

1 BENJAMIN B. WAGNER  
 United States Attorney  
 2 KEVIN C. KHASIGIAN  
 Assistant U.S. Attorney  
 3 501 I Street, Suite 10-100  
 Sacramento, California 95814-2322  
 4 Telephone: (916) 554-2700

5 United States of America

6  
 7  
 8 IN THE UNITED STATES DISTRICT COURT  
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,  
 12 Plaintiff,

) 2:09-CV-03542-LKK-EFB

13  
 14 v.

15 REAL PROPERTY LOCATED IN  
 NEVADA COUNTY, CALIFORNIA,  
 16 APN: 61-070-08, INCLUDING ALL  
 APPURTENANCES AND  
 IMPROVEMENTS THERETO,

) FINAL JUDGMENT OF  
 FORFEITURE

17 REAL PROPERTY LOCATED IN  
 18 NEVADA COUNTY, CALIFORNIA,  
 APN: 61-140-37, INCLUDING ALL  
 19 APPURTENANCES AND  
 IMPROVEMENTS THERETO,

20 REAL PROPERTY LOCATED IN  
 21 NEVADA COUNTY, CALIFORNIA,  
 ORIGINAL APN: 61-070-09, CURRENTLY  
 22 KNOWN AS APN: 61-070-25, INCLUDING  
 ALL APPURTENANCES AND  
 23 IMPROVEMENTS THERETO,

24 REAL PROPERTY LOCATED IN  
 25 NEVADA COUNTY, CALIFORNIA,  
 ORIGINAL APN: 61-150-08,  
 CURRENTLY KNOWN AS APN: 61-151-08,  
 26 INCLUDING ALL APPURTENANCES AND  
 IMPROVEMENTS THERETO, and

27 REAL PROPERTY LOCATED IN  
 28 NEVADA COUNTY, CALIFORNIA,  
 ORIGINAL APN: 61-140-43,

1 CURRENTLY KNOWN AS AND INCLUDING )  
2 APN: 61-140-52, APN: 61-140-58, )  
3 APN: 61-140-63, APN: 61-140-69, )  
4 APN: 61-140-70, APN: 61-140-72, )  
5 APN: 61-140-74, APN: 61-140-76, )  
6 APN: 61-140-77, APN: 61-140-78, )  
7 and APN: 61-140-79, INCLUDING ALL )  
8 APPURTENANCES AND IMPROVEMENTS )  
9 THERETO, )

10 Defendants.

11 Pursuant to the Stipulation for Final Judgment of Forfeiture filed herein, the  
12 Court finds:

13 1. This is a civil forfeiture action against the following real properties with  
14 their legal descriptions attached hereto as Exhibits A through L, and incorporated  
15 herein. The defendants in this action are hereafter referred to as the “defendant  
16 real properties”.

- 17 • Real property located in Nevada County, California, APN: 61-070-08, including all appurtenances and improvements thereto;
- 18 • Real property located in Nevada County, California, APN: 61-140-37, including all appurtenances and improvements thereto;
- 19 • Real property located in Nevada County, California, Original APN: 61-070-09, currently known as APN: 61-070-25, including all appurtenances and improvements thereto;
- 20 • Real property located in Nevada County, California, Original APN: 61-150-08, currently known as APN: 61-151-08, including all appurtenances and improvements thereto; and
- 21 • Real property located in Nevada County, California, Original APN: 61-140-43, currently known as APN: 61-140-52, APN: 61-140-58, APN: 61-140-63, APN: 61-140-69, APN: 61-140-70, APN: 61-140-72, APN: 61-140-74, APN: 61-140-76, APN: 61-140-77, APN: 61-140-78, and APN: 61-140-79, including all appurtenances and improvements thereto.

22 2. A Verified Complaint for Forfeiture *In Rem* (“Complaint”) was filed on  
23 December 21, 2009, alleging that said defendant real properties are subject to  
24 forfeiture to the United States of America pursuant to 18 U.S.C. § 981(a)(1)(A), 31  
25 U.S.C. § 5317(c)(2) and 21 U.S.C. § 881(a)(6).

26 3. On January 11, 2010, all of the defendant real properties were posted with

1 a copy of the Complaint and Notice of Complaint.

2 4. Beginning on March 2, 2010, for at least 30 consecutive days, the United  
3 States published Notice of the Forfeiture Action on the official internet government  
4 forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov). A Declaration of Publication was filed on April 7,  
5 2010.

6 5. In addition to the public notice on the official internet government  
7 forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov), actual notice or attempted notice was given to  
8 the following individuals:

9 a. Charles M. Hilkey, Jr.

10 b. Kenneth W. Hermiston

11 6. Claimant Charles M. Hilkey, Jr. filed a claim alleging an interest in the  
12 majority of the defendant real properties on January 29, 2010. Kenneth W.  
13 Hermiston filed a claim alleging an interest to the defendant real property with  
14 APN: 61-140-77 on February 3, 2010. Carol Cator, Trustee of the Nathan Hilkey  
15 Trust, filed a claim alleging an interest in the defendant real property with APN:  
16 61-140-52 on February 3, 2010<sup>1</sup>. No other parties have filed claims or answers in  
17 this matter, and the time for which any person or entity may file a claim and  
18 answer has expired.

19 Based on the above findings, and the files and records of the Court, it is  
20 hereby ORDERED AND ADJUDGED:

21 1. The Court adopts the Stipulation for Final Judgment of Forfeiture  
22 entered into by and between the parties to this action.

23 2. That judgment is hereby entered against claimants Charles M. Hilkey,  
24 Jr. and Kenneth Hermiston and all other potential claimants who have not filed  
25 claims in this action.

26 3. All right, title and interest of Charles M. Hilkey, Jr. and Kenneth  
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28 <sup>1</sup> Douglas G. Giffin also filed a claim in this action but the defendant real property he claimed to have an interest in is not a defendant in this action but is an asset listed in Hilkey's criminal case 2:09-CR-00412.

1 Hermiston in the following defendant real properties shall be forfeited to the United  
2 States pursuant to 18 U.S.C. § 981(a)(1)(A), 31 U.S.C. § 5317(c)(2) and 21 U.S.C. §  
3 881(a)(6):

- 4 (a) Real property located in Nevada County, California, APN: 61-  
5 140-37, including all appurtenances and improvements thereto;
- 6 (b) Real property located in Nevada County, California, Original  
7 APN: 61-070-09, currently known as APN: 61-070-25, including  
8 all appurtenances and improvements thereto;
- 9 (c) Real property located in Nevada County, California, Original  
10 APN: 61-140-43, currently known as and including: APN: 61-  
11 140-69, APN: 61-140-70, APN: 61-140-72, APN: 61-140-77, APN:  
12 61-140-78, and APN: 61-140-79, including all appurtenances and  
13 improvements thereto; and
- 14 (d) Real property located in Nevada County, California, APN: 61-  
15 070-08, including all appurtenances and improvements thereto.

