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Official Record

Recording requested By
EUREKA COUNTY

Eureka County - NV

Mike Rebaleati - Recorder

Fee

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RPTT:

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APN# _____

Recording Requested by:

Name Eureka County

Address PO Box 714

City/State/Zip Eureka, NV 89316

Patent

(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2.
(Additional recording fee applies)

This cover page must be typed or printed.

The United States of America

To all to whom these presents shall come, Greeting:

Patent

N-19754

WHEREAS

County of Eureka, a political subdivision of the State of Nevada

is entitled to a land patent pursuant to the Act of June 14, 1926, as amended (43 U.S.C. 869 – 869-4), for the following described land:

Mount Diablo Meridian, Nevada

T. 20 N., R. 53 E.,
sec. 35, E½NE¼.

Containing 80 acres, more or less.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the County of Eureka, a political subdivision of the State of Nevada, the land described above; TO HAVE AND TO HOLD the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the County of Eureka, a political subdivision of the State of Nevada, its successors and assigns, forever; and

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way for ditches or canals by the authority of the United States pursuant to the Act of August 30, 1890 (43 U.S.C. 945);
2. All mineral deposits in the land so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same under applicable law and regulations to be established by the Secretary of the Interior.

SUBJECT TO:

1. Valid existing rights;
2. Right-of-way Nev-067106 for telephone line purposes granted to Nevada Bell, its successors or assigns, pursuant to the Act of March 4, 1911 (43 U.S.C. 961);
3. County of Eureka, a political subdivision of the State of Nevada, its successors or assigns, shall comply with all federal and state laws applicable to the disposal,

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placement, or release of hazardous substances (substance is defined in 40 CFR Part 302);

4. By accepting this patent subject to the limitations established by law, the patentee, County of Eureka, a political subdivision of the State of Nevada, its successors or assigns, assumes all liability and shall defend, indemnify and save harmless the United States and its officers, agents, representatives, and employees from all claims, loss, damage, actions, causes of action, expense, and liability resulting from, brought for, or on account of, any personal injury, threat of personal injury, or property damage received or sustained by any person or persons (including the patentee's employees) or property growing out of, occurring, or attributable directly or indirectly, to the disposal of solid waste on, or the release of hazardous substances from Mount Diablo Meridian, Nevada, T. 20 N., R. 53 E., sec. 35, E $\frac{1}{2}$ NE $\frac{1}{4}$, regardless of whether such claims shall be attributable to: (1) the concurrent, contributory, or partial fault, failure, or negligence of the United States, or (2) the sole fault, failure, or negligence of the United States.
5. The above described land has been used for a sewage treatment facility. Upon closure, the land may contain small quantities of commercial and household hazardous waste as determined in the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901), and defined in 40 CFR 261.4 and 261.5. Although there is no indication these materials pose any significant risk to human health or the environment, future land uses should be limited to those which do not penetrate the liner or final cover of the landfill unless excavation is conducted subject to applicable State and Federal requirements;
6. Provided, that the title shall revert to the United States upon a finding, after notice and opportunity for a hearing, that the patentee has not substantially developed the lands in accordance with the approved plan of development on or before the date five years after the date of conveyance. No portion of the land shall under any circumstances revert to the United States if any such portion has been used for solid waste disposal or for any other purpose which may result in the disposal, placement, or release of any hazardous substance;
7. If, at any time, the patentee, or its successor in interest, transfers to another party title to, or control over, any portion of the land not used for the purpose(s) specified in the application and approved plan of development, the patentee shall pay the Secretary of the Interior, or his/her delegate, the fair market value, as determined by the authorized officer, of the transferred portion as of the date of transfer, including the value of any improvements thereon;
8. The Secretary of the Interior may take action to revest title in the United States if the patentee directly or indirectly permits its agents, employees, contractors, or subcontractors (including without limitation lessees, sublessees and permittees) to

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prohibit or restrict the use of any part of the patented land or any of the facilities thereon by any person because of such person's race, creed, sex, or national origin.

The grant of the herein described lands is subject to the following reservations, conditions, and limitations:

1. The patentee, or its successor in interest, shall comply with and shall not violate any of the terms or provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 241), and the requirements of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant thereto (43 CFR 17) for the period that the lands conveyed herein are used for the purpose for which the grant was made pursuant to the act cited above, or for another purpose involving the provision of similar services or benefits.
2. The United States shall have the right to seek judicial enforcement of the requirements of Title VI of the Civil Rights Act of 1964, and the terms and conditions of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant to said Title VI, in the event of their violation by the patentee.
3. The patentee or its successor in interest will, upon request of the Secretary of the Interior or his/her delegate, post and maintain on the property conveyed by this document signs and posters bearing a legend concerning the applicability of Title VI of the Civil Rights Act of 1964 to the area or facility conveyed.
4. The reservations, conditions, and limitations contained in paragraphs 1 through 3 shall constitute a covenant running with the land, binding on the patentee and its successors in interest for the period for which the land described herein is used for the purpose for which this grant was made, or for another purpose involving the provision of similar services or benefits.
5. The assurances and covenant required by sections 1 - 4 above shall not apply to ultimate beneficiaries under the program for which this grant is made. "Ultimate beneficiaries" are identified in 43 CFR 17.12(h).

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in RENO, NEVADA, the TWENTY-FIFTH day of JULY in the year of our Lord TWO THOUSAND and SEVEN and of the Independence of the United States the Two Hundred and Thirty-Second.

[SEAL]

By Jim Stobaugh
Jim Stobaugh
Lands Team Lead
Natural Resources, Lands, and Planning

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