APN 001-172-03, 001-172-04, & 001-172-05

EUREKA COUNTY, NV RPTT \$142 35 Rec \$35.00 Total \$177 35

2017-233900 10/06/2017 03:44 PM

CLINT GARRETT

Pgs=15

#### WHEN RECORDED, MAIL TO:

Hicks PO Box 95 Eureka, NV 89316

LISA HOEHNE, RECORDER

FOR APN 001-172-03 & 001-172-04, MAIL TAX STATEMENTS TO:

Hicks PO Box 95 Eureka, NV 89316

FOR APN 001-172-05, MAIL TAX STATEMENT TO:

Eversgerd PO Box 887 Eureka, NV 89316

### **BOUNDARY LINE ADJUSTMENT DEED**

WILLIAM E. HICKS and ROBIN R. HICKS, husband and wife as joint tenants, **FIRST PARTY**, WILLIAM E. HICKS and ROBIN R. HICKS, husband and wife, **SECOND PARTY**, and JON A. EVERSGERD and WINNONA SUE EVERSGERD, husband and wife as joint

tenants, THIRD PARTY, hereby enter into this indenture on the 25 day of September. 2017.

### WITNESSETH:

**PARTIES** are the owners of adjacent and abutting parcels of real property being located in the Northeast Quarter of Section 23, T. 19N., R. 53E., M.D.M., Eureka Townsite, Eureka County, Nevada and more particularly described in **EXHIBIT "A"**, **EXHIBIT "B"**, and **EXHIBIT "C"**, attached hereto and incorporated herein by reference respectively, attached hereto and incorporated herein by this reference. **PARTIES** desires to adjust the boundary lines between said parcels pursuant to NRS 278.461(5)(c), by granting to **PARTIES** the adjustment in the boundary lines of its real property as described below.

NOW, THEREFORE, PARTIES do by these presents grant, bargain, sell and convey, one to the other, all portions of said real property described above necessary to effect this boundary line adjustment, so that the real property owned by FIRST PARTY shall be as described in EXHIBIT "D", the real property owned by the SECOND PARTY shall be as described in

Exhibit "E", and the real property owned by the THIRD PARTY shall be as described in Exhibit "F", attached hereto and incorporated herein by this reference.

FURTHERMORE, FIRST PARTY and SECOND PARTY do by these presents grant a 60' private access and public utility easement as described in EXHIBIT "G". Said easement is for the benefit of the real property as described in EXHIBIT "D" and EXHIBIT "E". Said easement is reciprocal and relocatable at the mutual agreement between the owners of said real property as described in EXHIBIT "D" and EXHIBIT "E".

FURTHERMORE, FIRST PARTY does by these presents grant a 15' waterline and sanitary sewer easement as described in EXHIBIT "H". Said easement is for the benefit of the real property as described in EXHIBIT "D" and EXHIBIT "E" and the utility purveyors. Said easement is reciprocal and relocatable at the mutual agreement between the owners of said real property as described in EXHIBIT "D" and EXHIBIT "E".

FURTHERMORE, SECOND PARTY does by these presents grant a 30' waterline easement as described in EXHIBIT "I". Said easement is for the benefit of the real property as described in EXHIBIT "D" and EXHIBIT "E" and the utility purveyors. Said easement is reciprocal and relocatable at the mutual agreement between the owners of said real property as described in EXHIBIT "D" and EXHIBIT "E".

TOGETHER WITH ALL and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainder and remainders, rents, issues and profits thereof.

Reserving therefrom any and all water and/or water rights.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the **PARTIES** and to its successors and assigns forever.

IN WITNESS WHEREOF, the **PARTIES** has caused these presents to be executed the day and year first above written.

### **FIRST PARTY**:

WILLIAM E. HICKS and ROBIN R. HICKS, husband and wife as joint tenants
William E. Hicks
ROBIN R. HICKS
STATE OF NEVADA  ) SS  COUNTY OF EUREKA  )  KATHY BACON-BOWLING Notary Public - State of Nevada Appointment Recorded in Eureka County No: 07-3852-3 - Expires May 11, 2019
This instrument was acknowledged before me on Supt. 29, 2017, by WILLIAM E. HICKS.
Notary Public  Notary Public
My Commission Expires: May 11, 2019  KATHY BACON-BOWLING Notary Public - State of Nevada Appointment Recorded in Eureka County No: 07-3652-8 - Expires May 11, 2019
This instrument was acknowledged before me on S. A. 5, 2017, by ROBIN R. HICKS.
Notary Public  My Commission Expires: May 11, 2019
Notary Pablic 🔾

