

DOC # 0217032

04/25/2011

02:12 PM

**Official Record**

Recording requested By  
NOBLE ROYALTIES

Eureka County - NV  
Mike Rebaleati - Recorder

Fee: \$18.00

Page 1 of 5

RPTT:

Recorded By: FES

Book- 514 Page- 0031



0217032

**NOTICE OF CONFIDENTIALITY RIGHTS:** IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE NUMBER

## **CONVEYANCE**

(Drake Properties)

**STATE OF NEVADA**

**KNOW ALL MEN BY THESE PRESENTS THAT:**

**COUNTY OF EUREKA**

This Conveyance is dated to be effective for revenue received after May 1, 2009 at 12:01 A.M., local time (the "Effective Time") and is by and between **HERBERT C. BUIE**, (hereinafter referred to as "Grantor"), and **H & M BUIE INVESTMENTS, LTD.**, and (hereinafter referred to as "Grantee"), whose address is 2025 Sterling Drive, Tyler, Texas 75701.

### **RECITALS**

(A) The term "Interests" shall be defined as all of the mineral interests, royalty interests, and/or overriding royalty interests in and to all of the leases, lands, depths and wells which are described in and conveyed by the Assignments as hereinafter defined.

(B) The term "Assignments" shall be defined as all of the instruments of conveyance and/or assignments listed on Exhibit A attached hereto and incorporated herein for all purposes, which instruments of conveyance and/or assignments cover certain mineral interests, royalty interests and/or overriding royalty interests in and to the leases, lands, depths and wells more particularly described and/or referred to therein.

(C) To the extent required for recording in any particular county, parish or jurisdiction in which any land affected by any of the Assignments is located, a legal description of such land is attached hereto as Exhibit C.

(D) Grantor desires to convey all of his interest in the Interests to Grantee.

AGREEMENT

IN CONSIDERATION OF the sum of ONE and 00/100 DOLLAR [\$1.00] and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby QUITCLAIM unto Grantee, and each of the Grantee's heirs, successors and/or assigns, all of the Grantor's interest in and to the Interests, without express or implied warranty. THIS CONVEYANCE IS SUBJECT TO THOSE TERMS, CONDITIONS AND DISCLAIMERS SET FORTH ON Exhibit B, which is attached hereto and incorporated herein for all purposes. The terms and provisions of this Conveyance shall extend to, be binding upon, and shall inure to the benefit of the parties hereto their respective heirs, successors and/or assigns.

IN WITNESS WHEREOF, this Conveyance is executed this the \_\_\_\_\_ day of April, 2009, but shall be effective as of the Effective Time.

GRANTOR:

HERBERT C. BUIE

  
By Herbert C. Buie

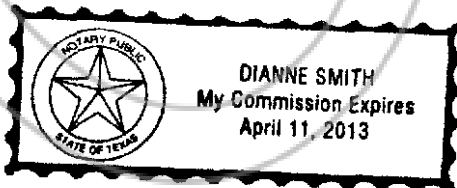
STATE OF TEXAS

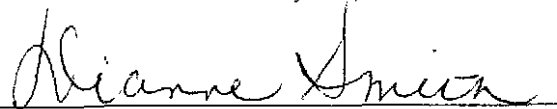
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COUNTY OF SMITH

On this the 27 day of April, 2009, the undersigned, a Notary Public duly commissioned, qualified and acting in and for the said County and State, hereby certifies that before me personally appeared, HERBERT C. BUIE, who, having been duly authorized, signed, executed and delivered the foregoing and acknowledged the due execution of the said instrument to be the free and voluntary act and deed for the uses and purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this the 27 day of April, 2009.





Printed Name: \_\_\_\_\_  
Notary Public in and for said County and State  
My Commission Expires: \_\_\_\_\_

## EXHIBIT A

### LIST OF ASSIGNMENTS AND CONVEYANCES

State of Nevada  
County of Eureka

#### RECORDING DATA

<u>Document/Entry No.</u>	<u>Book</u>	<u>Volume</u>	<u>Page</u>
196418	407		251
201429	425		381

## EXHIBIT B

### Terms, Conditions and Disclaimers

*This conveyance and the conveyance of the interest hereof are expressly made subject to*, and the Interests herein assigned and conveyed shall bear, their proportionate share of all of the terms, provisions, reservations and obligations contained in the Assignments, and further subject to all interests and matters burdening the Interests, whether or not appearing of record, whether now in existence or hereafter arising. All warranties that might arise by common law, as well as the warranties in the following state statutes (or their successors) are excluded.