16 4. The United States in not forfeiting the following defendant real  
17 properties. Within thirty (30) days of the entry of the Final Judgment of Forfeiture,  
18 the United States shall record a Withdrawal of Lis Pendens against the following  
19 defendant real properties:

- 20 (a) Real property located in Nevada County, California, Original  
21 APN: 61-150-08, currently known as APN: 61-151-08, including  
22 all appurtenances and improvements thereto; and
- 23 (b) Real property located in Nevada County, California, Original  
24 APN: 61-140-43, currently known as and including: APN: 61-  
25 140-52, 61-140-58, APN: 61-140-63, APN: 61-140-74, and APN:  
26 61-140-76.

27 5. The Internal Revenue Service (or a designee) shall list the defendant  
28 real properties listed above in paragraph 8(a) for sale. The Internal Revenue  
Service shall have sole authority to select the means of sale, including sale by  
internet or through a licensed real estate broker, and shall have sole authority over  
the marketing and sale of the defendant real properties.

6. The Internal Revenue Service shall have the defendant real properties  
appraised by a licensed appraiser of its choosing. The Internal Revenue Service and  
the appraiser may have access to the defendant real properties upon 24 hours  
telephonic notice.

7. If necessary, the Internal Revenue Service, and any real estate broker

1 employed by the Internal Revenue Service, shall have the right to put a "lock box"  
2 on the properties to facilitate the marketing and sale of the properties.

3 8. The following costs, expenses and distributions shall be paid in escrow  
4 from the gross sales price in the following priority and to the extent funds are  
5 available:

- 6 (a) The costs incurred by the Internal Revenue Service to the date  
7 of close of escrow, including the cost of posting, service,  
8 advertising, and maintenance.
- 9 (b) Any unpaid real property taxes, which shall be prorated  
10 as of the date of the entry of the Final Judgment of  
11 Forfeiture.
- 12 (c) A real estate commission not to exceed the Internal Revenue  
13 Service contractual brokerage fee.
- 14 (d) The seller shall pay any county transfer taxes.
- 15 (e) To the United States of America: the net proceeds from the sale  
16 of the real properties. All right, title, and interest in said funds  
17 shall be substituted for the defendant real properties and  
18 forfeited to the United States pursuant to 18 U.S.C. §  
19 981(a)(1)(A), 31 U.S.C. § 5317(c)(2) and 21 U.S.C. § 881(a)(6), to  
20 be disposed of according to law.

21 9. Any liens or encumbrances against the defendant real properties that  
22 appear on record subsequent to the recording of plaintiff's *lis pendens* on December  
23 29, 2009, and prior to the close of escrow may be paid out of escrow. The United  
24 States may pay any such lien or encumbrance at its sole discretion.

25 10. The costs of a lender's policy of title insurance (ALTA policy) shall be  
26 paid for by the buyer.

27 11. All loan fees, "points" and other costs of obtaining financing shall be  
28 paid for by the buyer of the defendant properties.

12. Each party shall execute all documents necessary to close escrow, if

1 such signatures are required by the title insurer.

2 13. The United States and its servants, agents, and employees and all  
3 other public entities, their servants, agents, and employees, are released from any  
4 and all liability arising out of or in any way connected with the filing of the  
5 Complaint and the posting of the defendant real property with the Complaint and  
6 Notice of Complaint. This is a full and final release applying to all unknown and  
7 unanticipated injuries, and/or damages arising out of the filing of the Complaint  
8 and the posting of the defendant real property with the Complaint and Notice of  
9 Complaint, as well as to those now known or disclosed. Claimant waived the  
10 provisions of California Civil Code § 1542.

11 14. Claimants Charles M. Hilkey, Jr. and Kenneth Hermiston represent  
12 that they will not take any action, or cause any other person to take any action, to  
13 damage or modify the defendant real properties from their present condition or  
14 other action that may result in a reduction in value of the defendant real properties.

15 15. Claimants Charles M. Hilkey, Jr. and Kenneth Hermiston shall  
16 remove all personal possessions, and the personal possessions of any former  
17 occupant, and leave the properties clean and in the same state of repair as the  
18 properties were on the date they were posted. Any and all of claimants' personal  
19 possessions, and the personal possessions of any former occupant, not removed  
20 within 72 hours after the entry of a Final Judgment of Forfeiture will be disposed of  
21 by the United States without further notice.

22 16. This settlement is contingent upon the simultaneous execution of the  
23 settlement agreements in the following related cases: *U.S. v. Real Properties in*  
24 *Nevada County*, 2:09-CV-03062 LKK/GGH; *U.S. v. Real Property in Nevada County*,  
25 2:09-CV-03063 LKK/GGH; *U.S. v. Real Property at 24271 Hoyt Crossing Road*, 2:09-  
26 CV-03085 LKK/GGH; and *U.S. v. Approximately \$90,830.00 in U.S. Currency*, 2:10-  
27 CV-00390 LKK/EFB. Failure to execute the settlement agreement in even a single  
28 action will void all settlement agreements.


17. Pursuant to the stipulation of the parties, and the allegations set forth

1 in the Complaint filed December 21, 2009, the Court finds that there was  
2 reasonable cause for the posting of the defendant real properties and for the  
3 commencement and prosecution of this forfeiture action, and a Certificate of  
4 Reasonable Cause pursuant to 28 U.S.C. § 2465 shall be entered accordingly.

5 18. All parties will bear their own costs and attorneys' fees, if any.

6 19. The U.S. District Court for the Eastern District of California, Hon.  
7 Lawrence K. Karlton, District Judge, shall retain jurisdiction to enforce the terms of  
8 the Final Judgment of Forfeiture.


9 SO ORDERED THIS 8th day of March, 2013.

10  
11  
12   
13 LAWRENCE K. KARLTON  
14 SENIOR JUDGE  
15 UNITED STATES DISTRICT COURT

16 **CERTIFICATE OF REASONABLE CAUSE**

17 Based upon the allegations set forth in the Complaint filed December 21,  
18 2009, and the Stipulation for Final Judgment of Forfeiture filed herein, the Court  
19 enters this Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there  
20 was reasonable cause for posting of the defendant real property, and for the  
21 commencement and prosecution of this forfeiture action.

22 DATED: March 8, 2013.

23  
24   
25 LAWRENCE K. KARLTON  
26 SENIOR JUDGE  
27 UNITED STATES DISTRICT COURT  
28

1 **EXHIBIT A**

2 **(Real Property Located in Nevada County, California,**  
3 **APN: 61-070-08, Including all Appurtenances and Improvements Thereto)**

4 **(Real Property Located in Nevada County, California,**  
5 **APN: 61-140-37, Including all Appurtenances and Improvements Thereto)**

6 **(Real Property Located in Nevada County, California, Original**  
7 **APN: 61-070-09, Currently APN: 61-070-25, Including all Appurtenances and**  
8 **Improvements Thereto)**

9 **(Real Property Located in Nevada County, California, Original**  
10 **APN: 61-150-08, Currently APN: 61-151-08, Including all Appurtenances and**  
11 **Improvements Thereto)**

12 **PARCEL 1:**

13 The Placer Mining Claim of the "Badger Hill and Cherokee Gravel Mining  
14 Company", designated by the United States Surveyor General for the State of  
15 California as Lot No. 38 of Section 36, Township 18 North, Range 8 East, and Lot  
16 No. 41, embracing a portion of Section 1, Township 17 North, Range 8 East, M.D.M.,  
17 particularly described in the Patent from the United States to Badger Hill and  
18 Cherokee Gravel Mining Company, dated December 24, 1873, and recorded in the  
19 Office of the County Recorder of the County of Nevada, State of California, March 4,  
20 1874, in Book 1 of Patents, at Pages 40 et seq., to which Patent and the Record  
21 thereof reference is hereby made for purposes of description.

