

## Official Record

Recording requested By  
ALLISON MACKENZIE

Eureka County - NV

Mike Rebaleati - Recorder

Fee \$18.00

Page 1 of 5

RPTT:

Recorded By: FES

Book- 0485 Page- 0303



0213142

APN: 005-260-44

APN: 005-260-40

RETURN RECORDED DEED TO:

JOEL W. LOCKE, ESQ.

ALLISON, MacKENZIE, PAVLAKIS,

WRIGHT &amp; FAGAN, LTD.

402 North Division Street

Carson City, NV 89703

GRANTEE/MAIL TAX STATEMENTS TO:

COLIN R. HERBERT

323 BAYHILL CIRCLE

DAYTON, NV 89403

The party executing this document hereby affirms that this document submitted for recording does not contain the social security number of any person or persons pursuant to NRS 239B.030

PERSONAL REPRESENTATIVE'S DEEDTHIS INDENTURE, made on February 10, 2009, by and

between COLIN R. HERBERT, Personal Representative Estate of Rodger Cordell Herbert, aka Roger Cordell Herbert, aka R. Cordell Herbert, deceased, grantor, and COLIN R. HERBERT, of Dayton, Nevada, and CHARLES R. HERBERT, of Yucca Valley, California, grantees.

WITNESSETH:

WHEREAS, on July 18, 2008, the grantor, COLIN R. HERBERT, was duly appointed Personal Representative, having qualified on that same date, of the Estate of RODGER CORDELL HERBERT, aka ROGER CORDELL HERBERT, aka R. CORDELL HERBERT, deceased, by the Seventh Judicial District Court of the State of Nevada, in and for Eureka County, in Case No. PR 0806-014, Dept. No. 2; and

WHEREAS, the above-referenced estate is the owner of all that certain parcel of real property located in Eureka County, State of Nevada, as more particularly hereinafter described; and

WHEREAS, on February 6, 2009, the Seventh Judicial District Court of the State of Nevada, in and for Eureka County, ordered that all of the interest of the Estate of RODGER CORDELL HERBERT, aka ROGER CORDELL HERBERT, aka R. CORDELL HERBERT, deceased, be distributed to the decedent's brothers, COLIN R. HERBERT and CHARLES R. HERBERT.

That the grantor, in consideration of the sum of Ten and No/100 Dollars (\$10.00), lawful money of the United States, and other good and valuable consideration to him in hand paid by the grantees, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, and sell to the grantees, as joint tenants with right of survivorship, and to their successors and assigns, all that certain lot, piece, or parcel of land situated in Eureka, state of Nevada, and more particularly described as follows:

(See, Exhibit "A" attached hereto and incorporated herein by this reference.)

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder or remainders, rents, issues, and profits thereof.

TO HAVE AND TO HOLD all and singular the premises, together with the appurtenances, unto the said grantees and to their successors and assigns forever.

IN WITNESS WHEREOF, the grantor has executed this conveyance the day and  
year first above written.

*Colin R Herbert*

COLIN R. HERBERT, Personal Representative  
Estate of Rodger Cordell Herbert, aka Roger  
Cordell Herbert, aka R. Cordell Herbert

STATE OF NEVADA       )  
                                      : ss.  
CARSON CITY            )

On Feb 10, 2009, personally appeared before me, a notary  
public, COLIN R. HERBERT, personally known (or proved) to me to be the person whose name  
is subscribed to the foregoing Personal Representative's Deed, who acknowledged to me that he  
executed the foregoing document.



*Carol Costa*  
NOTARY PUBLIC

EXHIBIT "A"

All that certain parcel of real property situate in county of Eureka, state of Nevada,  
more particularly described as follows:

Parcel No. 1: 80 Acres

All that certain lot, piece or parcel of land situate, lying and being  
in Eureka County, State of Nevada, and more particularly  
described as follows:

Township 30 North, Range 49 East, MDB&M Section 15:  
SW1/4SE1/4

EXCEPTING an easement on the Westerly and Southerly  
boundaries thereof, 30 feet in width for utility and road purposes,  
and

SUBJECT to restrictions, reservations, covenants, easements and  
rights of way of record.

Together with all buildings and improvements situate thereon.

Together with the tenements, hereditaments and appurtenances  
thereunto belonging or in anywise appertaining, and the reversion  
and reversions, remainder and remainders, rents, issues and profits  
thereof.

Assessor's Parcel Number 005-260-44.

(Pursuant to NRS 111.312 this legal description was previously  
recorded as Document 60003 in Book 51 at Page 427.).

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Parcel No. 2: 160 Acres

All that real property situate in the County of Eureka, State of Nevada, bounded and described as follows:

TOWNSHIP 30 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 15: NW1/4.

