

APN 007-392-09
007-392-10
007-398-09

Send Tax Statements to Grantee:
Ivan Smart
1065 Pincay Drive
Henderson, NV 89015

BOOK *403* PAGE *175-178*
OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Ross P. Eardley
2005 JAN 10 PM 2:16

EUREKA COUNTY, NEVADA
M.N. REBALEATI, RECORDER
FILE NO. FEES *17.00*

194961

DEED IN LIEU OF FORECLOSURE

THIS INDENTURE, made this 22 day of September, 2004, by and between CHEYENNE LAND & LIVESTOCK COMPANY, INC., a Nevada Corporation, and JOHN GOURLEY, an unmarried man, individually, parties of the first part, and IVAN SMART, a married man as his sole and separate property, party of the second part;

WITNESSETH:

That the parties of the first part, for good and valuable consideration, to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, do by these presents grant, bargain and sell unto the party of the second part, as his sole and separate property, and to his heirs, executors, administrators and assigns, forever, all that certain property situate in the County of Eureka, State of Nevada, more particularly described as follows:

Parcel 1

Parcel G1-3 as shown on that certain Parcel Map for CHEYENNE LAND AND LIVESTOCK, INC., filed in the Office of the County Recorder of Eureka County, State of Nevada, on February 20, 1998, as File No. 169772, being a portion of Lot 1 of Parcel G of Large Division Map, E $\frac{1}{2}$ Section 17, Township 20 North, Range 53 East, MDB&M. Approximately 1.2 acres.

ROSS P. EARDLEY
ATTORNEY AT LAW
P.O. Box 460
ELKO, NEVADA 89803

TELEPHONE (775) 738-3691 - FAX (775) 753-5710

Parcel 2

Parcel G1-0 as shown on that certain Parcel Map for CHEYENNE LAND AND LIVESTOCK, INC., filed in the Office of the County Recorder of Eureka County, State of Nevada, on February 20, 1998, as File No. 169772, being a portion of Lot 1 of Parcel G of Large Division Map, E½ Section 17, Township 20 North, Range 53 East, MDB&M. Approximately 4.8 acres.

Said parcel is also described as Parcels G1-4, G1-5, G1-6, G1-7 as shown on that certain Parcel Map for CHEYENNE LAND AND LIVESTOCK, INC. filed in the Office of the County Recorder of Eureka County, State of Nevada, on February 20, 1998, as File No. 169773, being a portion of Lot 1 of Parcel G of Large Division Map, E½ Section 17, Township 20 North, Range 53 East, MDB&M.

Parcel 3

Parcels E4-5, E4-6 and E4-7 as shown on that certain Parcel Map for CHEYENNE LAND AND LIVESTOCK, INC., filed in the Office of the County Recorder of Eureka County, State of Nevada, on August 2, 1999, as File No. 172492, being a portion of the E½ of Section 17, Township 20 North, Range 53 East, MDB&M. Approximately 3.6 acres.

EXCEPTING from any and all of the above parcels any prior reservations of gas, oil or mineral rights shown of record; and further subject to all other exceptions, reservations, restrictions, restrictive covenants, assessments, easements, rights and rights of way of record.

TOGETHER with any and all improvements situate on any or all of the above described parcels.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, in connection with any or all of the above described parcels.

TO HAVE AND TO HOLD said premises, together with the appurtenances, unto the party of the second part, as his sole and separate property, and to his heirs, executors, administrators and assigns, forever.

This Deed is an absolute conveyance, the first parties having conveyed said land to the second party for a fair and adequate consideration, such consideration, in addition to the above recited, being full satisfaction of all obligations secured by a Deed of Trust and Security

Agreement on the above described real property executed by CHEYENNE LAND & LIVESTOCK COMPANY, INC., a Nevada Corporation, and JOHN GOURLEY, an unmarried man, as Trustors, to STEWART TITLE OF NORTHEASTERN NEVADA, a Nevada Corporation, as Trustee, and in favor of IVAN SMART, a married man, as Beneficiary, which Deed of Trust and Security Agreement was dated April 7, 1998, and recorded in the Office of the County Recorder, Eureka County, Nevada, on April 8, 1998, in Book 318, Official Records, Page 521, File No. 170005.

