

9

Order No. \_\_\_\_\_

Escrow No. 183243-MC

**1935010**

WHEN RECORDED, MAIL TO:

GRANTEE  
c/o Western Water Company  
4660 La Jolla Village Dr. #680 San Diego, Ca. 92122 Attn: Peter Jensen  
SPACE ABOVE THIS LINE FOR RECORDER'S USE

R.P.T.T. \$1125.75 SPECIAL WARRANTY DEED

SEE EXHIBIT "B" ATTACHED HERETO FOR TAX ROLL PARCEL NUMBERS  
FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, The Atchison, Topeka and Santa Fe Railway Company ("Grantor"), a Delaware corporation, does hereby GRANT, BARGAIN and SELL to Silver State Land Company LLC ("Grantee"), a Delaware limited liability company, all of Grantor's right, title and interest in the real property owned by Grantor and situated in the Counties of Elko, Eureka, Lander, Churchill, Lyon, Storey, Pershing, Washoe and Humboldt, State of Nevada, including the real property more particularly described as follows:

see Exhibit "A", which is attached hereto and, by this reference, made a part hereof,

TOGETHER with all tenements, hereditaments and appurtenances, including easements and water rights, including Permit to Appropriate Waters Nos. 41510, 49488, 49741, 50059, 56823, 46908, 46906, 42608, 45042 and all other water rights appurtenant to the land described in Exhibit "A" attached hereto, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

Dated: October 4, 1995

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY

By: Jeffrey R. Moreland  
Title: Vice President-Law and General Counsel

ATTEST:

[SEAL]

By: Assistant Secretary

BK4412PG0529



# EXHIBIT "A"

## CHURCHILL COUNTY, NEVADA

ALL THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF CHURCHILL, STATE OF NEVADA, AS CONVEYED TO THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY BY THE FOLLOWING DEEDS:

Date Recorded:	Grantor :	Official Records INSTRUMENT No. :	ATSF Deed No. :
January 8, 1990	Santa Fe Pacific Reality Corporation	249820	50580
January 8, 1990	Santa Fe Pacific Reality Corporation	249819	50581
January 2, 1992	Catellus Development Corporation	264753	51085
January 2, 1992	Catellus Development Corporation	264754	51086
January 2, 1992	Catellus Development Corporation	264755	51087
January 2, 1992	Catellus Development Corporation	264756	51089
January 2, 1992	Catellus Development Corporation	264757	51090
January 2, 1992	Catellus Development Corporation	264758	51091

## LYON COUNTY, NEVADA

**ALSO**  
ALL THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF LYON, STATE OF NEVADA, AS CONVEYED TO THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY BY THE FOLLOWING DEEDS:

Date Recorded:	Grantor :	Official Records INSTRUMENT No. :	ATSF Deed No. :
January 8, 1990	Santa Fe Pacific Reality Corporation	Bk.341 / Pg.112	50901

BK4412PG0531

EUREKA COUNTY, NEVADA

**ALSO**

ALL THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF EUREKA, STATE OF NEVADA, AS CONVEYED TO THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY BY THE FOLLOWING DEEDS:

Date Recorded:	Grantor :	Official Records BOOK / PAGE :	ATSF Deed No. :
February 25, 1991	Catellus Development Corporation	Bk.221 / Pg.9	50778
January 12, 1990	Santa Fe Pacific Reality Corporation	Bk.207 / Pg.116	50898
January 12, 1990	Santa Fe Pacific Reality Corporation	Bk.207 / Pg.109	50899
February 4, 1992	Catellus Development Corporation	Bk.231 / Pg.475	51093

EXCEPT ALL THOSE CERTAIN PARCELS OF LAND LYING IN THE COUNTY OF EUREKA, STATE OF NEVADA, AS CONVEYED TO THE FOLLOWING BY THE DEEDS LISTED AS FOLLOWS:

Date Recorded:	Grantee :	Official Records BOOK / PAGE :	ATSF Deed No. :
March 7, 1995	Santa Fe Pacific Gold Corporation	Bk.281 / Pg.248	52078
May 19, 1995	Santa Fe Pacific Gold Corporation	Bk.283 / Pg. 23	52167

