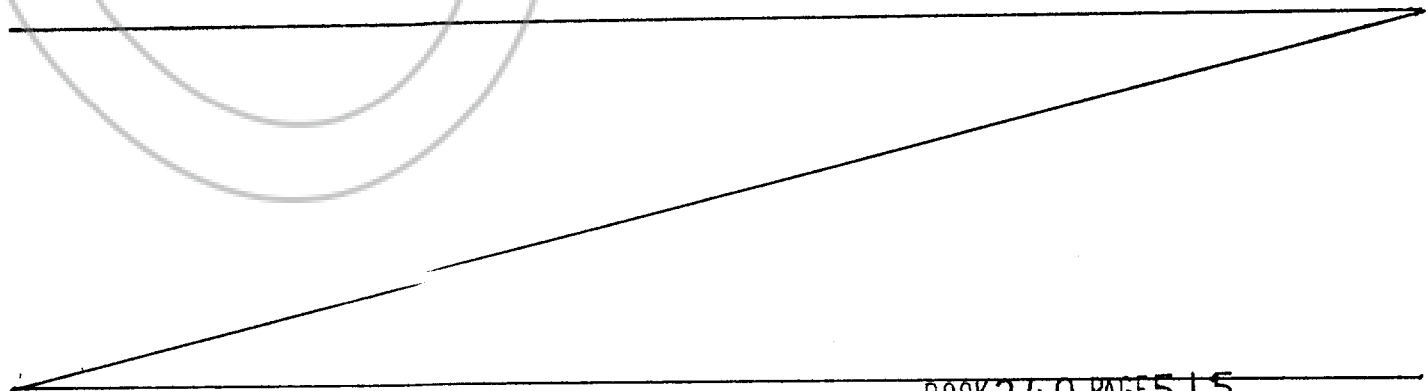
WITNESSETH:

That the GRANTOR, for and in consideration of the sum of ONE DOLLAR (\$1.00), lawful money of the United States of America, and for good and valuable consideration, the receipt whereof is hereby acknowledged, does by these presents grant and convey unto the GRANTEE and to its assigns for those purposes as contained in Chapter 408 of the Nevada Revised Statutes, a temporary easement and right-of-way for the location and construction of improvements to existing RCB structure over and across certain real property of the undivided situate, lying and being in the County of Eureka, State of Nevada, and more particularly described as big portions of Government Lot 1 of Section 5, T. 30 N., R. 52 E., M.D.M., and the individual parcels more fully scribed by metes and bounds as follows, to wit:

PARCEL S-278-EU-071.539TE

BEGINNING a point on the right or easterly right-of-way line of SR-278 (Carlin/Eureka Road) 32.309 meters (106.00 feet) right of and measured radially from Highway Engineer's station "Om" 126+93.633 P.O.C.; said point of beginning further described as bearing 13°55'15" W. an approximate distance of 1325 meters (4,349 feet) from the southeast corner of Section 5, T. 30 N., R. 52 E., M.D.M., thence from a tangent which bears 4°16'03" W., curving to the right along said right or easterly right-of-way line, with radius of 1188.722 meters (3,900.00 feet), through an angle of 2°08'28", an arc distance of 44.422 meters (145.74 feet) to a point; thence the following three (3) courses and distances:

- 1) N. 87°25" E. - 4.952 meters (16.25 feet);
 - 2) S. 4°40" E. - 44.227 meters (145.10 feet);
 - 3) S. 85°57" W. - 5.722 meters (18.77 feet) to the point of beginning;
- said parcel contains area of 242.644 square meters (2,612 square feet).



PARCEL S-278-EU-071.552TE

BEGINNING a point on the left or westerly right-of-way line of SR-278 (Carlin/Eureka Road) 3.411 meters (44.00 feet) left of and measured radially from Highway Engineer's station "Om" 127+13.568 P.O.C.; said point of beginning further described as bearing 15°40'44" W. an approximate distance of 1354 meters (4,441 feet) from the southeast corner of Section 5, T. 30 N., R. 52 E., M.D.M.; thence the following three (3) courses and distances:

- 1) S. 86°05" W. - 15.704 meters (51.52 feet);
- 2) N. 2°37" W. - 19.994 meters (65.60 feet);
- 3) N. 87°04" E. - 15.614 meters (51.23 feet) to a point on said left or westerly right-of-way line;

thence from a tangent which bears S. 2°24'56" E., curving to the left along said westerly right-of-way line, with radius of 1234.442 meters (4,050.00 feet), through an angle of 0°54'59", an arc distance of 19.744 meters (64.78 feet) to the point of beginning; said parcel contains an area of 310.593 square meters (3,344 square feet).

The temporary easements granted by this instrument shall terminate effective December 31, 2002 or upon completion of construction whichever shall first occur.

TO HAVE AND TO HOLD and singular the said real property, together with the appurtenances, unto the said GRANTEE and to any heirs, successors and assigns for the term of this temporary easement deed.

IN WITNESS WHEREOF said GRANTOR has hereunto signed on the day and year first above written.

JULIAN TOMERA RANCHES, INC.,
STONEHOUSE DIVISION, a Nevada corporation

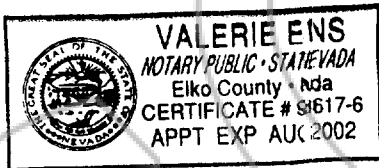
By: Thomas J. Tomera Pres
THOMAS J. TOMERA

STATE OF Nevada
Elko

On this 24 day of January, 2001, personally appeared before me, the undersigned, a Notary Public in and for the County of Elko, State of Nevada, THOMAS J. TOMERA, personally known (or proved) to me to be the person whose name is subscribed to the above instrument and who acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes thereby mentioned.

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

S
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Valerie Ens

BOOK 340 PAGE 515
OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
State of Nevada
01 MAR 23 PM 12:54

EUREKA COUNTY NEVADA
M.M. REBALEATI, RECORDER
FILE NO.

176380

FEES No Fee

BOOK 340 PAGE 517

State of Nevada Declaration of Value

1. Assessor Parcel Number(s)
 a) 005-380-10(part)
 b) _____
 c) _____
 d) _____

2. Type of Property:
 a) Vacant Land b) Single Fam. Res.
 c) Condo/Twnhse d) Duplex
 e) Apt. Bldg. f) Comm/Ind'l
 g) Agricultural h) Mobile Home
 i) Other _____

FOR RECORDERS OPTIONAL USE ONLY	
Document/Instrument #:	<u>176380</u>
Book:	<u>340</u> Page: <u>515</u>
Date of Recording:	<u>3/23/01</u>
Notes:	_____

3. Total Value/Sales Price of Property: \$ 1,000.00
 Deduct Assumed Liens and/or Encumbrances: _____
 (Provide recording information: Doc/Instrument #: _____ Book: _____ Page: _____)

Transfer Tax Value per NRS 375.0 Section 2: \$ _____
 Real Property Transfer Tax Due: \$ -0-

4. If Exemption Claimed:
 a. Transfer Tax Exemption, per NRS 375.090, Section: 2
 b. Explain Reason for Exemption: A transfer of title to or from the U.S.A., any territory or state or any agency, department, instrumentality or political subdivision thereof.

5. Partial Interest: Percentage being transferred: case. (temp.)

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 will be jointly and severally liable for any additional amount owed.

SELLER (GRANTOR) INFORMATION

Seller Signature: _____
 Print Name: JULIAN TOMERA ANCHES, INC.
 Address: HC65 BOX 11
 City: CARLIN
 State: NV Zip: 89822
 Telephone: (775) 754-223
 Capacity: _____

BUYER (GRANTEE) INFORMATION

Buyer Signature: Richard E. Davis (for NDOT)
 Print Name: RICHARD E. DAVIS
 Address: 1263 So. Stewart Street
 City: Carson City
 State: Nevada Zip: 89712
 Telephone: (775) 888-7288
 Capacity: Department of Transportation

COMPANY REQUESTING RECORDING

Co. Name: State of Nevada, Department of Transportation Esc. #: N/A