22 APN: 61-070-08 & 61-140-37

23 **PARCEL 2:**

24 The Patterson Placer Mine designated by the Surveyor General as Lots 39, 49 and  
25 56 in Townships 17 and 18 North of Ranges 8 and 9 East, M.D.M., as described in  
26 the Patent from the United States of America to Joseph Hustler, John Nankervis  
27 and M. Fitzpatrick as Trustees, dated November 1, 1819, recorded December 31,  
28 1900, in Book 4 of Patents, at Page 53.

EXCEPTING THEREFROM all that portion of land described in the Deed recorded  
July 30, 1982, Instrument No. 82-17550, Official Records, executed by San Juan  
Gold Company, a Nevada corporation to Beatrice V. Hoffman.

ALSO EXCEPTING THEREFROM any portion thereof conveyed by Deed dated  
January 2, 1959, recorded February 2, 1960, in Book 274 of Official Records, at Page  
163, executed by Little Sisters of the Poor of Oakland, California, to the County of  
Nevada. The Records do not disclose that the Grantor in said Deed is one and the  
same as Home for the Aged of the Little Sisters of the Poor of Oakland.

ALSO EXCEPTING THEREFROM the perpetual rights and ownership,  
together with the right to mine for, extract and take minerals from beneath the  
surface of and the subsurface of that portion of the property lying more than fifty  
feet beneath the surface thereof of the land described in the Deed recorded in  
Book 274, Page 163, Official Records.

ALSO EXCEPTING THEREFROM all that portion thereof lying within Tyler-Foote  
Crossing Road, County Road No. 41.

ALSO EXCEPTING THEREFROM any vein or lode of quartz or other rock in place



1 bearing gold, silver, cinnabar, lead, tin, copper or other valuable deposits within the  
2 land above described Which may have been discovered or known to exist on or prior  
to November 1, 1879.

3 Said land is referenced in Boundary Line Adjustment, recorded April 14, 1994,  
4 Instrument No. 94-13689, Official Records.

5 ALSO EXCEPTING that portion lying Southeasterly and Southwesterly of the  
6 Northeasterly and Northwesterly boundary lines of that portion described In the  
Deed to San Juan Gold Company, a corporation, recorded November 16, 1970, in  
Book 534, Page 526, Official Records.

7 APN: 61-070-09; 61-140-11; 61-140-19; 61-140-39; 61-140-43 and a portion of APN:  
8 61-140-40

9 **PARCEL 3:**

10 All that portion of Block 3, as shown on the "Official Map of Cherokee" as surveyed  
11 by D.B. Merry, Co-Surveyor, in December 1874 and filed for Record in the Office of  
the County Recorder of Nevada County on December 31, 1874, commonly known as  
the Donovan and Ryan Claim, described as follows:

12 Commencing at a point on the West line of said Patterson Placer Mine, that is  
13 located North 14.95 chains from Corner No. 54 of said Patterson Placer Mine,  
14 running thence from said point of commencement, South 75° 30' East 2.64 chains to  
a stake, marked D & R No. 15; thence South 27° East 2.33 chains to a stake, marked  
15 D & R No. 1, standing on the North side of the road, leading from Cherokee to  
Columbia Hill; thence on a true line variation 17° East, North 64 1/2° East  
16 14.84/100 chains to a stake, marked D & R No. 2; thence North 11 1/2° East 4 47/100  
chains to a stake, marked D & R No. 3; thence North 32° East 6 48/100 chains to a  
17 stake, marked D & R No.4; thence North 86 1/2° West 9 20/100 chains to a stake,  
marked D & R No. 5; thence South 47° West 5 60/100 chains to a stake, marked D &  
18 R No. 6; thence North 40° West 4 10/100 chains to a stake, marked D & R No. 7,  
standing near two cedar trees; thence North 24° West 4 80/100 chains to a stake,  
19 marked D & R No.8; thence South 50° West 7 40/100 chains to a stake, marked D &  
R No. 9, standing by the side of a small pine tree; thence South 22 1/2° East 1 21/100  
20 chains to a stake, marked D & R No. 10; thence South 37 3/4° West 1 78/100 chains  
to

21 a stake, marked D & R No. 11; thence South 49 3/4° West 6 00/100  
chains to a stake, marked D & R No. 12; South 12° West 0 75/100 chains to a stake,  
22 marked D & R No. 13, crossing Grizzly Cut Stakes Nos. 12 and 13, being each 25  
feet from the center of the Cut, one on either side; thence South 59 1/2° East 3.70  
23 chains to a stake, marked D & R No. 14; thence South 75 1/2° East 6.36 chains, more  
or less, to the point of commencement.

24 EXCEPTING THEREFROM all that portion of the above described parcel lying  
25 Easterly of the Easterly line of the "Official Map of Cherokee" referred to above.

26 APN: 61-151-08

27 **PARCEL 4:**

28 The unlotted of Block 2, lying East of the Easterly line of Lot 12, Block 2 and South  
of the South lines of Lots 15 and 16, Block 2, as said Block is shown on the Official  
Map of the Townsite of Cherokee, made by D.B. Merry and filed in the Office of the  
County Recorder of Nevada County on December 31, 1874.

1 APN: 61-161-16 and a portion of 61-161-12

2 **PARCEL 5:**

3 Lot 15, Block 2, as shown on the Official Map of the Townsite of Cherokee, made by  
4 D.B. Merry and filed in the Office of the County Recorder of Nevada County,  
California on December 31, 1874.

5 APN: 61-161-13 and a portion of 61-161-12

6 73° 47' 25" West for a distance of 100 feet; THENCE North 24° 05' 01" West for a  
7 distance of 70 feet to the point of beginning.