ALSO EXCEPT A PARCEL OF LAND IN THE COUNTY OF EUREKA, STATE OF NEVADA, LYING IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 32 NORTH, RANGE 51 EAST, MOUNT DIABLO MERIDIAN, BEING THAT PORTION OF LAND WITHIN SAID SECTION, NOW AND FOR MANY YEARS PAST, OCCUPIED BY THE "PALISADE CEMETERY", AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING AT CORNER # 1 OF SAID PARCEL, THE WESTERLY FENCE CORNER OF THE DESCRIBED CEMETERY SITE, FROM WICH THE ¼-SECTION CORNER COMMON TO SECTIONS 35 AND 36, OF SAID TOWNSHIP, BEARS S.50°44'E., 147.7 FEET; THENCE ALONG SAID FENCELINE N.34°51'E., 161.5 FEET TO A FENCE CORNER AT THE NORTHERLY CORNER OF SAID CEMETERY SITE; THENCE ALONG SAID FENCELINE N.57°38'E., 25.39 FEET TO A POINT ON THE EASTERLY SECTION LINE OF SAID SECTION 35; THENCE ALONG SAID SECTION LINE S.0°10'E., 190.17 FEET TO A POINT ON THE SOUTHWESTERLY FENCELINE OF SAID CEMETERY SITE; THENCE ALONG SAID FENCELINE N.58°04'W., 134.67 FEET TO CORNER #1, THE POINT OF BEGINNING FOR THE PARCEL HEREIN DESCRIBED.**

THE "CEMETERY SITE" CONTAINS AN AREA OF 0.296 OF AN ACRE, MORE OR LESS

BK 4412PG 0532

## HUMBOLDT COUNTY, NEVADA

**ALSO**

ALL THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF HUMBOLDT, STATE OF NEVADA, AS CONVEYED TO THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY BY THE FOLLOWING DEEDS:

Date Recorded:	Grantor :	Official Records BOOK / PAGE :	ATSF Deed No. :
January 10, 1990	Santa Fe Pacific Reality Corporation	Bk.284 / Pg.469	50571
January 10, 1990	Santa Fe Pacific Reality Corporation	Bk.284 / Pg.470	50572
February 25, 1991	Catellus Development Corporation	Bk.298 / Pg.595	50573
February 25, 1991	Catellus Development Corporation	Bk.298 / Pg.594	50574
January 2, 1992	Catellus Development Corporation	Bk.307 / Pg.570	51082
January 2, 1992	Catellus Development Corporation	Bk.307 / Pg.571	51084
April 6, 1992	Catellus Development Corporation	Bk.310 / Pg.631	51157

EXCEPT ALL THOSE CERTAIN PARCELS OF LAND LYING IN THE COUNTY OF HUMBOLDT, STATE OF NEVADA, AS CONVEYED TO THE FOLLOWING BY THE DEEDS LISTED AS FOLLOWS:

Date Recorded:	Grantee :	Official Records BOOK / PAGE :	ATSF Deed No. :
May 20, 1993	Western Rock Product, Inc.	Bk.322 / Pg.503	51520
July 13, 1993	Santa Fe Pacific Minerals Corporation	Bk.323 / Pg.588	51719
July 24, 1995	Santa Fe Pacific Gold Corporation	Bk.343 / Pg.805	52167
June 13, 1995	Santa Fe Pacific Gold Corporation	Bk.343 / Pg.204	52168

BK 4412 PG 0533

LANDER COUNTY, NEVADA

**ALSO**

ALL THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF LANDER, STATE OF NEVADA, AS CONVEYED TO THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY BY THE FOLLOWING DEEDS:

Date Recorded:	Grantor :	Official Records BOOK / PAGE :	ATSF Deed No. :
February 25, 1991	Catellus Development Corporation	Bk.356 / Pg.412	50775
February 25, 1991	Catellus Development Corporation	Bk.356 / Pg.405	50776
January 11, 1990	Santa Fe Pacific Realty Corporation	Bk.341 / Pg.115	50900
January 11, 1990	Santa Fe Pacific Realty Corporation	Bk.341 / Pg.112	50901
January 3, 1992	Catellus Development Corporation	Bk.366 / Pg.101	51092
April 26, 1992	Catellus Development Corporation	Bk.370 / Pg.574	5115F

EXCEPT ALL THOSE CERTAIN PARCELS OF LAND LYING IN THE COUNTY OF LANDER, STATE OF NEVADA, AS CONVEYED TO THE FOLLOWING BY THE DEEDS LISTED AS FOLLOWS:

Date Recorded:	Grantee :	Official Records BOOK / PAGE :	ATSF Deed No. :
August 16, 1993	Santa Fe Pacific Minerals Corporation	Bk.397 / Pg.656	51719
June 2, 1995	Santa Fe Pacific Gold Corporation	Bk.417 / Pg.332	52167
May 24, 1995	Santa Fe Pacific Gold Corporation	Bk.417 / Pg.460	52168

