



0214966

APN: 001-012-10

APN: 001-011-08

Eureka, Nevada

April 21, 2010

GRANT OF DEDICATED EASEMENT AND RIGHT-OF-WAY
FOR WATER AND SEWER MAIN LINES

THIS GRANT OF EASEMENT AND RIGHT-OF-WAY is made and entered into the date and year written above by and between FRANK & ELMER, LLC, a Nevada limited liability company in good standing (hereinafter referred to as GRANTOR) and EUREKA COUNTY, a political subdivision of the State of Nevada (hereinafter referred to as GRANTEE).

GRANTOR, for the good and valuable consideration of one (1) residential sewer and one (1) residential water service lateral to be emplaced in order to be available to serve APN 001-012-10 and APN 001-011-10, for a total of four (4) service laterals to the property line of these two parcels, with the understanding that GRANTOR shall remain responsible for all activation of service costs and monthly service fees once service is requested, and the receipt of this consideration by GRANTOR is hereby acknowledged, GRANTOR does hereby grant to GRANTEE, its successors and assigns, a permanent easement and right-of-way for utility purposes to construct, maintain, and repair water and sewer main lines in Eureka, Eureka County, Nevada, for use by GRANTEE across, over, upon, under, and through the following described property situated in the townsite of Eureka, County of Eureka, State of Nevada, *to-wit*:

two pieces or parcels of land located within the SE1/4 of the NE1/4 of Section 14, Township 19 North, Range 53 East, MDB&M, being a portion of the patented Triangle Mill Site, Survey No. 48B, Block 114, Eureka Townsite; comprising 0.73 acres, more or less of A.P.N. 001-012-10, and 0.04 acres, more or less of A.P.N. 001-011-08, and described in detail in the three page legal description attached hereto.

**LEGAL DESCRIPTION FOR
PUBLIC UTILITY EASEMENT**

Said easement for placement and maintenance of subsurface utilities being two pieces or parcels of land located within the SE ¼ of the NE ¼ of Section 14, Township 19 North, Range 53 East, M.D.B.& M., being a portion of the patented Triangle Mill Site, Survey No. 48B, Block 114, Eureka Townsite; more particularly described as follows:

PARCEL NO. 1:

BEGINNING at an intersection of the southerly end line of the said Triangle Mill Site and the centerline of U.S. 50 at Nevada Department of Transportation Station "X" 579+97.84, the **TRUE POINT OF BEGINNING**;

THENCE S.77°00'12"W., 50.22 feet to the westerly side line of the 100-foot wide right of way easement conveyed to the State of Nevada, Department of Highways, recorded as File No. 29365, Records of Eureka County;

THENCE N.18°23'44"W., 315.27 feet, along the westerly side line of said easement;

THENCE N.71°36'16"E., 100.00 feet to the easterly side line of said easement;

THENCE S.18°23'44"E., 324.73 feet, along said easterly side line of said easement to a point on the southerly line of said Triangle Mill Site;

THENCE along said southerly line S.77°00'12"W., 50.22 feet to the **TRUE POINT OF BEGINNING**;

Containing 0.73 acres, more or less.

TOGETHER WITH PARCEL NO. 2:

BEGINNING at the centerline of U.S. 50 at Nevada Department of Transportation Station "X" 576+00;

THENCE N.85°39'13"E., 120.81 feet to the **TRUE POINT OF BEGINNING**, a point along the northwesterly line of Parcel 3 of the Parcel Map Showing Land to be Divided by Ruby Hill Mining Co., recorded as File #151219, Records of Eureka County;

THENCE S.12°56'40"E., 77.92 feet to the northerly line of Reno Avenue as shown on said Parcel Map;

THENCE S.77°02'10"W., 3.50 feet along the said northerly line;

THENCE S.76°39'26"E., 36.81 feet along the northerly line of the 25-foot road and utility easement shown on said Parcel Map to the beginning of a non-tangent curve concave to the west, from which a radial line bears N.74°25'50"W., having a radius of 2030.00 feet;

THENCE along said curve 87.96 feet through a central angle of 2°28'58" to the **TRUE POINT OF BEGINNING**;

