

DOC # 0214551

01/26/2010 10:05 AM

Official Record

Recording requested By
EUREKA COUNTY NV

Eureka County - NV

Mike Rebaleati - Recorder

Fee: Page 1 of 6
RPTT: Recorded By: FES
Book- 497 Page- 0233

Form 1860-9
(January 1988)



The United States of America

To all to whom these presents shall come, Greeting:

Patent

N-53599

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. 30 N., R. 48 E.,
sec. 32, Lots 17 and 18, and Lots 25 to 28, inclusive.

Containing 26.33 acres, more or less.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto 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 County of Eureka, a political subdivision of the State of Nevada, its successors and assigns, forever; and

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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; and
3. Right-of-Way Nev-044712 for federal aid highway purposes reserved to the State of Nevada Department of Transportation, its successors or assigns, pursuant to the Act of November 9, 1921 (042 Stat. 0216).

SUBJECT TO:

1. Valid existing rights; and
2. Right-of-Way N-46949 for telephone cable purposes granted to Nevada Bell, its successors or assigns, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761).

PURSUANT to the requirements established by section 120(h) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), (42 U.S.C. 9620(h)), as amended by the Superfund Amendments and Reauthorization Act of 1988, (100 Stat. 1670), notice is hereby given that the above-described lands have been examined and no evidence was found to indicate that any hazardous substances had been stored for one year or more, nor had any hazardous substances been disposed of or released on the subject property. Provided that title shall revert to the United States upon a finding, after notice and opportunity for a hearing, that, without the approval of the Secretary of the Interior or his/her delegate, the patentee or its approved successor attempts to transfer title to or control over the lands to another, the lands have been devoted to a use other than that for which the lands were conveyed, the lands have not been used for the purposes for which the lands were conveyed for a 5-year period, or the patentee has failed to follow the approved development plan or management plan.

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

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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 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) If the patentee or its successor in interest does not comply with the terms or provisions of Title VI of the Civil Rights Act of 1964, and the requirements imposed by the Department of the Interior issued pursuant to that title, during the period during which the property herein is used for the purpose for which the grant was made pursuant to the act cited above, or for another purpose involving the provisions of similar services or benefits, the Secretary of the Interior or his/her delegate may declare the terms of this grant terminated in whole or in part;
- (3) The patentee, by acceptance of this patent, agrees for itself or its successors in interest that a declaration of termination in whole or in part of this grant shall at the option of the Secretary of his/her delegate, operate to revert in the United States full title to the lands involved in the declaration;
- (4) 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;
- (5) 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;