EXCEPTING an easement on all boundaries thereof, 30 feet in width for utility and public road purposes.

Assessor's Parcel Number 005-260-40

(Pursuant to NRS 111.312 this legal description was previously recorded as Document 62426 in Book 57 at Page 242.)



**State of Nevada Declaration of Value****FOR RECORDER'S OPTIONAL USE ONLY****1. Assessor Parcel Number(s):**

- a) 005-260-44  
b) 005-260-40  
c) \_\_\_\_\_

Document/Instrument #: \_\_\_\_\_

Date of Recording: \_\_\_\_\_

Notes: \_\_\_\_\_

**2. Type of Property:**

- a) ☒ Vacant Land  
b) ☐ Single Family Residence  
c) ☐ Condo/Townhouse  
d) ☐ 2-4 Plex  
e) ☐ Apartment Bldg.  
f) ☐ Commercial/Industrial  
g) ☐ Agricultural  
h) ☐ Mobile Home  
i) ☐ Other \_\_\_\_\_

**3. Total Value/Sales Price of Property:**\$ -0-

Deed in Lieu of Foreclosure Only (value of property) \$ \_\_\_\_\_

Transfer Tax Value: \$ \_\_\_\_\_

Real Property Transfer Tax Due: \$ -0-**4. If Exemption Claimed:**

- a. Transfer Tax Exemption, per NRS 375.090, Section(s): Order presented 3 & 5  
b. Explain Reason for Exemption: A transfer of title without consideration pursuant to Court Order.

See Order previously recorded. To brothers of decedent as joint tenants with right of survivorship.**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 Petitioner in Estate of R. Cordell HerbertSignature [Signature] Capacity Grantee(s)/Brother(s) of Decedent**SELLER (GRANTOR) INFORMATION  
REQUIRED**Print Name: ESTATE OF Rodger Cordell Herbert akaRoger Cordell Herbert, aka R. Cordell HerbertAddress: 323 Bayhill CircleCity: DaytonState: NV Zip: 89403**BUYER (GRANTEE) INFORMATION  
REQUIRED**Print Name: CHARLES R. HERBERTAddress: 5253 Puente CourtCity: Yucca ValleyState: CA Zip: 92284**COMPANY/PERSON REQUESTING RECORDING**

(REQUIRED IF NOT THE SELLER OR BUYER)

Print Name: Allison, MacKenzie, Pavlakis, Wright & Fagan, Ltd. Escrow # \_\_\_\_\_Address: P.O. Box 646City: Carson City State: NV Zip: 89702

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DV-213-142  
02/19/2009

## State of Nevada Declaration of Value

FOR RECORDER'S

Document/Instrument

Date of Recording:

Notes:

Recording requested By  
ALLISON MACKENZIE

Eureka County - NV

Mike Rebaleati - Recorder

Page 1 of 2 Fee: \$18.00

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a) 005-260-44

b) 005-260-40

c)

## 2. Type of Property:

a) ☒ Vacant Landc) ☐ Condo/Townhousee) ☐ Apartment Bldg.g) ☐ Agriculturali) ☐ Otherb) ☐ Single Family Residenced) ☐ 2-4 Plexf) ☐ Commercial/Industrialh) ☐ Mobile Home

## 3. Total Value/Sales Price of Property:

\$ -0-

Deed in Lieu of Foreclosure Only (value of property)

\$

Transfer Tax Value:

\$

Real Property Transfer Tax Due:

\$ -0-

## 4. If Exemption Claimed:

a. Transfer Tax Exemption, per NRS 375.090, Section(s): 3 &amp; 5

b. Explain Reason for Exemption: A transfer of title without consideration pursuant to Court Order.

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Signature Colin R. Herbert Capacity Petitioner in Estate of R. Cordell HerbertSignature Colin R. Herbert Capacity Grantee(s)/Brother(s) of DecedentSELLER (GRANTOR) INFORMATION  
REQUIREDPrint Name: ESTATE OF Rodger Cordell Herbert akaRoger Cordell Herbert, aka R. Cordell HerbertAddress: 323 Bayhill CircleCity: DaytonState: NV Zip: 89403BUYER (GRANTEE) INFORMATION  
REQUIREDPrint Name: COLIN R. HERBERTAddress: 323 Bayhill CircleCity: DaytonState: NV Zip: 89403

## COMPANY/PERSON REQUESTING RECORDING

(REQUIRED IF NOT THE SELLER OR BUYER)

Print Name: Allison, MacKenzie, Pavlakis, Wright & Fagan, Ltd. Escrow #Address: P.O. Box 646City: Carson City State NV Zip 89702