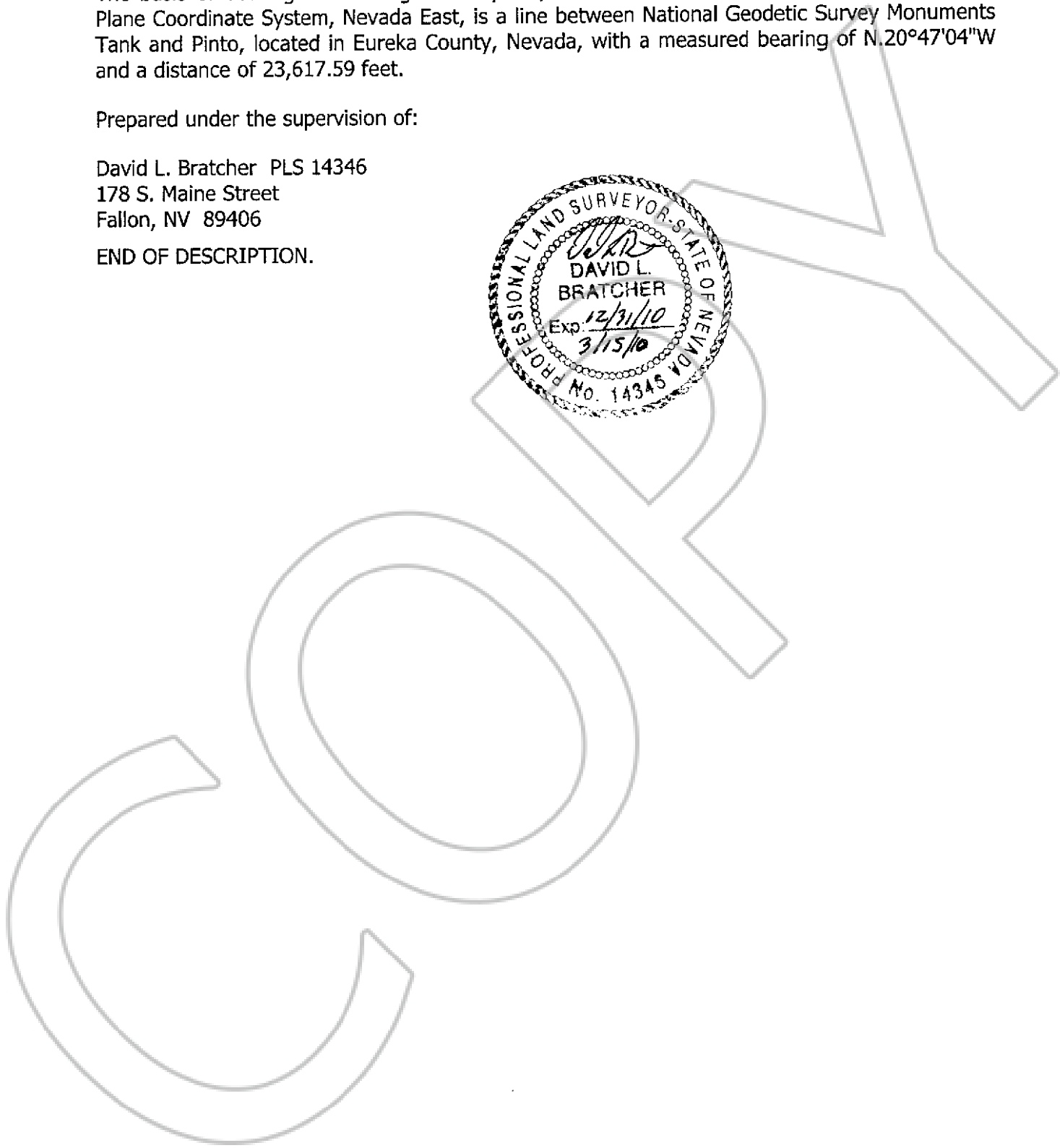
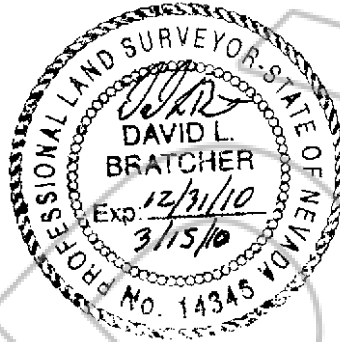
Containing 0.04 acres, more or less.