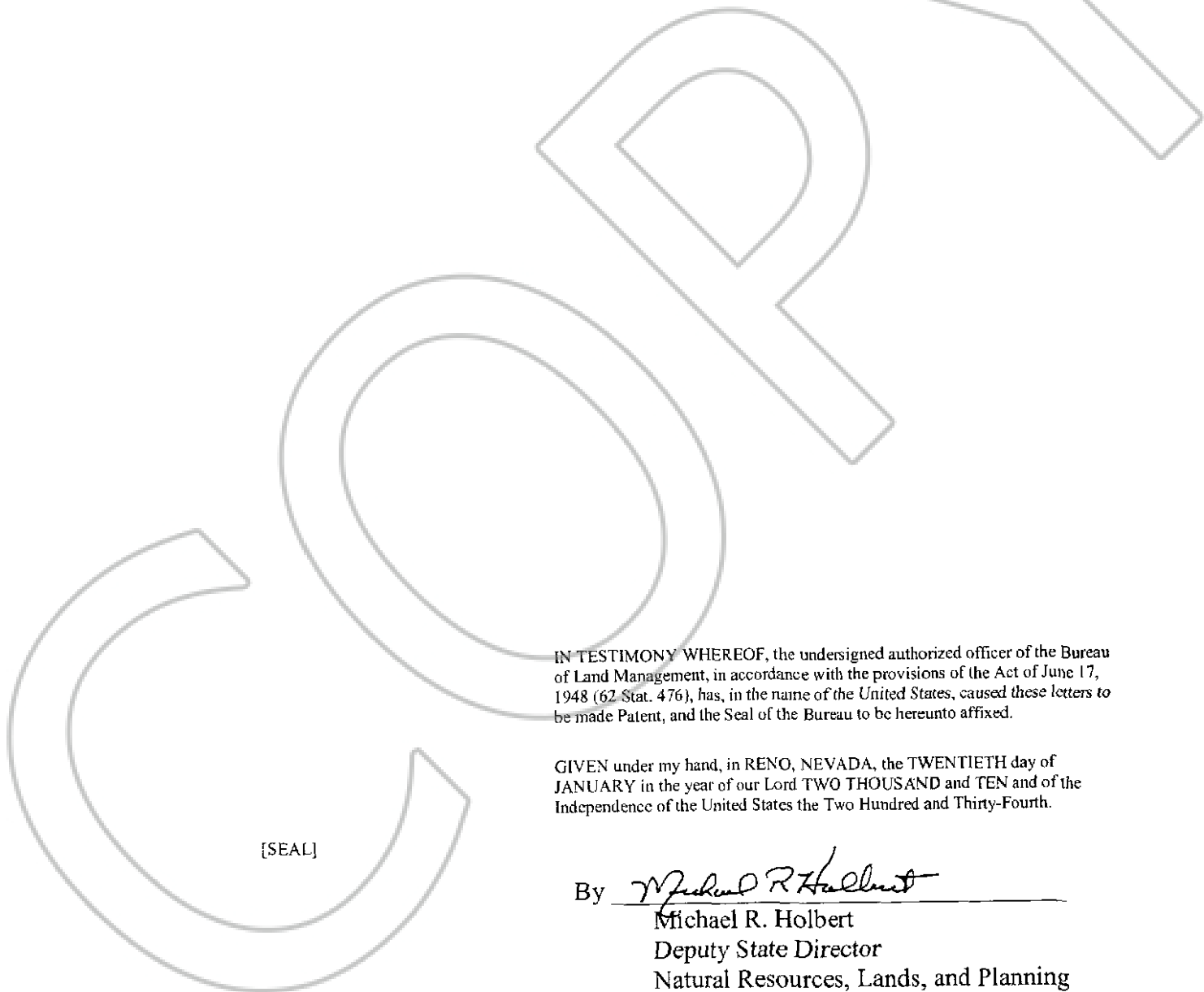
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- (6) The reservations, conditions, and limitations contained in paragraphs (1) through (5) shall constitute a covenant running with the land, binding on the patentee and its successors in interest for the period for which the land described herein is used for the purpose for which this grant was made, or for another purpose involving the provision of similar services or benefits; and
- (7) The assurances and covenant required by sections (1) - (6) 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 TWENTIETH day of JANUARY in the year of our Lord TWO THOUSAND and TEN and of the Independence of the United States the Two Hundred and Thirty-Fourth.

By Michael R. Holbert
 Michael R. Holbert
 Deputy State Director
 Natural Resources, Lands, and Planning

Patent Number 27-2010-0007



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Nevada State Office
P.O. Box 12000 (1340 Financial Blvd.)
Reno, Nevada 89520-0006
<http://www.blm.gov/nv/st/en.html>

In Reply Refer To:
Nev-044712 2800
N-53599 2700
(NV-933)

JAN 20 2010

State of Nevada Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712

Dear Right-of-Way Holder:

Our records indicate that you are the holder of right-of-way No. Nev-044712, which was reserved for federal aid highway purposes, pursuant to the Act of November 9, 1921 (042 Stat. 0216), and which crosses the following land:

Mount Diablo Meridian, Nevada
T. 30 N., R. 48 E.,
sec. 32, Lots 17 and 18, and Lots 25 to 28, inclusive.

The above described land was transferred out of federal ownership in a Recreation and Public Purposes land sale under patent No. 27-2010-0007, to County of Eureka, Attn: Ronald Damele, Public Works Director, Post Office Box 714, Eureka, Nevada 89316.

The patent was issued reserved to your right-of-way, which means that the County of Eureka now has jurisdiction over that portion of your right-of-way affected by the patent. A copy of the patent is enclosed for your information. Questions on this matter may be directed to me at (775) 861-6530.

Sincerely,

[Signature]

Pamela C. Ridley
Land Law Examiner

Enclosure

1. Patent No. 27-2010-0007

cc: District Manager, Elko
Patentee



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United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Nevada State Office
P.O. Box 12000 (1340 Financial Blvd.)
Reno, Nevada 89520-0006
<http://www.blm.gov/nv/st/en.html>

In Reply Refer To:
N-46949 2800
N-53599 2700
(NV-933)

JAN 20 2010

Nevada Bell
Post Office Box 11010
Reno, Nevada 89520

Dear Right-of-Way Holder:

Our records indicate that you are the holder of right-of-way No. N-46949 which was granted for telephone cable purposes, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761), and which crosses the following land:

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The patent was issued subject to your right-of-way, which means that the County of Eureka now has jurisdiction over that portion of your right-of-way affected by the patent. A copy of the patent is enclosed for your information. Questions on this matter may be directed to me at (775) 861-6530.

Sincerely,

Per PAMELA C. RIDLEY

Pamela C. Ridley
Land Law Examiner

Enclosure

1. Patent No. 27-2010-0007

cc: District Manager, Elko
Patentee



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