Nevada Rev. Statutes Ann., Title 10: Property Rights and Transactions  
Mississippi Code Ann., Title 89: Real and Personal Property  
Montana Code Ann., Title 70: Property  
Colorado Rev. Statutes Ann., Title 38: Property – Real and Personal  
Utah Code Ann., Title 57: Real Estate  
California Civil Code Division 2: Property  
North Dakota Century Code, Title 47: Real Property  
Kansas Statutes Ann., Chapter 58: Personal and Real Property  
Arkansas Code Ann., Title 18, Subtitle 2: Real Property  
Illinois Compiled Statutes Ann., Chapter 765: Property  
South Dakota Codified Law, Title 43: Property  
Oklahoma Statutes Ann., Title 16: Conveyances  
MCLA, Chapter 565: Conveyances of Real Property  
Wyoming Statutes Ann., Title 34: Property, Conveyances and Security Transactions  
New Mexico Statutes, Chapter 47: Property Code  
Louisiana Rev. Statutes, Title 9  
Section 5.023 of the Texas Property Code  
The Code of Alabama 1975, Title 35



0217032

Book 514 04/25/2011  
Page: 33 Page: 3 of 5

***This conveyance and the conveyance of the interest hereof are expressly made subject to:*** The terms, conditions and provisions of, and, the rights, title and interests, including the "Executive Rights", of Noble Royalties, Inc., d/b/a Brown Drake Royalties reserved by said party pursuant to, the terms and conditions of, that certain Instrument granted by Noble Royalties, Inc. d/b/a Brown Drake Royalties recorded in the records of the Clerk of Eureka County, Nevada in Document Number 201429, Book 425, Page 381.

## EXHIBIT C

**Legal Description  
Drake Properties**

**Eureka County,  
Nevada  
Page 1 of 1**

Lander and Eureka Counties, Nevada land described in Order To Amend Or Correct Decree In The Second Judicial District Court Of The State Of Nevada In And For The County Of Washoe In The Matter of the Estate of Dorothe Macmillan, Deceased, recorded in Case No. 273559, Dept No. 4, Washoe County, Nevada.

Also being the same land described in Deed Of Trust, dated April 10, 1996 by and between James M. Kline and Helen M. Kline, as husband and wife, as Trustors and Stewart Title Northeastern Nevada, as Trustee, and Board of Trustees of The Leland Stanford University Junior University, as Beneficiary, recorded in Book 294, page 343 of the Official Records of Eureka County, Nevada and described as follows:

S/2 SE/4 of Section 8; NW/4 Section 17 and the E/2 NE/4 of Section 18 all in Township 31, North, Range 48 East, M.B.D.M. located in Lander and Eureka Counties, Nevada.



0217032

Book 514  
Page: 35

04/25/2011  
Page. 5 of 5

STATE OF NEVADA  
DECLARATION OF VALUE FORMRecording requested By  
NOBLE ROYALTIES

Eureka County - NV

Mike Rebaleati - Recorder

Page 1 of 1 Fee: \$1.80

Recorded By: FES RPTT

Book- 514 Page- 0031

## 1. Assessor Parcel Number(s)

- a) \_\_\_\_\_  
 b) \_\_\_\_\_  
 c) \_\_\_\_\_  
 d) \_\_\_\_\_

## 2. Type of Property:

- a) ☐ Vacant Land b) ☐ Single Fam. Res.  
 c) ☐ Condo/Twnhse d) ☐ 2-4 Plex  
 e) ☐ Apt. Bldg f) ☐ Comm'l/Ind'l  
 g) ☐ Agricultural h) ☐ Mobile Home  
☒ Other Mineral Interest

## FOR RECORDER'S OPTIONAL USE ONLY

Book: \_\_\_\_\_ Page: \_\_\_\_\_

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

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

## 3. Total Value/Sales Price of Property

\$ 0

Deed in Lieu of Foreclosure Only (value of property)

(\$ 0)

Transfer Tax Value:

\$ 0

Real Property Transfer Tax Due

\$ 0

## 4. If Exemption Claimed:

a. Transfer Tax Exemption per NRS 375.090, Section 3b. Explain Reason for Exemption: Transfer of mineral, royalty  
+ overriding interest

## 5. Partial Interest: Percentage Being transferred: \_\_\_\_\_ %

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 parties agree that 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 Agent

Signature \_\_\_\_\_ Capacity \_\_\_\_\_

**SELLER (GRANTOR) INFORMATION**  
(REQUIRED)

Print Name: HERBERT C. BUJE  
 Address: 2025 STEELING DR.  
 City: TYLER  
 State: TX Zip: 75701

**BUYER (GRANTEE) INFORMATION**  
(REQUIRED)

Print Name: H & M Buje Investments, LT d.  
 Address: 2025 STEELING DR.  
 City: TYLER  
 State: TX Zip: 75701

**COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)**

Print Name: TERRY CARTER Escrow #: \_\_\_\_\_  
 Address: 1501 N. DALLAS PKWY STE 900  
 City: ADDISON State: TX Zip: 75001