

**DOC # 0208051**

02/20/2007

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**Official Record**

Recording requested By  
TICOR TITLE OF NEV INC

**Eureka County - NV**

**Mike Rebaleati - Recorder**

Fee: \$17.00

Page 1 of 4

RPTT:

Recorded By: FES

Book- 0453 Page- 0010



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APN #: 04-360-16, 04-290-10

Escrow No.: 07000050 SH

Title No. 07010048

**RECORDING REQUESTED BY:**

Ticor Title of Nevada, Inc.  
5441 Kietzke Lane, Suite 100  
Reno, NV 89511

**WHEN RECORDED MAIL TO:**

Nevada Land and Resource Company, LLC  
3480 GS Richards Blvd. #101  
Carson City, NV 89703

**MAIL TAX STATEMENTS TO:**

N/A

FOR RECORDER'S USE ONLY

**Affidavit of Nondevelopment**

**Title of Document**

**Please complete Affirmation Statement below:**



☒ I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the social security number of any person or persons. (Per NRS 239B.030)

**-OR-**

☐ I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain the social security number of a person or person as required by law: \_\_\_\_\_  
(State specific law)

Signature

Escrow Assistant  
Title

Megan Wolowice  
Print Signature

This page is added to provide additional information required by NRS 111.312 Sections 1-2 and NRS 239B.030 Section 4.

This cover page must be typed or printed in black ink.

(Additional recording fees applies)

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:  
Nevada Land and Resource Company, LLC  
3480 GS Richards Boulevard, Suite 101  
Carson City, NV 89703

Escrow No. 07000050-SH  
Title No. 07010048

EUREKA COUNTY APN: 04-360-16; 04-290-10

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AFFIDAVIT  
OF  
NONDEVELOPMENT

STATE OF NEVADA                     )  
  )ss.  
COUNTY OF CARSON CITY            )

Stephen D. Hartman, being first duly sworn, deposes and says:

That Nevada Land and Resource Company, LLC (NLRC) is the present owner of that certain real property located in the County of Eureka, State of Nevada, more particularly described on Exhibit A.

Said land is described in an Oil and Gas Lease between Catellus Development Corporation and Santa Fe Railway Company as Lessor and Santa Fe Energy Operating Partners, LP as Lessee. The Lease was recorded on September 11, 1992 in Book 238, Page 370, Document No. 142207 in the office of the County Recorder of said County.

Based upon a review of the files and upon the best information and belief of affiant, since May 15<sup>th</sup>, 1991 there has been no well drilled upon said land, nor any oil or gas produced therefrom, and that none of the rentals accruing under and by virtue of the terms of said agreement have been paid or tendered to affiant or said Lessors, or to any bank for their credit, by the Lessee, or his agents or assigns. The Affiant affirms that since October 4, 1995, when NLRC became the fee owner of the above-described property, that the Lessee and its assigns had, or should reasonably have had, actual notice that rentals were payable to NLRC under the lease, and that any rights in the lease has expired.

Affiant further states that by reason of the non-development, noncompliance and extinguishment of the enabling options and leases, the terms of the option and lease are of no force and effect

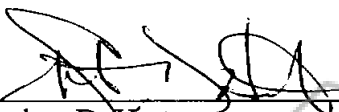


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and declares said option forfeited, extinguished and terminated and the Lessor will not, by acceptance of rentals, or in any other manner, recognize the same as a valid or existing option or any contractual rights allegedly granted therefrom.

The foregoing Affidavit of Nondevelopment has been executed this 7<sup>th</sup> day of February, 2007 by Stephen D. Hartman.

  
\_\_\_\_\_  
Stephen D. Hartman  
Vice President

STATE OF NEVADA                     )  
  )ss.  
COUNTY OF CARSON CITY        )

The foregoing was subscribed and sworn before me this 7<sup>th</sup> day of February 2007

  
\_\_\_\_\_  
NOTARY PUBLIC

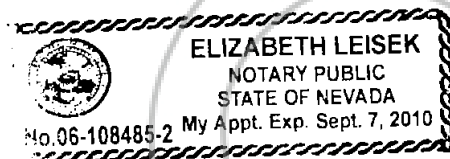


EXHIBIT "A"

To Affidavit of Non-Development

*All that property situated in Eureka County, NV, more particularly described as:*

**Township 32 North, Range 51 East, MDB&M**

Section 13 All Eureka County APN 04-360-16 640.00 acres

**Township 33 North, Range 51 East, MDB&M**

Section 27 All Eureka County APN 04-290-10 640.00 acres