

APN: 001-196-02

Eureka, Nevada



**GRANT OF EASEMENT FOR
CHANNEL IMPROVEMENTS**

THIS GRANT OF EASEMENT made this 24th day of June, 2011 and by and between MT. WHEELER POWER, INC. (hereinafter referred to as "Grantor") and Eureka County, a political subdivision of the State of Nevada (hereinafter referred to as "Grantee").

WITNESSETH:

WHEREAS, the Grantor is the owner of that certain parcel located in Eureka County, Nevada generally described a Portion of the Unnamed Alley Way between Block 103 & Block 50 of the Plat of the Townsite of Eureka Nevada as approved by the United States Department of the Interior, General Land Office on November 19, 1937 and recorded as Document Number 127447 in the Official Records of the County of Eureka, State of Nevada, (hereinafter referred to as "Property").

NOW THEREFORE, the undersigned Grantor, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to Grantee, its successors and assigns, a permanent easement for channel improvements across a portion of the Property more particularly described in Exhibits "A" and "B", which are incorporated by this reference as if fully set forth herein.

IT IS FURTHER AGREED:

1. Grantee, its successors and assigns, shall have at all times ingress and egress to the above described channel improvements for the purpose of constructing, maintaining and repairing them.
2. Grantee, its successors and assigns, shall indemnify and hold Grantor harmless of and from damages to persons, property, or improvements suffered by Grantor or third parties by reason of Grantee's maintenance and repair of the channel improvements, provided Grantee is apprised as soon as possible of any claim of damages.
3. Grantor, their successors and assigns, shall not erect or construct, nor permit to be erected or constructed, any building or obstruction on or near the easement in a manner to interfere or be inconsistent with Grantee's use of said easement.

THIS GRANT OF EASEMENT shall be binding upon 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.

IN WITNESS WHEREOF Grantor has hereunto signed on the day and year first above written.

GRANTORS:

Jesse M. Woodcock, Eng. Manager
MT. WHEELER POWER, INC.

STATE OF NEVADA)
COUNTY of WHITE PINE) : ss.

On this 21st day of JUNE, 2011, before me, the undersigned, a Notary Public in and for WHITE PINE County and State of NEVADA, appeared MT. WHEELER POWER, INC. known to me to be the persons who executed the above and foregoing instrument, and who acknowledged to me that they did so freely and voluntarily and for the purposes therein mentioned.



Gayle L. Ensign
NOTARY PUBLIC



EXHIBIT "A"

A PORTION OF THE UNNAMED ALLEY WAY BETWEEN BLOCK 103 & BLOCK 50 EUREKA TOWNSITE

All that real property situate within a portion of the Northwest One-Quarter (NW 1/4) of Section Twenty-Four (24), Township Nineteen (19) North, Range Fifty-Three (53) East, Mount Diablo Meridian (M.D.M.), County of Eureka, State of Nevada, being a portion of the unnamed alley way lying between Block 103, Survey Number 94 and Block 50, as shown on the Plat of the Townsite of Eureka Nevada as approved by the United States Department of the Interior, General Land Office on November 19, 1937 and recorded as Document Number 127447 in the Official Records of the County of Eureka, State of Nevada, said alley way being abandoned by the County of Eureka per Quitclaim Deed Document Number 178142, Official Records of the County of Eureka, State of Nevada, being more particularly described as follows:

BEGINNING at the northerly intersection of the easterly line said Block 103 and said alley way, said point lying on the southerly line of Richmond Street as shown on said Plat of the Townsite of Eureka;

THENCE easterly following said southerly line of Richmond Street, South 63°00'00" East, 25.10 feet;

THENCE leaving said southerly line of Richmond Street, South 19°08'00" West, 3.62 feet;

THENCE South 67°28'00" West, 14.82 feet;

THENCE South 03°17'00" West, 43.32 feet to the easterly line of said Block 103;

THENCE northerly along the easterly line said Block 103, North 4°30'00" West, 63.93 feet to the **POINT OF BEGINNING** and the end of this description.

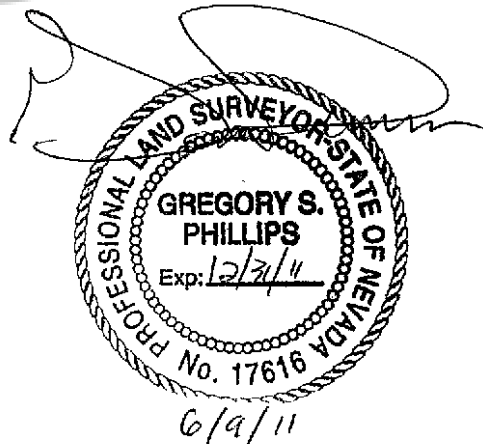
Containing 394 square feet, more or less.

The basis of bearing for this description is identical to that said Plat of the Townsite of Eureka Nevada, recorded as Document Number 127447, in the Official Records of the County of Eureka, State of Nevada.