8 **EASEMENT 2:**

9 An easement for ingress, egress and utility purposes, and to include cut and fill  
10 slopes as necessary for road construction in accordance with general engineering  
11 practices, being 60 feet in width, on, over and across a portion of the Patterson  
Placer Mine, located in Section 1, T. 17 North, Range 8 East, and the centerline of  
which is more particularly described as follows:

12 Beginning at a point on the Southerly line of said Patterson Placer Mine, from which  
13 an angle point thereof, said point also being the most Northerly corner of the Johnny  
K. Placer Mine as shown in the Record of Survey filed in Book 3 of Surveys, at Page  
14 111, bears North 49° 52' 23" East for a distance of 134.21 feet, THENCE FROM  
SAID POINT OF BEGINNING, along a curve to the right having a radius of 100.00  
15 feet, through a central angle of 41° 52' 14" for an arc length of 73.08 feet, being  
subtended by a chord of North 25° 54' 57" West for a distance of 71.46 feet;

16 THENCE North 04° 58' 50" West for a distance of 10.00 feet;  
17 THENCE along a curve to the left having a radius of 75.00 feet through a central  
angle of 84° 22' 09" for an arc length of 110.44 feet, being subtended by a chord of  
18 North 47° 09' 54" West for a distance of 100.73 feet; THENCE North 89° 20' 59"  
West for a distance of 12.69 feet; THENCE along a curve to the right having a radius  
19 of 300.00 feet through a central angle of 16° 23' 26" for an arc length of 85.82 feet,  
being subtended by a chord of North 81° 09' 16" West for a distance of 85.53 feet;  
20 THENCE North 72° 57' 33" West for a distance of 26.13 feet; THENCE along a curve  
to the right having a radius of 100.00 feet through a central angle of 56° 01' 49" for  
21 an arc length of 97.79 feet, being subtended by a chord of North 44° 56' 39" West for  
a distance of 93.94 feet; THENCE North 16° 55' 45" West for a distance of 45.58 feet;  
22 THENCE along a curve to the left having a radius of 400.00 feet through a central  
angle of 11° 52' 57" for an arc length of 82.95 feet, being subtended by a chord of  
23 North 22° 52' 13" West for a distance of 82.81 feet; THENCE North 28° 48' 41" West  
for a distance OF 43.13 feet; THENCE along a curve to the left having a radius of  
400.00 feet through a central angle of 6° 29' 17" for an arc length of 45.30 feet, being  
24 subtended by a chord of North 32° 03' 20" West for a distance of 45.27 feet;  
THENCE North 35° 17' 58" West for a distance of 14.76 feet; THENCE along a curve  
25 to the right having a radius of 500.00 feet through a central angle of 11° 12' 57" for  
an arc length of 97.88 feet, being subtended by a chord of North 29° 41' 30" West for  
26 a distance of 97.72 feet; THENCE North 24° 05' 01" West for a distance of 370.91  
feet to a point on the Southerly right-of-way line of Tyler-Foote Crossing Road.

27 The sidelines of said easement are lengthened or shortened, as the case may be, to  
28 terminate at the bounds of the grantor.

**EASEMENT 3:**

1 An easement for ingress, egress and utility purposes, and to include cut and fill  
2 slopes as necessary for road construction in accordance with general engineering  
3 practices, being 60 feet in width, on, over and across a portion of the Patterson  
4 Placer Mine, located in Section 1, T. 17 North, Range 8 East, and the centerline of  
5 which is more particularly described as follows:

6 Beginning at a point in the Easterly line of said Patterson Placer Mine, from which  
7 an angle point thereof, said point also being the most Northerly corner of the Johnny  
8 K. Placer Mine as shown in the Record of Survey filed in Book 3 of Surveys, at Page  
9 111, bears South 18° 34' 59" West for a distance of 56.60 feet, THENCE FROM SAID  
10 POINT OF BEGINNING, along said centerline, North 89° 20' 59" West for a  
11 distance of 239.34 to a point in the centerline of Easement 2 hereinabove described.

12 The sidelines of said easement are lengthened or shortened, as the case may be, to  
13 terminate at the bounds of the grantor.

14 RESERVING THEREFROM an easement for unlimited commercial or private  
15 ingress, egress and utility purposes, being 60 feet in  
16 width, on, over and across a portion of the Patterson Placer Mine, located in Section  
17 1, T. 17 North, Range 8 East, and the centerline of which is more particularly  
18 described as follows:

19 Beginning at a point on the Southerly line of said Patterson Placer Mine, from which  
20 an angle point thereof, said point also being the most Northerly corner of the Johnny  
21 K. Placer Mine as shown on the Record of Survey filed in Book 3 of Surveys, at Page  
22 111, bears North 49° 52' 23" East for a distance of 134.21 feet, THENCE FROM  
23 SAID POINT OF BEGINNING, along a curve to the right radius of 100.00 feet,  
24 through a central angle of 41° 52' 14" for an arc length of 73.08 feet, being subtended  
25 by a chord of North 25° 54' 57" West for a distance of 71.46 feet; THENCE North 04°  
26 58' 50" West for a distance of 10.00 feet; THENCE along a curve to the left having a  
27 radius of 75.00 feet through a central angle of 84° 22' 09" for an arc length of 110.44  
28 feet, being subtended by a chord of North 47° 09' 54" West for a distance of 100.73  
feet; THENCE North 89° 20' 59" West for a distance of 12.69 feet; THENCE along a  
curve to the right having a radius of 300.00 feet through a central angle of 16° 23'  
26" for an arc length of 85.82 feet, being subtended by a chord of North 81° 09' 16"  
West for a distance of 85.53 feet; THENCE North 72° 57' 33" West for a distance of  
26.13 feet; THENCE along a curve to the right having a radius of 100.00 feet  
through a central angle of 56° 01' 49" for an arc length of 97.79 feet, being subtended  
by a chord of North 44° 56' 39" West for a distance of 93.94 feet; THENCE North 18°  
55' 45" West for a distance of 45.58 feet; THENCE along a curve to the left having a  
radius of 400.00 feet through a central angle of 11° 52' 57" for an arc length of 82.95  
feet, being subtended by a chord of North 22° 52' 13" West for a distance of 82.81  
feet; THENCE North 28° 48' 41" West for a distance of 43.13 feet; THENCE along a  
curve to the left having a radius of 400.00 feet through a central angle of 6° 29' 17"  
for an arc length of 45.30 feet, being subtended by a chord of North 32° 03' 20" West  
for a distance of 45.27 feet; THENCE North 35° 17' 58" West for a distance of 14.76  
feet; THENCE along a curve to the right having a radius of 500.00 feet through a  
central angle of 11° 12' 57" for an arc length of 97.88 feet, being subtended by a  
chord of North 29° 41' 30" West for a distance of 97.72 feet; THENCE North 24° 05'  
01" West for a distance of 370.91 feet to a point on the Southerly right-of-way line of  
Tyler-Foote Crossing Road.

The sidelines of said easement are lengthened or shortened, as the case may be, to  
terminate at the bounds of the grantor.

ALSO RESERVING THEREFROM the following easements:

1           **EASEMENT 1:**

2           An easement for ingress, egress and utility purposes, on, over and across a portion of  
3           the Patterson Placer Mine, located in Section 1, T. 17 North, Range 8 East, and the  
4           centerline of which

5           is more particularly described as follows:

6           Beginning at a point along the Southerly right of way line of Tyler-Foote Crossing  
7           Road, from which the intersection of said right of way line and the Easterly line of  
8           the Patterson Placer Mine bears North 73° 47' 25" East for a distance of 450.47 feet,  
9           **THENCE FROM SAID POINT OF BEGINNING**, North 73° 47' 25" East for a  
10          distance of 100 feet; **THENCE** South 24° 05' 01" East for a distance of 70 feet;  
11          **THENCE** South

12           **EASEMENT 4:**

13          An easement for utility lines and access, repair and maintenance thereof, on, over  
14          and across a portion of the Patterson Placer Mine, located in Section 1, T. 17 North,  
15          Range 8 East, and the centerline of which is more particularly described as follows:

16          A strip of land, 35 feet in width, the Southerly line of which is identical to the  
17          Northerly line of the right of way for Tyler Foote Crossing Road, County Road, and  
18          the Northerly line of which is lengthened or shortened, as the case may be to  
19          terminate at the bounds of the grantor.