STOREY COUNTY, NEVADA

**ALSO**

ALL THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF STOREY, STATE OF NEVADA, AS CONVEYED TO THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY BY THE FOLLOWING DEEDS:

Date Recorded:	Grantor :	Official Records BOOK / PAGE :	ATSF Deed No. :
January 8, 1990	Santa Fe Pacific Realty Corporation	Bk. 75 / Pg.165	50578

BK4412PG0534

## PERSHING COUNTY, NEVADA

**ALSO**

ALL THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF PERSHING, STATE OF NEVADA, AS CONVEYED TO THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY BY THE FOLLOWING DEEDS:

Date Recorded:	Grantor :	Official Records BOOK / PAGE :	ATSF Deed No. :
January 1, 1990	Santa Fe Pacific Reality Corporation	Bk.240 / Pg.248	50558
January 1, 1990	Santa Fe Pacific Reality Corporation	Bk.240 / Pg.410	50569
January 1, 1990	Santa Fe Pacific Reality Corporation	Bk.240 / Pg.413	50570
February 25, 1991	Catellus Development Corporation	Bk.253 / Pg. 1	50770
February 25, 1991	Catellus Development Corporation	Bk.253 / Pg. 32	50777
January 2, 1992	Catellus Development Corporation	Bk.261 / Pg.336	51079
January 2, 1992	Catellus Development Corporation	Bk.261 / Pg.340	51080
January 2, 1992	Catellus Development Corporation	Bk.261 / Pg.344	51081
April 6, 1992	Catellus Development Corporation	Bk.263 / Pg.202	51159

EXCEPT ALL THOSE CERTAIN PARCELS OF LAND LYING IN THE COUNTY OF PERSHING, STATE OF NEVADA, AS CONVEYED TO THE FOLLOWING BY THE DEEDS LISTED AS FOLLOWS:

Date Recorded:	Grantee :	Official Records BOOK / PAGE :	ATSF Deed No. :
June 21, 1993	Western Rock Product, Inc.	Bk.273 / Pg.472	51520

BK 44 12 PG 0535

## ELKO COUNTY, NEVADA

ALL THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF ELKO, STATE OF NEVADA, AS CONVEYED TO THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY BY THE FOLLOWING DEEDS:

Date Recorded:	Grantor :	Official Records BOOK / PAGE :	ATSF Deed No. :
February 25, 1991	Catellus Development Corporation	Bk.746 / Pg.862	50779
February 25, 1991	Catellus Development Corporation	Bk.746 / Pg.851	50780
January 11, 1990	Santa Fe Pacific Reality Corporation	Bk.711 / Pg.92	50902
January 11, 1990	Santa Fe Pacific Reality Corporation	Bk.711 / Pg.89	50903
January 31, 1992	Catellus Development Corporation	Bk.774 / Pg.448	51094
April 6, 1992	Catellus Development Corporation	Bk.780 / Pg.10	51158

## WASHOE COUNTY, NEVADA

## ALSO

ALL THOSE CERTAIN PARCELS OF LAND IN THE COUNTY OF WASHOE, STATE OF NEVADA, AS CONVEYED TO THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY BY THE FOLLOWING DEEDS:

Date Recorded:	Grantor :	Official Records BOOK / PAGE :	ATSF Deed No. :
January 19, 1991	Santa Fe Pacific Reality Corporation	Bk.3019 / Pg.760	50591
February 22, 1991	Catellus Development Corporation	Bk.3216 / Pg.531	50771
February 22, 1991	Catellus Development Corporation	Bk.3216 / Pg.526	50772
January 3, 1992	Catellus Development Corporation	Bk.3391 / Pg.840	51216

BK 4412 PG 0536



EXHIBIT "B"

To

SPECIAL WARRANTY DEED

By

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY

Washoe County

Assessor Parcel Numbers:

- 79-150-29
- 79-150-13
- 79-150-09
- 84-030-06
- 84-040-02
- 79-150-10
- 79-310-15
- 79-310-14
- 79-310-20
- 79-310-18
- 79-310-19
- 79-310-03
- 84-030-18
- 84-040-14
- 79-310-05
- 79-310-04
- 79-310-07
- 79-310-09
- 79-310-08
- 79-310-12
- 79-310-11
- 79-310-16
- 84-030-04
- 84-030-08
- 84-030-16
- 84-120-06
- 84-120-13
- 84-040-06
- 84-040-04
- 84-040-12
- 84-040-10
- 84-130-07
- 84-140-17
- 84-130-11
- 84-130-13
- 79-150-11
- 79-150-08
- 84-150-12
- 84-150-13
- 84-040-08