### **SECOND PARTY:**

WILLIAMETHICKS	and ROBIN R. HICKS, husband and wife
WILLIAM E. HICKS	Lieks \\
ROBIN R. HICKS	Rylicks
STATE OF NEVADA	KATHY BACON-BOWLING Notary Public - State of Nevada Appointment Recorded in Eureka County No: 07-3652-8 - Expires May 11, 2019
COUNTY OF EUREKA	) / / \ \ \ .
This instrument was a WILLIAM E. HICKS.	acknowledged before me on $\frac{S_1 + 29^{+h}}{29^{+h}}$ , 2017, by
Notary	Clabacon Barding
STATE OF NEVADA	GARNEY DAMELE Notary Public - State of Nevada Appointment Recorded in Eureka County
COUNTY OF EUREKA	)SS No: 14-13942-8 - Expires May 28, 2018
This instrument was a ROBIN R. HICKS.	acknowledged before me on Lept 28, 2017, by
Notary	
My Cor	mmission Expires: May 28,2018

#### THIRD PARTY:

husband and wife as joint tenants

KATHY BACON-BOWLING Notary Public - State of Nevada STATE OF NEVADA Appointment Recorded in Eureka County )SS No: 07-3652-8 - Expires May 11, 2019 **COUNTY OF EUREKA** ot.25 This instrument was acknowledged before me on \_, 2017, by JON A. EVERSGERD. Notary Public My Commission Expires: 1 STATE OF NEVADA KATHY BACON-BOWLING Notary Public - State of Nevada )SS Appointment Recorded in Eureka County **COUNTY OF EUREKA** No: 07-3652-8 - Expires May 11, 2019 This instrument was acknowledged before me on \_, 2017, by WINNONA SUE EVERSGERD.

JON A. EVERSGERD and WINNONA SUE EVERSGERD,

My Commission Expires: May 11, 2019

Notary Public

#### **EXHIBIT "A"**

#### ORIGINAL LEGAL DESCRIPTION APN 001-172-03 (OWNED BY FIRST)

Parcel A as shown on the Parcel Map recorded August 6, 1998 in the Office of the County Recorder of Eureka County, Nevada as File No. 170339, and amended by the Parcel Map recorded June 8, 1999 as file No. 172264, Eureka County, Nevada records.

#### **EXHIBIT "B"**

ORIGINAL LEGAL DESCRIPTION APN 001-172-04 (OWNED BY SECOND)

Parcel B-1 as shown on the Parcel Map recorded October 29, 2008 in the Office of the County Recorder of Eureka County, Nevada as File No. 212688, and amended by the Parcel Map recorded June 8, 1999 as file No. 172264, Eureka County, Nevada records.

### EXHIBIT "C"

ORIGINAL LEGAL DESCRIPTION APN 001-172-05 (OWNED BY THIRD)

Parcel B-2 as shown on the Parcel Map recorded October 29, 2008 in the Office of the County Recorder of Eureka County, Nevada as File No. 212688, Eureka County, Nevada records.

#### EXHIBIT "D"

# NEW LEGAL DESCRIPTION PARCEL A2 (NOW OWNED BY FIRST PARTY)

A parcel of land being portions of Parcel A and Revised Parcel B of the Amended Parcel Map for William E. & Robin R. Hicks, recorded June 8, 1999 as File No. 172264, Eureka County, Nevada records, situate within the Northeast Quarter of Section 23, Township 19 North, Range 53 East, MDM, Eureka Townsite, Eureka County, Nevada, being more particularly described as follows:

Beginning at the Southwest corner of said Parcel A, being a 2.5" iron pipe with 3.5" GLO brass cap stamped "C-E 1/16 ETS S23 1935";

thence along the West boundary of said Parcel A North 00°22'16" West a distance of 589.96 feet to the Southwest corner of said Revised Parcel B;

thence along the West boundary of said Revised Parcel B North 00°22'16" West a distance of 728.66 feet to the Northwest corner of said Revised Parcel B, being a 2.5" iron pipe with 3.5" GLO brass cap stamped "NE 1/16 ETS S23 1935";

thence along the North boundary of said Revised Parcel B North 88°45'51" East a distance of 287.40 feet to the Northwest corner of Revised Parcel C as shown on said Amended Parcel Map File No. 172264;

thence along the West boundary of said Revised Parcel C South 01°14'09" East a distance of 405.90 feet to the Southwest corner of said Revised Parcel C;

thence along the Southeasterly boundary of said Revised Parcel C from a tangent which bears North 20°02'25" East, along a circular curve to the right with a radius of 315.00 feet and a central angle of 37°13'44" an arc length of 204.68 feet;

thence North 57°16'09" East a distance of 138.60 feet;

thence along a tangent circular curve to the left with a radius of 255.00 feet and a central angle of 44°09'27" an arc length of 196.53 feet;

thence along a tangent circular curve to the left with a radius of 20.00 feet and a central angle of 104°20'52" an arc length of 36.42 feet to the Northeast corner of said Revised Parcel C:

thence along the North boundary of said Revised Parcel B with a non-tangent line North 88°45'51" East a distance of 85.00 feet to an angle point on the Easterly boundary of said Revised Parcel B;

thence along said Easterly boundary from a tangent which bears South 05°44'09" West, along a circular curve to the right with a radius of 315.00 feet and a central angle of 11°11'58" an arc length of 61.57 feet;

thence along a tangent circular curve to the right with a radius of 315.00 feet and a central angle of 38°54'11" an arc length of 213.88 feet;

thence with a non-tangent line South 45°48'45" East a distance of 104.10 feet;

thence departing said Easterly boundary South 11°25'42" West a distance of 266.87 feet;

thence North 57°45'44" West a distance of 280.67 feet to a point on the Easterly limits of the 60' PRIVATE ACCESS EASEMENT & PUE as shown on said Amended Parcel Map File No. 172264;

thence along said Easterly limits from a tangent which bears South 25°23'49" West, along a circular curve to the left with a radius of 255.00 feet and a central angle of 05°21'24" an arc length of 23.84 feet;

thence South 20°02'25" West a distance of 176.23 feet;

thence along a tangent circular curve to the left with a radius of 105.00 feet and a central angle of 36°51'38" an arc length of 67.55 feet;

thence South 16°49'13" East a distance of 77.88 feet to a point on the South boundary of said Revised Parcel B;

thence departing said South boundary South 16°49'13" East a distance of 77.01 feet;

thence along a tangent circular curve to the right with a radius of 140.00 feet and a central angle of 40°29'42" an arc length of 98.95 feet;

thence with a non-tangent line North 55°39'18" East a distance of 161.98 feet;

thence North 27°19'32" East a distance of 112.42 feet;

thence South 54°50'49" East a distance of 206.76 feet to a point on the Easterly boundary of said Revised Parcel B;

thence along said Easterly boundary from a tangent which bears South 40°55'43" West,

along a circular curve to the right with a radius of 820.00 feet and a central angle of  $04^{\circ}21'53"$ 

an arc length of 62.47 feet;

thence South 45°17'36" West a distance of 143.23 feet to the angle point on the Easterly boundary of said Parcel A;

thence along said Easterly boundary South 45°17'36" West a distance of 56.45 feet;

thence along a tangent circular curve to the left with a radius of 430.00 feet and a central angle of 45°26'32" an arc length of 341.04 feet to the Southeast corner of said Parcel A;

thence along the South boundary of said Parcel A with a non-tangent line South 89°51'06" West a distance of 362.98 feet to the Point of Beginning.

COOK

9-21-2017

Said parcel contains an area of approximately 13.34± acres.

#### **EXHIBIT "E"**

# NEW LEGAL DESCRIPTION PARCEL B1B (NOW OWNED BY SECOND PARTY)

A parcel of land being portions of Parcel A and Revised Parcel B of the Amended Parcel Map for William E. & Robin R. Hicks, recorded June 8, 1999 as File No. 172264, Eureka County, Nevada records, situate within the Northeast Quarter of Section 23, Township 19 North, Range 53 East, MDM, Eureka Townsite, Eureka County, Nevada, being more particularly described as follows:

Beginning at the Westerly angle point of Parcel B2 as shown on the Parcel Map recorded October 29, 2008 in the Office of the County Recorder of Eureka County, Nevada as File No. 212688, Eureka County, Nevada records, from which the Southwest corner of said Parcel A, being a 2.5" iron pipe with 3.5" GLO brass cap stamped "C-E 1/16 ETS S23 1935", bears South 39°33'01" West a distance of 794.70 feet;

thence along the Northwesterly boundary of said Parcel B2 North 36°39'52" East a distance of 118.60 feet;

thence departing said Northwesterly boundary North 12°17'19" East a distance of 64.25 feet; thence North 57°45'44" West a distance of 280.67 feet to a point on the Easterly limits of the 60' PRIVATE ACCESS EASEMENT & PUE as shown on said Amended Parcel Map File No. 172264:

thence along said Easterly limits from a tangent which bears South 25°23'49" West, along a circular curve to the left with a radius of 255.00 feet and a central angle of 05°21'24" an arc length of 23.84 feet;

thence South 20°02'25" West a distance of 176.23 feet;

thence along a tangent circular curve to the left with a radius of 105.00 feet and a central angle of 36°51'38" an arc length of 67.55 feet;

thence South 16°49'13" East a distance of 77.88 feet to a point on the North boundary of said Parcel A:

thence departing said North boundary South 16°49'13" East a distance of 77.01 feet;

thence along a tangent circular curve to the right with a radius of 140.00 feet and a central angle of 40°29'42" an arc length of 98.95 feet;

thence with a non-tangent line North 55°39'18" East a distance of 161.98 feet; thence North 27°19'32" East a distance of 112.42 feet to the Point of Beginning.

Said parcel contains an area of approximately 2.00± acres.

#### **EXHIBIT "F"**

# NEW LEGAL DESCRIPTION PARCEL B2B (NOW OWNED BY THIRD PARTY)

A parcel of land being a portion of Parcel B1 and all of Parcel B-2 as shown on the Parcel Map recorded October 29, 2008 in the Office of the County Recorder of Eureka County, Nevada as File No. 212688, Eureka County, Nevada records, situate within the Northeast Quarter of Section 23, Township 19 North, Range 53 East, MDM, Eureka Townsite, Eureka County, Nevada, being more particularly described as follows:

Beginning at the Westerly angle point of Parcel B2 as shown on the Parcel Map recorded October 29, 2008 in the Office of the County Recorder of Eureka County, Nevada as File No. 212688, Eureka County, Nevada records, from which the Southwest corner of said Parcel A, being a 2.5" iron pipe with 3.5" GLO brass cap stamped "C-E 1/16 ETS S23 1935", bears South 39°33'01" West a distance of 794.70 feet;

thence along the Northwesterly boundary of said Parcel B2 North 36°39'52" East a distance of 118.60 feet;

thence departing said Northwesterly boundary North 12°17'19" East a distance of 64.25 feet; thence North 11°25'42" East a distance of 266.87 feet to a point on the Northeasterly boundary of said Parcel B1;

thence along said Northeasterly boundary South 45°48'45" East a distance of 141.52 feet to the North angle point of said Parcel B2;

thence along the Northeasterly boundary of said Parcel B2 South 45°48'45" East a distance of 178.12 feet to the angle point on the Easterly boundary of said Parcel B2; thence along said Easterly boundary South 29°32'53" West a distance of 210.28 feet; thence along a tangent circular curve to the right with a radius of 820.00 feet and a central angle of 11°22'50" an arc length of 162.88 feet to the Southeast corner of said Parcel B2; thence along the Southwesterly boundary of said Parcel B2 with a non-tangent line North 54°50'49" West a distance of 206.76 feet to the Point of Beginning.

Said parcel contains an area of approximately 2.19± acres.

Basis of Bearings: Identical to Parcel Map 212688 being N00°22'16"W; being the West line of Parcel B as shown on a Parcel Map recorded August 6, 1998 under File No. 170339 in the Eureka County records.