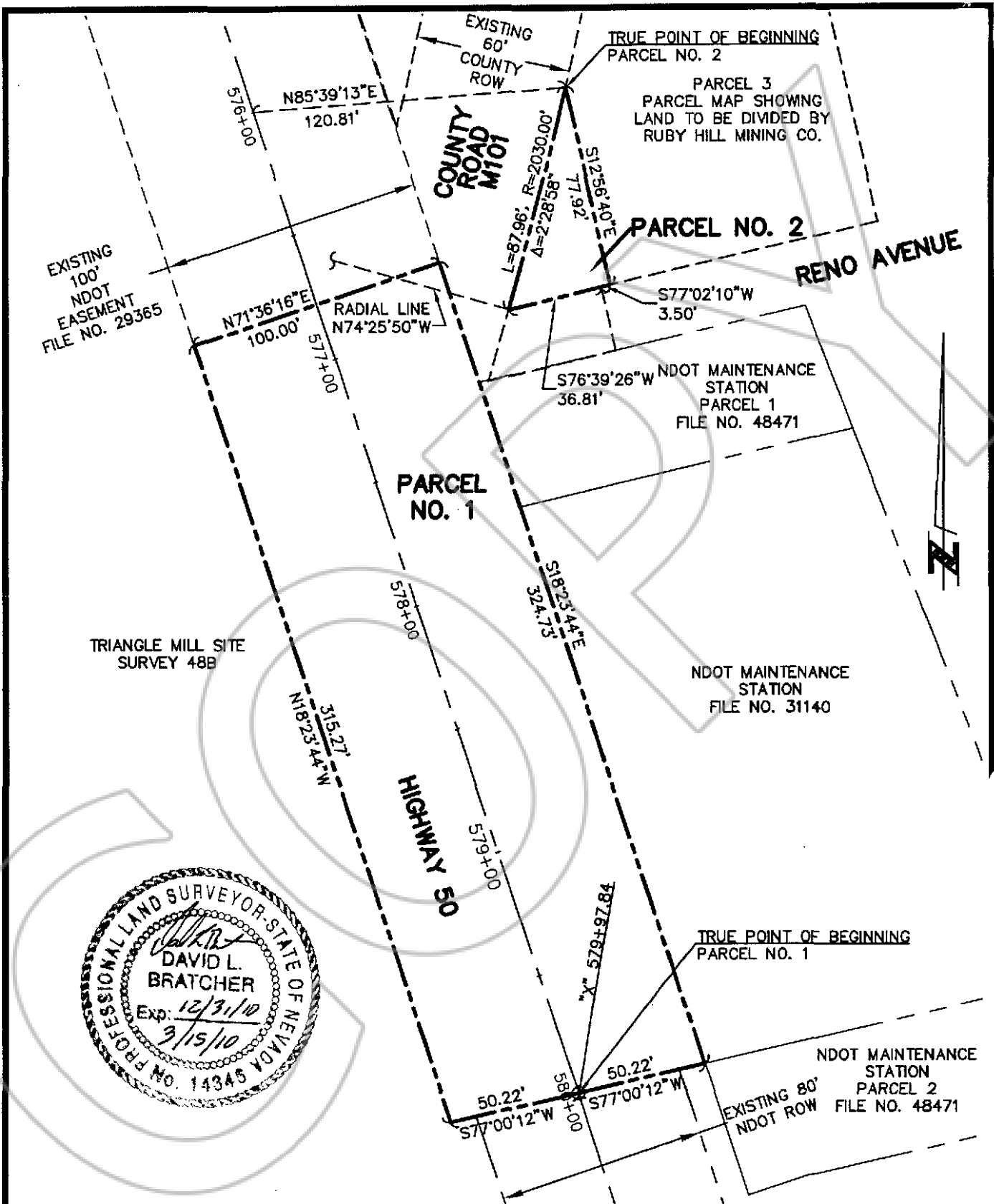
The basis of bearing for this legal description, which is based on NAD 83/94 the U.S. State Plane Coordinate System, Nevada East, is a line between National Geodetic Survey Monuments Tank and Pinto, located in Eureka County, Nevada, with a measured bearing of N.20°47'04"W and a distance of 23,617.59 feet.