BK 4412PG0537

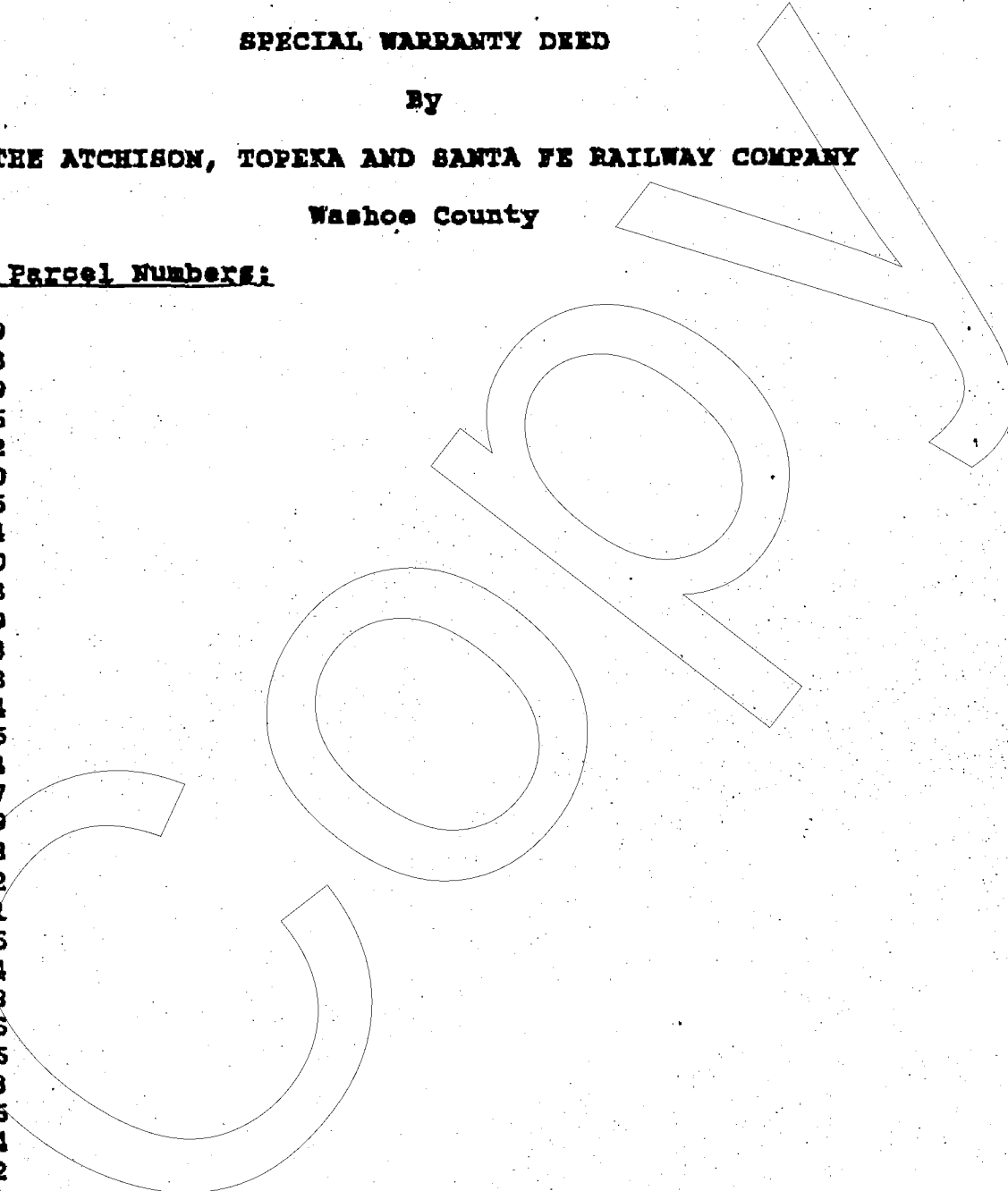


EXHIBIT "B"  
(continued)

Washoe County

Assessor Parcel Numbers:

79-180-14  
79-180-16  
79-320-06  
79-320-57  
79-320-20

COPY

BK4412PG0538

1935010

4:10pm

OCT 19 1995

OFFICIAL RECORDS, WASHOE COUNTY, NEVADA  
Record Requested by  
FIRST AMERICAN TITLE COMPANY OF NEVADA  
COUNTY RECORDER  
FEE 16.00 DEPUTY [Signature]