20           **EASEMENT 5:**

21          An easement for exclusive use and development, on, over and across a portion of the  
22          Patterson Placer Mine, located in Section 1, T. 17 North, Range 8 East, and in  
23          Section 6, T. 17 North, Range 9 East, being more particularly described as follows:  
24          Beginning at the most Northerly corner of the Johnny K. Placer Mine as shown in  
25          the Record of Survey filed in Book 3 of Surveys, at Page 111, **THENCE FROM SAID**  
26          **POINT OF BEGINNING**, North 18° 34' 59" East for a distance of 550.85 feet;  
27          **THENCE** South 71° East for a distance of 2046.79 to a point on the Northerly line of  
28          the Donnelly Creek Claim as described in Volume 534 of Official Records, at Page  
29          526, **THENCE**, along said Northerly line, North 75° 60' West for a distance of  
30          1964.34 feet; **THENCE** South 31° 30' 00" West for a distance of 394.58 feet to the  
31          point of beginning.

32          Grantee agrees and warrants that the easement reservation as shown above in the  
33          deed is exclusive to Grantor and the Grantor will have the exclusive non-restricted  
34          occupancy and use of that easement and Grantee will not cut any trees, trespass or  
35          cause any surface or underground disturbance in said easement.

1 **Exhibit B**  
2 **(Real Property Located in Nevada County, California,**  
3 **APN: 61-140-52, Including all Appurtenances and Improvements Thereto)**

4 All that portion of Section 1, Township 17 North, Range 8 East M.D.M. designated  
5 as the Kilderry and shown on the Survey map by J.F. Siegfried recorded in Book 3 of  
6 Surveys at Page 112, Nevada County Records and being more particularly described  
7 as follows:

8 Beginning at a point on the west line of said Kilderry Placer mine, from which the  
9 south 1/4 corner of said Section 1 bears South 20 degrees 30 minutes West for a  
10 distance of 391.48 feet and South 13 degrees 15 minutes East for a distance of  
11 1932.48 feet THENCE FROM SAID POINT OF BEGINNING, along said Kilderry  
12 lines, North 36 degrees 15 minutes West for a distance of 316.45 feet; THENCE  
13 North 55 degrees 45 minutes East for a distance of 102.30 feet; THENCE North 86  
14 degrees 15 minutes East for a distance of 306.30 feet; THENCE South 9 degrees 30  
15 minutes East for a distance of 314.50 feet; THENCE south 62 degrees East for a  
16 distance of 38.28 feet; THENCE South 59 degrees 45 minutes West for a distance of  
17 27.39 feet; THENCE South 75 degrees 09 minutes 56 seconds West for a distance of  
18 107.80 feet THENCE South 14 degrees 50 minutes 04 seconds East for a distance of  
19 10.00 feet; THENCE South 75 degrees 09 minutes 56 seconds West for a distance of  
20 112.14 feet THENCE North 36 degrees 15 minutes West for a distance of 93.16 feet  
21 to the point of beginning

22 Containing 2.74 Ac. More or less

23 EXCEPTING THEREFROM the perpetual rights and ownerships, together with the  
24 right to mine for, extract and take minerals from beneath the surface of and the  
25 subsurface of that portion of the property lying more than 50 feet beneath the  
26 surface of the land described in the Deed recorded in Book 274, Page 163, Official  
27 Records.

28 ALSO EXCEPTING THEREFROM any vein or lode of quartz or other rock in place  
bearing gold, silver, cinnabar, lead, tin, copper or other valuable deposits within the  
land above described which may have been discovered or known to exist on or prior  
to November 1, 1879.

TOGETHER WITH an easement for ingress, egress and utilities as granted in that  
certain Easement Deed executed by Charles M. Hilkey, Jr. recorded December 2,  
2005 as Instrument Number 2005-048163, Official Records.

APN: 61-140-52

1 **Exhibit C**  
2 **(Real Property Located in Nevada County, California,**  
3 **APN: 61-140-58, Including all Appurtenances and Improvements Thereto)**

4 All that portion of Section 1, Township 17 North, Range 8 East M.D.M. designated  
5 as the Driscoll Property in that certain document recorded in Book 94 of Deeds at  
6 Page 64, Nevada County Official Records and being more particularly described as  
7 follows:

8 Beginning at a point on the northwesterly line of the herein property from which the  
9 Northwest corner of said Section 1 bears the following four courses; South 82  
10 degrees 58 minutes 10 seconds west for a distance of 76.74 feet; THENCE North 00  
11 degrees 36 minutes 20 seconds West for a distance of 241.67 Feet; THENCE North  
12 89 degrees 53 minutes 37 seconds West for a distance of 1284.54 feet; THENCE  
13 North 00 degrees 24 minutes 33 seconds West for a distance of 1338.20 feet;  
14 THENCE FROM SAID POINT OF BEGINNING, North 82 degrees 58 minutes 10  
15 seconds East for a distance of 233.39 feet; THENCE North 56 degrees 52 minutes 53  
16 seconds East for a distance of 120.32 feet; THENCE South 39 degrees 00 minutes 00  
17 seconds West for a distance of 434.75 feet; THENCE South 51 degrees 00 minutes 00  
18 seconds East for a distance of 49.50 feet; THENCE South 48 degrees 25 minutes 00  
19 seconds West for a distance of 226.01 feet; THENCE North 00 degrees 36 minutes 20  
20 seconds West for a distance of 331.77 feet; THENCE North 39 degrees 00 minutes 00  
21 seconds East for a distance of 119.58 feet to the point of beginning.

