

APN: 001-135-03

Eureka, Nevada

**GRANT OF EASEMENT FOR
CHANNEL IMPROVEMENTS**



THIS GRANT OF EASEMENT made this 13th day of September, 2011 and by and between DEAN DAY (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 as Lot 7 of Block 11 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:



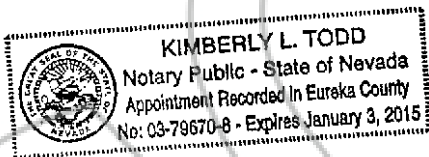
DEAN DAY

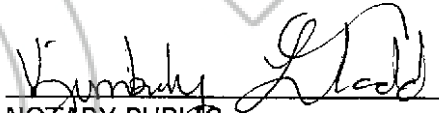
STATE OF Nevada)

County of Eureka)

: ss.

On this 13 day of September, 2011, before me, the undersigned, a Notary Public in and for Eureka County and State of Nevada, appeared DEAN DAY 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.





NOTARY PUBLIC

EXHIBIT "A"

PORTIONS OF LOT 7, BLOCK 11, EUREKA TOWNSITE

All that real property situate within a portion of the Southwest One-Quarter (SW 1/4) of Section Thirteen (13) and 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 Lot 7 of Block 11 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, being more particularly described as follows:

BEGINNING at the southwesterly most corner of said Lot 7, said point lying on the easterly line of the Eureka Canyon Channel as shown on said Plat of the Townsite of Eureka;

THENCE northerly along said easterly line, North 8°33'00" West, 8.95 feet;

THENCE leaving said line, South 45°27'00" East, 11.19 feet to the southerly line of said Lot 7;

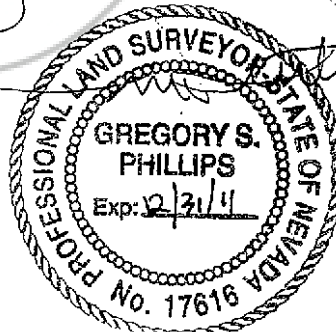
THENCE westerly along said southerly line, South 81°27'00" West, 6.72 feet to the **POINT OF BEGINNING** and the end of this description.

Containing 30 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



05/26/11

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



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EUREKA CANYON CHANNEL

LOT 6

BLOCK 11

LOT 7

POINT OF BEGINNING

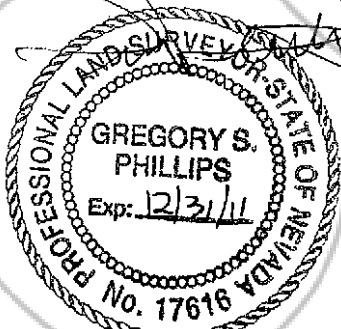
N8°33'00"W
8.95'

S45°27'00"E
11.19'

EASEMENT AREA
30± SQ. FT.

S81°27'00"W
6.72'

LOT 8



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CARSON CITY, NEVADA 89706
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EUREKA COUNTY

EXHIBIT "B"

PORTIONS OF LOT 7, BLOCK 11, EUREKA TOWNSITE

EUREKA COUNTY

NEVADA

Date: MAY 2011

Scale: 1" = 10'

Job No: 7790.001