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Official Record
Recording requested By
EUREKA COUNTY
Eureka County - NV
Mike Rebaleati - Recorder
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Eureka, Nevada

February 6, 2009

APN 001-022-012

RESOLUTION

TO SECURE LAND FOR THE PLACEMENT OF AN ADDITIONAL WATER TANK AND RELATED INFRASTRUCTURE WITHIN THE TOWNSITE OF EUREKA

WHEREAS, by virtue of the conveyance by the United State of America to District Judge W.R. Reynolds, by patent number 1122995, recorded as file number 27106, book 23 of Deeds beginning at page 226 in the records of Eureka County, the lands described in the patent within the Townsite of Eureka are to be held in trust "for the several use and benefit of the occupants of the Townsite of Eureka"; and

WHEREAS, the townsite of Eureka's population is projected to increase as a result of the proposed molybdenum mine project at Mt. Hope, situated approximately 21 miles north of the Townsite; and

WHEREAS, any population increase will place increased demands upon the existing water system's infrastructure, requiring additional capacity and storage; and

WHEREAS, the current water storage tank serving Eureka is limited in capacity, and the Eureka water system would benefit from an additional storage tank of at least one million gallons to provide a secure source of water and fire flows, to the benefit of the occupants of the Townsite of Eureka served by the water system; and

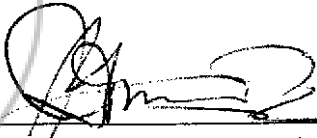
WHEREAS, the land adjacent to the existing water tank is subject to and held in trust by the successor trustee of District Judge W.R. Reynolds, Seventh Judicial District Court Judge Steve L. Dobrescu; and

WHEREAS, this Resolution serves to inform the Trustee and the public at large that the land adjacent to the existing water tank, commonly known as Tank Hill, shall be used for the sole purpose of providing a buffer between existing uses and the planned expansion of the water storage capacity on Tank Hill, and allowing for the installation of an additional water tank of at least one million gallons and the necessary and desirable infrastructure both above and below the ground to serve the occupants of the Townsite of Eureka;

NOW THEREFORE BE IT RESOLVED the Board of Eureka County Commissioners agree to:

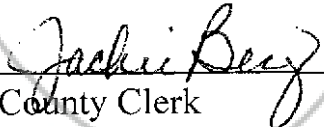
1. Record this Resolution and include notice of this Resolution on the Record of Survey map of Tank Hill; and
2. Use the land only for the purposes set forth in this Resolution, subject to the interest in the land reverting to the Trustee if the County fails to abide by the these use restrictions.

Adopted this 6th day of February, 2009.



Chairman of the Board
Eureka County Commissioners

Attest:



County Clerk