22 APN: 61-140-58  
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1 **Exhibit D**  
2 **(Real Property Located in Nevada County, California,**  
3 **APN: 61-140-63, Including all Appurtenances and Improvements Thereto)**

4 All that portion of the Patterson Placer Mine, said Patterson Placer Mine being  
5 described in the patent from the United States of America to Joseph Hustler and  
6 others, trustees, dated November 1, 1879, recorded in the office of the County  
7 Recorder of Nevada County, in Book 4 of patents, page No. 53, being located in  
8 Section 1, Township 17 North, Range 8 East M.D.M. and being more particularly  
9 described as follow:

10 Beginning at a point on the West line of said Patterson placer mine, located North  
11 00 degrees 38 minutes 17 seconds West for a distance of 1205.95 feet from corner No.  
12 54 of said Patterson Placer Mine; THENCE from said point of beginning, North 00  
13 degrees 34 minutes 34 seconds West for a distance of 542.38 feet; THENCE North 37  
14 degrees 45 minutes 00 seconds East for a distance of 224.29 feet; THENCE North 22  
15 degrees 30 minutes 00 seconds West for a distance of 79.86 feet; THENCE North 50  
16 degrees 00 minutes 00 seconds East for a distance of 488.40 feet; THENCE South 24  
17 degrees 00 minutes 00 seconds East for a distance of 316.80 feet; THENCE South 40  
18 degrees 00 minutes 00 seconds East for a distance of 270.60 feet; THENCE North 47  
19 degrees 00 minutes 00 seconds East for a distance of 369.60 feet; THENCE South 86  
20 degrees 30 minutes 00 seconds East for a distance of 607.20 feet; THENCE South 32  
21 degrees 00 minutes 00 seconds West for a distance of 427.68 feet; THENCE South 11  
22 degrees 30 minutes 00 seconds West for a distance of 295.02 feet; THENCE South 66  
23 degrees 16 minutes 37 seconds West for a distance of 423.19 feet; THENCE South 64  
24 degrees 30 minutes 00 Seconds West for a distance of 426.42 feet to the southeast  
25 corner of that property described in Book 37 of Deeds at page 622; THENCE North  
26 25 degrees 30 minutes 00 seconds West for a distance of 327.10 feet to a point in the  
27 centerline of the Grizzly Cut, THENCE, along said centerline, South 77 degrees 17  
28 minutes 11 seconds West for a distance of 66.57 feet; THENCE South 85 degrees 56  
minutes 44 seconds West for a distance of 86.20 feet; THENCE North 78 degrees 08  
minutes 27 seconds West for a distance of 57.46 feet; THENCE South 72 degrees 24  
minutes 59 seconds West for a distance of 29.39 feet; THENCE North 88 degrees 27  
minutes 36 seconds West for a distance of 47.37 feet; THENCE North 81 degrees 18  
minutes 55 seconds West for a distance of 11.26 feet; THENCE, leaving said  
centerline, South 25 degrees 30 minutes East for a distance of 180.34 feet; THENCE  
North 75 degrees 30 minutes 00 seconds West for a distance of 247.43 feet to the  
point of beginning.

APN: 61-140-63

1 **Exhibit E**  
2 **(Real Property Located in Nevada County, California,**  
3 **APN: 61-140-69, Including all Appurtenances and Improvements Thereto)**

4 ALL THAT PORTION OF SECTION 1, TOWNSHIP 17 NORTH, RANGE 8 EAST,  
5 M.D.M., LOCATED IN THE COUNTY OF NEVADA, CALIFORNIA, BEING  
6 BOUNDED AS FOLLOWS:

7 ON THE NORTHWEST BY THE SOUTHEASTERLY LINE OF THE PARCEL OF  
8 LAND DESCRIBED IN THE CERTIFICATE OF COMPLIANCE FILE NO. CC06-  
9 015, RECORDED NOVEMBER 3, 2006 AS INSTRUMENT NO. 2006-0037040-00  
10 OF OFFICIAL RECORDS;

11 ON THE NORTHEAST BY THE SOUTHWESTERLY LINE OF THE PARCEL OF  
12 LAND DESCRIBED IN THE CORRECTED CERTIFICATE OF COMPLIANCE  
13 FILE NO. CC04-024, RECORDED MARCH 7, 2006 AS INSTRUMENT NO. 2006-  
14 0007264-00 OF OFFICIAL RECORDS;

15 AND ON THE SOUTH BY THE NORTHERLY LINE OF TYLER-FOOTE  
16 CROSSING ROAD AS SHOWN ON THE RECORD OF SURVEY FILED IN BOOK  
17 13 OF SURVEYS AT PAGE 263

18 APN: 61-140-69  
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1 **Exhibit F**  
2 **(Real Property Located in Nevada County, California,**  
3 **APN: 61-140-70, Including all Appurtenances and Improvements Thereto)**

4 A portion of that certain real property, designated as the E.D. Boyle ground and  
5 described in the field notes thereof recorded in Book 2 of Miscellaneous deeds and  
6 records at Page 469, Nevada County Official Records, being located in Section 1,  
7 Township 17 North, Range 8 East M.D.M., and being more particularly described as  
8 follows:

9 Beginning at a point in said Section 1, from which the South 1/4 corner thereof bears  
10 South 13 degrees 15 minutes 00 seconds East for a distance of 1932.48 feet.  
11 THENCE FROM SAID POINT OF BEGINNING North 82 degrees 30 minutes 00  
12 seconds West for a distance of 318.12 feet; THENCE North 39 degrees 00 minutes 00  
13 seconds West for a distance of 462.00 feet; THENCE North 64 degrees 30 minutes 00  
14 seconds East for a distance of 778.80 feet; THENCE South 06 degrees 00 minutes 00  
15 seconds East for a distance of 50.54 feet; THENCE South 86 degrees 15 minutes 00  
16 seconds West for a Distance of 69.36; THENCE South 55 degrees 45 minutes 00  
17 seconds West for a distance of 102.30 feet; THENCE South 36 degrees 15 minutes 00  
18 seconds East for a distance of 316.45 feet; THENCE South 20 degrees 11 minutes 23  
19 seconds West for a distance of 392.38 feet to the point of beginning.

20 Excepting therefrom any portion lying within the bounds of County Road No. 41  
21 (Tyler -Foote Crossing Road)

22 APN: 61-140-70  
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1 **Exhibit G**  
2 **(Real Property Located in Nevada County, California,**  
3 **APN: 61-140-72, Including all Appurtenances and Improvements Thereto)**

4 All that certain real property, conveyed in the Deed recorded in Book 37 of Deeds at  
5 Page 622, Nevada County Official Records, being located in Section 1, Township 17  
6 North, Range 8 East M.D.M., and being more particularly described as follows:

7 Beginning at a point on the north line of the E.D. Boyle ground as described in the  
8 field notes thereof recorded in Book 2 of Miscellaneous deeds and records at Page  
9 469, from which the South 1/4 corner of said Section 1 bears the following four  
10 courses; South 64 degrees 30 minutes 00 seconds West for a distance of 80.93 feet,  
11 South 39 degrees 00 minutes 00 seconds East for a distance of 462.00 feet, South 82  
12 degrees 30 minutes 00 seconds East for a distance of 318.12 feet and South 13  
13 degrees 15 minutes 00 seconds East for a distance of 1932.48 feet. THENCE FROM  
14 SAID POINT OF BEGINNING, North 25 degrees 29 minutes 31 seconds West for a  
15 distance of 440.12 feet to a point on the centerline of the Gridley Cut; THENCE  
16 along said centerline, South 87 degrees 05 minutes 23 seconds East for a distance of  
17 58.56 feet; THENCE North 72 degrees 24 minutes 59 seconds East for a distance of  
18 29.39 feet; THENCE South 78 degrees 08 minutes 27 seconds East for a distance of  
19 57.46 feet; THENCE North 85 degrees 56 minutes 44 seconds East for a distance of  
20 86.20 feet; THENCE North 77 degrees 17 minutes 11 seconds East for a distance of  
21 66.57 feet; THENCE South 25 degrees 30 minutes 00 seconds East for a distance of  
22 327.10 feet to a point on said north line of the E.D. Boyle ground, THENCE, along  
23 said north line, South 64 degrees 30 minutes 00 seconds West for a distance of  
24 271.45 feet to the point of beginning.