Prepared under the supervision of:

David L. Bratcher PLS 14346
178 S. Maine Street
Fallon, NV 89406

END OF DESCRIPTION.





EXISTING
100'
NDOT
EASEMENT
FILE NO. 29365

PARCEL 3
PARCEL MAP SHOWING
LAND TO BE DIVIDED BY
RUBY HILL MINING CO.

PARCEL NO. 2

RENO AVENUE

PARCEL NO. 1

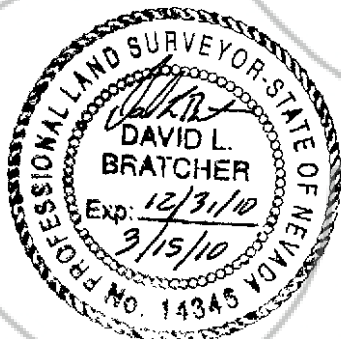
NDOT MAINTENANCE
STATION
PARCEL 1
FILE NO. 48471

TRIANGLE MILL SITE
SURVEY 48B

NDOT MAINTENANCE
STATION
FILE NO. 31140

TRUE POINT OF BEGINNING
PARCEL NO. 1

NDOT MAINTENANCE
STATION
PARCEL 2
FILE NO. 48471



LUMOS
S 4550 L.A.T.S.
800 E. COLLEGE PARKWAY
CARSON CITY, NEVADA 89705
PH. (775) 883-7077 FAX (775) 883-7114

EUREKA COUNTY

PUBLIC UTILITY EASEMENT EXHIBIT

EUREKA COUNTY NEVADA

Date: 03/10/2010
Scale: 1" = 50'
Job No: 7500.003
FIGURE 1

THIS GRANT OF EASEMENT shall be binding upon and inure to the benefit of the heirs, executors, administrators, successors in title, successors and assigns of GRANTOR and GRANTEE.


TO HAVE AND TO HOLD all and singular the said premises, granted together with the appurtenances, unto GRANTEE, its successors and assigns forever.

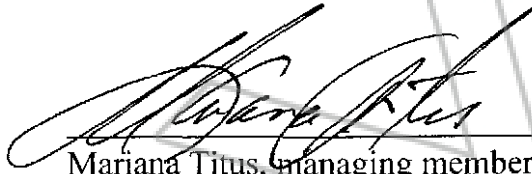
COPY



IN WITNESS WHEREOF, GRANTOR and GRANTEE have caused these presents duly to be executed the day and year first above written and affirm and guaranty their respective authority to bind Frank & Elmer, LLC and Eureka County to the terms and conditions of this Grant.

GRANTOR:


Richard Putnam Baker, managing member
of Frank & Elmer, LLC

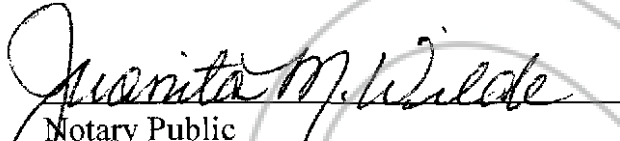

Mariana Titus, managing member
of Frank & Elmer, LLC


State of California)
: ss.
County of Santa Barbara)

State of California)
: ss.
County of Santa Barbara)

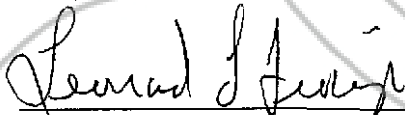
This instrument was acknowledged
before me on this 22 day of April, 2010,
by Richard Putnam Baker, Grantor.

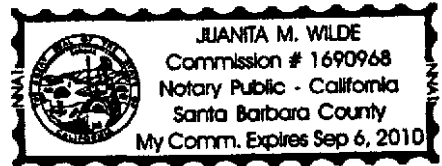
This instrument was acknowledged
before me on this 22 day of April, 2010,
by Mariana Titus, Grantor.

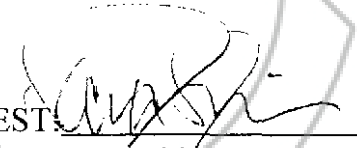

Notary Public


Notary Public

GRANTEE:


Leonard J. Fiorenzi, Chairman
Board of Eureka County Commissioners



ATTEST:  deputy
Jackie Berg, Clerk