Prepared by:

Lumos & Associates
800 East College Parkway
Carson City, NV 89706

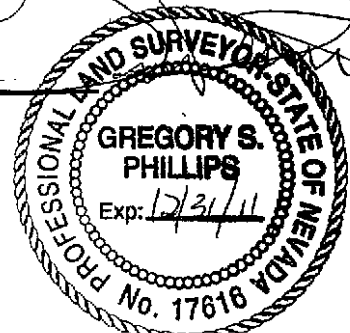
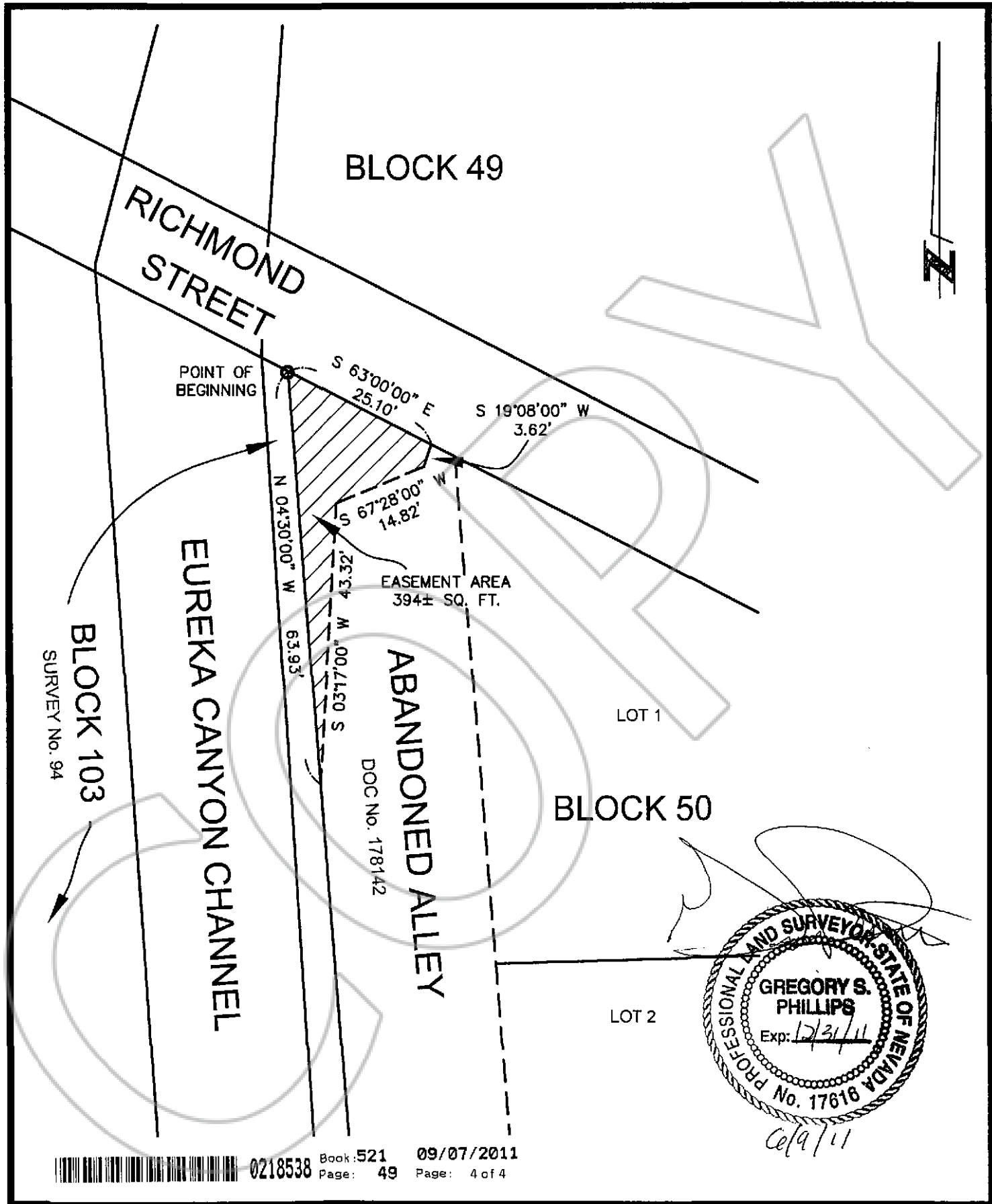
Gregory S. Phillips, P.L.S.
Nevada Certificate No. 17616



0218538

Book 521
Page: 48

09/07/2011
Page: 3 of 4



cel/9/11

0218538 Book: 521 09/07/2011
 Page: 49 Page: 4 of 4

LUMOS
 & ASSOCIATES
 800 E. COLLEGE PARKWAY
 CARSON CITY, NEVADA 89708
 PH. (775) 863-7077 FAX (775) 863-7114

EUREKA COUNTY
EXHIBIT "B"
 PORTION OF ABANDONED ALLEY WAY BETWEEN
 BLOCK 103 & BLOCK 50, EUREKA TOWNSITE
 EUREKA COUNTY NEVADA

Date: JUNE 2011
 Scale: 1" = 20'
 Job No: 7790.001