25 APN: 61-140-72  
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1 **Exhibit H**  
2 **(Real Property Located in Nevada County, California,**  
3 **APN: 61-140-74, Including all Appurtenances and Improvements Thereto)**

4 All that portion of Section 1, Township 17 North, Range 8 East, M.D.M. as described  
5 and conveyed as "4<sup>th</sup>." in the document recorded in Book 94 of Deeds at Page 64,  
6 Nevada County Official Records and being more particularly described as follows:

7 Beginning at a point in the center of Goshier Ravine, from which the Center 1/4  
8 corner of said Section 1 bears South 07 degrees 45 minutes 50 seconds East for a  
9 distance of 1964.71 feet; THENCE FROM SAID POINT OF BEGINNING North 71  
10 degrees 26 minutes 00 seconds East for a distance of 19.89 feet; THENCE South 01  
11 degrees 36 minutes 32 seconds East for a distance of 90.29 feet; THENCE South 03  
12 degrees 00 minutes 41 seconds East for a distance of 124.74 feet; THENCE South 27  
13 degrees 22 minutes 32 seconds West for a distance of 77.81 feet; THENCE South 32  
14 degrees 04 minutes 52 seconds West for a distance of 78.39 feet; THENCE South 34  
15 degrees 10 minutes 24 seconds West for a distance of 98.17 feet; THENCE South 15  
16 degrees 33 minutes 18 seconds West for a distance of 73.04 feet; THENCE South 21  
17 degrees 23 minutes 14 seconds West for a distance of 55.02 feet; THENCE South 05  
18 degrees 01 minutes 47 seconds West for a distance of 40.52 feet; THENCE South 07  
19 degrees 13 minutes 29 seconds West for a distance of 82.08 feet; THENCE South 19  
20 degrees 54 minutes 49 seconds West for a distance of 69.53 feet; THENCE North 70  
21 degrees 05 minutes 11 seconds West for a distance of 50.00 feet; THENCE North 19  
22 degrees 54 minutes 49 seconds East for a distance of 63.97 feet; THENCE North 07  
23 degrees 13 minutes 29 seconds East for a distance of 75.57 feet; THENCE North 05  
24 degrees 01 minutes 47 seconds East for a distance of 46.75 feet; THENCE North 21  
25 degrees 23 minutes 14 seconds East for a distance of 59.66 Feet; THENCE North 15  
26 degrees 33 minutes 18 seconds East for a distance of 78.56 feet; THENCE North 34  
27 degrees 09 minutes 08 seconds East for a distance of 105.57 feet; THENCE North 32  
28 degrees 04 minutes 52 seconds East for a distance of 75.43 feet; THENCE North 27  
degrees 22 minutes 32 seconds East for a distance of 62.17 feet; THENCE North 03  
degrees 00 minutes 41 seconds West for a distance of 111.77 feet; THENCE North 01  
degrees 36 minutes 32 seconds West for a distance of 89.30 feet; THENCE South 83  
degrees 53 minutes 00 seconds East for a distance of 31.26 feet to the point of  
beginning.

19 APN: 61-140-74

1 **Exhibit I**  
2 **(Real Property Located in Nevada County, California,**  
3 **APN: 61-140-76, Including all Appurtenances and Improvements Thereto)**

4 A PORTION OF THE PATTERSON PLACER MINING CLAIM OF THE "BADGER  
5 HILL AND CHEROKEE GRAVEL MINING COMPANY", DESIGNATED BY THE  
6 UNITED STATES SURVEYOR GENERAL FOR THE STATE OF CALIFORNIA AS  
7 LOT NO. 49, EMBRACING A PORTION OF SECTION 1, TOWNSHIP 17 NORTH,  
8 RANGE 8 EAST, M.D.M., PARTICULARLY DESCRIBED IN THE PATENT FROM  
THE UNITED STATES TO BADGER HILL AND CHEROKEE GRAVEL MINING  
COMPANY, DATED DECEMBER 24, 1873, AND RECORDED IN THE OFFICE OF  
THE COUNTY RECORDER OF THE COUNTY OF NEVADA, STATE OF  
CALIFORNIA, MARCH 4, 1874, IN BOOK 1 OF PATENTS, AT PAGES 40 ET SEQ.,  
TO WHICH PATENT AND THE RECORD THEREOF REFERENCE IS HEREBY  
MADE FOR PURPOSES OF DESCRIPTION.

9 EXCEPTING THEREFROM THOSE PORTIONS LYING WITHIN THE  
10 FOLLOWING CERTIFICATES OF COMPLIANCE:

11 CORRECTED CERTIFICATE OF COMPLIANCE FILE NO. CC04-024 RECORDED  
12 MARCH 7, 2006 AS INSTRUMENT NO. 2006-0007264-00 OF OFFICIAL  
RECORDS;

13 CERTIFICATE OF COMPLIANCE FILE NO. CC05-008 RECORDED OCTOBER 8,  
2005 AS INSTRUMENT NO. 2005-0043409-00 OF OFFICIAL RECORDS;

14 CERTIFICATE OF COMPLIANCE FILE NO. CC06-015 RECORDED NOVEMBER  
15 3, 2006 AS INSTRUMENT NO. 2006-0037040-00 OF OFFICIAL RECORDS;

16 CERTIFICATE OF COMPLIANCE FILE NO. CC05-024 RECORDED NOVEMBER  
17 3, 2006 AS INSTRUMENT NO. 2006-0037041-00 OF OFFICIAL RECORDS;

18 CERTIFICATE OF COMPLIANCE FILE NO. CC05-023 RECORDED NOVEMBER  
19 3, 2006 AS INSTRUMENT NO. 2006-0037042-00 OF OFFICIAL RECORDS;

20 CERTIFICATE OF COMPLIANCE FILE NO. CC07-002 RECORDED SEPTEMBER  
21 19, 2007 AS INSTRUMENT NO. 2007-0029565-00 OF OFFICIAL RECORDS;

22 CERTIFICATE OF COMPLIANCE FILE NO. CC09-001 RECORDED JUNE 29,  
2009 AS INSTRUMENT NO. 20090016658 OF OFFICIAL RECORDS;

23 CERTIFICATE OF COMPLIANCE FILE NO. CC07-010 RECORDED JULY 1, 2009  
24 AS INSTRUMENT NO. 20090016916 OF OFFICIAL RECORDS; AND

25 CERTIFICATE OF COMPLIANCE FILE NO. CC09-004 RECORDED AUGUST 18,  
2009 AS INSTRUMENT NO. 20090022478 OF OFFICIAL RECORDS.

26 ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED IN THE SHORT  
27 FORM DEED OF TRUST AND ASSIGNMENT OF RENTS RECORDED JUNE 30,  
2005 AS INSTRUMENT NO. 2005-0024968-00 OF OFFICIAL RECORDS.