RYAN G. COOK

#### **EXHIBIT "G"**

#### NEW LEGAL DESCRIPTION 60' PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT

An easement located within a portion of Parcel A and Revised Parcel B of the Amended Parcel Map for William E. & Robin R. Hicks, recorded June 8, 1999 as File No. 172264, Eureka County, Nevada records, situate within the Northeast Quarter of Section 23, Township 19 North, Range 53 East, MDM, Eureka Townsite, Eureka County, Nevada, being more particularly described as follows:

COMMENCING at the Southwest corner of said Parcel A, being a 2.5" iron pipe with 3.5" GLO brass cap stamped "C-E 1/16 ETS S23 1935";

thence along the West boundary of said Parcel A North 00°22'16" West a distance of 589.96 feet to the Northwest corner of said Parcel A;

thence along the North boundary of said Parcel A North 89°37'44" East a distance of 245.46 feet to the Southwesterly limits of the 60' PRIVATE ACCESS EASEMENT & PUE as shown on said Amended Parcel Map File No. 172264;

thence continuing along said North boundary North 89°37'44" East a distance of 62.56 feet to the Southeasterly limits of said 60' PRIVATE ACCESS EASEMENT & PUE; thence departing said North boundary South 16°49'13" East a distance of 77.01 feet; thence along a tangent circular curve to the right with a radius of 140.00 feet and a central angle of 40°29'42" an arc length of 98.95 feet;

thence along a tangent circular curve to the right with a radius of 140.00 feet and a central angle of 25°22'56" an arc length of 62.02 feet;

thence from a tangent which bears North 85°44'44" East, along a circular curve to the right with a radius of 1865.00 feet and a central angle of 07°40'11" an arc length of 249.65 feet;

thence along a tangent circular curve to the left with a radius of 50.00 feet and a central angle of 48°07'19" an arc length of 41.99 feet to a point on the Southeasterly limits of said Revised Parcel B;

thence along said Southeasterly limits with a non-tangent line South 45°17'36" West a distance of 58.00 feet to the angle point on the Easterly boundary of said Parcel A; thence along said Easterly boundary South 45°17'36" West a distance of 56.45 feet; thence along a tangent circular curve to the left with a radius of 430.00 feet and a central angle of 04°21'57" an arc length of 32.77 feet;

thence departing said Easterly boundary from a tangent which bears North 40°55'39" East, along a circular curve to the left with a radius of 20.00 feet and a central angle of 129°57'04" an arc length of 45.36 feet;

thence along a tangent circular curve to the left with a radius of 1805.00 feet and a central angle of 09°46'39" an arc length of 308.02 feet;

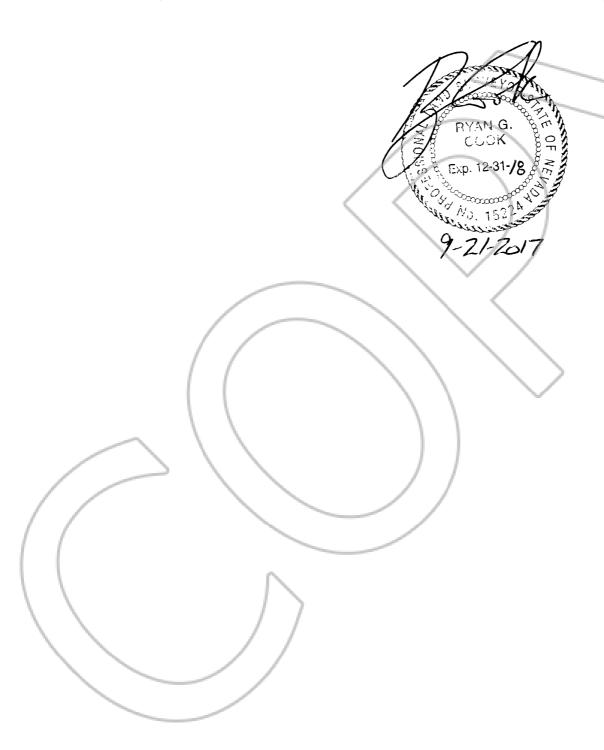
thence along a tangent circular curve to the right with a radius of 30.00 feet and a central angle of 160°29'55" an arc length of 84.04 feet;

thence North 61°41′51" East a distance of 116.78 feet;

thence along a tangent circular curve to the left with a radius of 80.00 feet and a central angle of 78°31'04" an arc length of 109.63 feet;

thence North 16°49'13" West a distance of 94.72 feet to the Point of Beginning.

Said parcel contains an area of approximately 41,365± square feet.