First parties declare that this conveyance is freely and fairly made, and that there are no agreements, oral or written, or other than this Deed between first parties and second party with respect to said property.

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

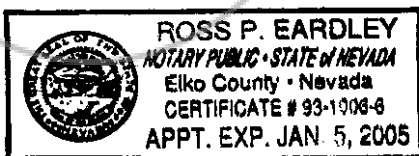
CHEYENNE LAND & LIVESTOCK COMPANY, INC., a Nevada Corporation

By _____
JOHN GOURLEY, President

JOHN GOURLEY, Individually

STATE OF NEVADA)
) : SS.
COUNTY OF E/ro)

This instrument was acknowledged before me on September 29, 2004, by JOHN GOURLEY, as President of CHEYENNE LAND & LIVESTOCK COMPANY, INC., a Nevada Corporation.



Ross P. Eardley
NOTARY PUBLIC

STATE OF NEVADA)
COUNTY OF Elko) SS.

This instrument was acknowledged before me on September 29, 2004, by JOHN GOURLEY, individually.



Ross P. Eardley
NOTARY PUBLIC

ACCEPTANCE OF DEED

The undersigned, IVAN SMART and CARMEN SMART, husband and wife, hereby accept the above Deed and agree to all of the terms, conditions, considerations and releases set forth therein; and further the undersigned, CARMEN SMART, as wife of IVAN SMART, consents to the conveyance of the all of the above described property to IVAN SMART, as his sole and separate property, and acknowledges the fact that she has no interest in the property which is the subject of this Deed, and further acknowledges that she relinquishes any interest which might otherwise accrue to her in the future by way of community property or otherwise.

DATED: 22 Sept., 2004.

Ivan Smart
IVAN SMART

Carmen Smart
CARMEN SMART

STATE OF)
COUNTY OF) SS.

This instrument was acknowledged before me on September 22, 2004, by IVAN SMART and CARMEN SMART.



Rampa Riewreang
NOTARY PUBLIC

State of Nevada Declaration of Value

FOR RECORDERS OPTIONAL USE ONLY	
Document/Instrument #	<u>194961</u>
Book: <u>403</u>	Page: <u>175-178</u>
Date of Recording:	<u>1-10-05</u>
Notes:	

1. Assessor Parcel Number(s)
- a) 007-392-09
 - b) 007-392-10
 - c) 007-398-09
 - d) _____

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

3. Total Value/Sales Price of Property: \$ ~~20,000~~ 10,000⁰⁰

~~Deed in Lieu of Foreclosure Only (value of property)~~ \$ ~~10,000~~

Transfer Tax Value per NRS 375.010, Section 2: \$ 10,000⁰⁰

Real Property Transfer Tax Due: \$ 39.00

4. If Exemption Claimed:
- a. Transfer Tax Exemption, per NRS 375.090, Section: _____
 - b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: 100 %

The undersigned 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 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% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature [Signature] Capacity Grantor

Signature [Signature] Capacity Grantor

SELLER (GRANTOR) INFORMATION

(REQUIRED)

Print Name: Cheyenne Land & Livestock Company, Inc.

Address: PO 1151

City: Landville

State: NV. Zip: 89828

BUYER (GRANTEE) INFORMATION

(REQUIRED)

Print Name: Ivan Smart

Address: 1065 Pincay Drive

City: Henderson

State: Nevada Zip: _____

COMPANY REQUESTING RECORDING

(REQUIRED IF NOT THE SELLER OR BUYER)

Print Name: _____ Escrow # _____

Address: _____

City: _____ State: _____ Zip: _____