28 ALSO EXCEPTING THEREFROM THAT PORTION LYING SOUTHERLY OF THE  
NORTHERLY LINE OF TYLER-FOOTE CROSSING ROAD, AS SHOWN ON THE  
RECORD OF SURVEY FILED IN BOOK 13 OF SURVEYS AT PAGE 263.  
APN: 61-140-76

1 **Exhibit J**  
2 **(Real Property Located in Nevada County, California,**  
3 **APN: 61-140-77, Including all Appurtenances and Improvements Thereto)**

4 All that portion of the Patterson Placer Mine as designated in the Patent from the  
5 United States of America to Joseph Hustler, John Nankervis and M. Fitzpatrick as  
6 Trustees, dated November 1, 1879, recorded December 31, 1900, in Book 4 of  
7 Patents at Page 53, Nevada County Official Records, being located in Section 1,  
8 Township 17 North, Range 9 East, and in Section 36, Township 18 North, Range 8  
9 East M.D.M. and being more particularly described as follows:

10 Beginning at a point from which the 1/4 corner common to said Sections 1 and 36  
11 bears South 04 degrees 30 minutes East for a distance of 425.70 feet and North  
12 38 degrees 20 minutes East for a distance of 222.87 feet. THENCE FROM SAID  
13 POINT OF BEGINNING North 04 degrees 30 West for a distance of 217.80 feet;  
14 THENCE North 76 degrees 00 minutes East for a distance of 389.40 feet; THENCE  
15 North 86 degrees 45 minutes East for a distance of 617.10 feet; THENCE South 48  
16 degrees 00 minutes East for a distance of 594.00 feet; THENCE South 38 degrees 14  
17 minutes 28 seconds West for a distance of 1121.12 feet; THENCE North 20 degrees  
18 57 minutes 25 seconds West for a distance of 886.63; THENCE North 75 degrees 42  
19 minutes 42 seconds West for a distance of 420.22 feet to the point of beginning.

20 Said property contains 20.48 acres more or less.

21 APN: 61-140-77  
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1 **Exhibit K**  
2 **(Real Property Located in Nevada County, California,**  
3 **APN: 61-140-78, Including all Appurtenances and Improvements Thereto)**

4 All that portion of the Patterson Placer Mine as designated in the Patent from the  
5 United States of America to Joseph Hustler, John Nankervis and M. Fitzpatrick as  
6 Trustees, dated November 1, 1879, recorded December 31, 1900, in Book 4 of  
7 Patents at Page 53, Nevada County Official Records, being located in Section 1,  
8 Township 17 North, Range 8 East, and in Section 36, Township 18 North, Range 8  
9 East M.D.M. and being more particularly described as follows:

10 Beginning at a point from which the 1/4 corner common to said Sections 1 and 36  
11 bears South 04 degrees 30 minutes East for a distance of 425.70 feet and North 38  
12 degrees 20 minutes East for a distance of 222.87 feet. THENCE FROM SAID POINT  
13 OF BEGINNING South 75 degrees 42 minutes 42 seconds East for a distance of  
14 420.22 feet; THENCE South 20 degrees 57 minutes 25 seconds East for a distance of  
15 886.63 feet; THENCE North 38 degrees 14 minutes 28 seconds East for a distance of  
16 1121.12; THENCE South 16 degrees 16 minutes 23 seconds West for a distance of  
17 780.57 feet; THENCE South 42 degrees 47 minutes 17 seconds West for a distance of  
18 604.77 feet; THENCE North 80 degrees 39 minutes 40 seconds West for a distance of  
19 739.00 feet; THENCE North 02 degrees 45 minutes West for a distance of 164.55  
20 feet; THENCE South 71 degrees 26 minutes West for a distance of 115.23 feet;  
21 THENCE North 83 degrees 53 minutes West for a distance of 50.63; THENCE North  
22 48 degrees 16 minutes West for a distance of 72.86 feet; THENCE North 87 degrees  
23 West for a distance of 24.18 feet; THENCE North 9 degrees 30 minutes East for a  
24 distance of 534.82 feet; THENCE South 85 degrees 30 minutes East for a distance of  
25 132.00 feet; THENCE North 4 degrees 30 minutes West for a distance of 425.70 feet  
26 to the Point of Beginning.

27 APN: 61-140-78  
28

1 **Exhibit L**  
2 **(Real Property Located in Nevada County, California,**  
3 **APN: 61-140-79, Including all Appurtenances and Improvements Thereto)**

4 All that portion of Section 1, Township 17 North, Range 8 East M.D.M. located in  
5 the County of Nevada, California, and being more particularly described as follows:

6 Beginning at the southeast corner of the Townsite of Cherokee as shown on the  
7 official Map thereof, from which point, the West 1/4 corner of said Section 1 bears  
8 North 00 degrees 38 minutes 17 seconds West for a distance of 1349.49 feet, and  
9 North 89 degrees 49 minutes 13 seconds West for a distance of 1289.09 feet;  
10 THENCE FROM SAID POINT OF BEGINNING along the east line of said Cherokee  
11 Townsite North 00 degrees 38 minutes 17 seconds West for a distance of 835.00 feet;  
12 THENCE leaving said east line, North 81 degrees 48 minutes 50 seconds East for a  
13 distance of 138.90 feet; THENCE North 04 degrees 09 minutes 35 seconds East for a  
14 distance of 92.72 feet; THENCE North 70 degrees 05 minutes 51 seconds West for a  
15 distance of 155.33 feet to a point on the east line of said Cherokee Townsite;  
16 THENCE North 00 degrees 38 minutes 17 seconds West for a distance of 205.81 feet  
17 to a point on the south line of the Donovan and Ryan claim as described in Book 4 of  
18 Patents at Page 53; THENCE along said south line, South 75 Degrees 30 minutes 00  
19 seconds East for a distance of 247.43 feet to a point on the west line of the Hennesy  
20 and Roach claim as described in Book 37 of Deeds at Page 622; THENCE along said  
21 west line, South 25 degrees 30 minutes 00 seconds East for a distance of 259.78 feet  
22 to a point on the north line of the Boyle and Daley claim as described in Book 2 of  
23 Miscellaneous deeds and Records at Page 469; THENCE along said North line,  
24 South 64 degrees 30 minutes 00 seconds West for a distance of 85.20 feet to west  
25 corner of said Boyle and Daley claim; THENCE along the west line of said Boyle and  
26 Daley, South 39 degrees 00 minutes 00 seconds East for a distance of 462.92 feet to  
27 the north corner of the property deeded to Driscoll in Book 37 of Deeds at page 622;  
28 THENCE along the lines of said Driscoll property, South 39 degrees 00 minutes 00  
seconds West for a distance of 993.30 feet and South 12 degrees 30 minutes 01  
seconds West for a distance of 247.93 feet; THENCE North for a distance of 503.80  
feet to the south line of said Townsite; THENCE South 88 degrees 43 minutes 23  
seconds East for a distance of 126.42 feet to the point of beginning.

Excepting therefrom all that portion lying within Tyler Foote Rd.

APN: 61-140-79 and 61-140-66