#### **EXHIBIT "H"**

## NEW LEGAL DESCRIPTION 15' WATER LINE & SANITARY SEWER LINE EASEMENT

An easement, fifteen feet (15.00') in width, located within a portion of Parcel B1 as shown on the Parcel Map recorded October 29, 2008 in the Office of the County Recorder of Eureka County, Nevada as File No. 212688, Eureka County, Nevada records, situate within the Northeast Quarter of Section 23, Township 19 North, Range 53 East, MDM, Eureka Townsite, Eureka County, Nevada, being seven and one half (7.50') on each side of the following described centerline:

COMMENCING at the Southeasterly corner of said Parcel B1, from which the Southwest corner of said Parcel A, being a 2.5" iron pipe with 3.5" GLO brass cap stamped "C-E 1/16 ETS S23 1935", bears South 56°47'16" West a distance of 634.20 feet;

thence along the Southeasterly boundary of said Parcel B1 North 45°17'36" East a distance of 143.23 feet to the Point of Beginning;

thence departing said Southeasterly boundary North 48°34'29" West a distance of 73.46 feet:

thence North 26°09'37" West a distance of 90.89 feet;

thence South 63°50'23" West a distance of 73.19 feet to the Point of Terminus.

Sidelines of said easement are to be extended or shortened as to terminate at said Southeasterly boundary and the adjusted boundary line at the Point of Terminus.

Said parcel contains an area of approximately 3,563± square feet.

# EXHIBIT "I" NEW LEGAL DESCRIPTION 30' WATERLINE EASEMENT

An easement, thirty feet (30.00') in width, located within a portion of Parcel B1 as shown on the Parcel Map recorded October 29, 2008 in the Office of the County Recorder of Eureka County, Nevada as File No. 212688, Eureka County, Nevada records, situate within the Northeast Quarter of Section 23, Township 19 North, Range 53 East, MDM, Eureka Townsite, Eureka County, Nevada, being fifteen feet (15.00') on each side of the following described centerline:

COMMENCING at an angle point on the Easterly boundary of said Parcel B1 from which Southwest corner of said Parcel A, being a 2.5" iron pipe with 3.5" GLO brass cap stamped "C-E 1/16 ETS S23 1935" bears South 27°14'20" West a distance of 1242.63 feet, thence along said Easterly boundary South 45°48'45" East a distance of 87.30 feet to the Point of Beginning:

thence South 17°22'36" West a distance of 48.48 feet;

thence South 46°37'46" West a distance of 62.25 feet;

thence North 77°35'36" West a distance of 138.67 feet;

thence North 19°07'03" West a distance of 28.99 feet to a point on the Easterly limits of the 60' PRIVATE ACCESS EASEMENT & PUE as shown on Amended Parcel Map File No. 172264, said records, also being the Point of Terminus.

Sidelines of said easement are to be extended or shortened as to terminate at said Easterly boundary and said Easterly limits.

Said parcel contains an area of approximately 8,346± square feet.

Basis of Bearings: Identical to Parcel Map 212688 being N00°22'16"W; being the West line of Parcel B as shown on a Parcel Map recorded August 6, 1998 under File No. 170339 in the Eureka County records.

Descriptions Prepared By: Ryan G. Cook, PLS 15224 Summit Engineering Corporation 5405 Mae Anne Ave. Reno, NV 89523 775-747-8550 RYON G.
CI OK OFF

NO. 15224

9-21-2017

#### STATE OF NEVADA DECLARATION OF VALUE FORM 1. Assessor Parcel Number(s) a) 001-172-05 c) d) 2. Type of Property: a) Vacant Land Single Fam. Res. FOR RECORDER'S OPTIONAL USE ONLY **b**) **i** Condo/Twnhse d) 2-4 Plex Page: Comm'l/Ind'l Date of Recording: e) Apt. Bldg f) Mobile Home Notes: Agricultural h) g) Other 3. Total Value/Sales Price of Property Deed in Lieu of Foreclosure Only (value of property) Transfer Tax Value: Sacres gained, Tax Value Real Property Transfer Tax Due is only on the 4. If Exemption Claimed: amount gained, a. Transfer Tax Exemption per NRS 375.090, Section b. Explain Reason for Exemption: 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 Capacity Signature\_ SELLER (GRANTOR) INFORMATION BUYER (GRANTEE) INFORMATION (REQUIRED) (REOUIRED) Print Name: Print Name: Hicks Address: PO BOX 95 Address: 107 City: Elireka City: EUREKO COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer) Escrow #: Print Name: Address: Zip: City: State:

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED