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IN THE UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
 Plaintiff,
 v.

2:09-CV-03542-LKK-EFB

REAL PROPERTY LOCATED IN
 NEVADA COUNTY, CALIFORNIA,
 APN: 61-070-08, INCLUDING ALL
 APPURTENANCES AND
 IMPROVEMENTS THERETO,
 REAL PROPERTY LOCATED IN
 NEVADA COUNTY, CALIFORNIA,
 APN: 61-140-37, INCLUDING ALL
 APPURTENANCES AND
 IMPROVEMENTS THERETO,
 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,
 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

AMENDED FINAL JUDGMENT
 OF FORFEITURE

1 REAL PROPERTY LOCATED IN
2 NEVADA COUNTY, CALIFORNIA,
3 ORIGINAL APN: 61-140-43,
4 CURRENTLY KNOWN AS AND
5 INCLUDING APN: 61-140-52, APN:
6 61-140-58, APN: 61-140-63, APN: 61-
7 140-69, APN: 61-140-70, APN: 61-140-
8 72, APN: 61-140-74, APN: 61-140-76,
9 APN: 61-140-77, APN: 61-140-78,
10 and APN: 61-140-79, INCLUDING
11 ALL APPURTENANCES AND
12 IMPROVEMENTS THERETO,

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14 Defendants.

15 The United States hereby requests this *Amended* Final Judgment of Forfeiture
16 (“AFJF”) to amend the Final Judgment of Forfeiture (“FJF”) entered on March 8, 2013,
17 because of revised parcel-line information received from Nevada County Assessor’s
18 office following the entry of the FJF. Specifically, after the FJF was issued, the
19 Nevada County Assessor’s office contacted the government to clarify that several of the
20 assessor parcel number’s (“APNs”) listed in the FJF were recently voided and/or
21 consolidated and issued new APNs. Based on those modifications, the Nevada County
22 Assessor’s office was unable to process the FJF. This Amended Final Judgment of
23 Forfeiture conforms to the Nevada County Assessor’s office’s records, so that the
24 forfeiture order can take effect. Other than the parcel-line changes, which are
25 explained in footnotes below, no other changes have been made to the Court’s original
26 Final Judgment of Forfeiture.

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

- Real property located in Nevada County, California, APN: 61-070-08, including all appurtenances and improvements thereto;
- Real property located in Nevada County, California, APN: 61-140-37, including all appurtenances and improvements thereto;
- Real property located in Nevada County, California, Original APN: 61-070-09, currently known as APN: 61-070-25, including all appurtenances

1 and improvements thereto;

- 2 • Real property located in Nevada County, California, Original APN: 61-
3 150-08, currently known as APN: 61-151-08, including all appurtenances
4 and improvements thereto; and
- 5 • Real property located in Nevada County, California, Original APN: 61-
6 140-43, currently known as APN: 61-140-52, APN: 61-140-58, APN: 61-
7 140-63, APN: 61-140-69, APN: 61-140-70, APN: 61-140-72, APN: 61-140-
8 74, APN: 61-140-76, APN: 61-140-77, APN: 61-140-78, and APN: 61-140-
9 79, including all appurtenances and improvements thereto.

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

14 3. On January 11, 2010, all of the defendant real properties were posted with
15 a copy of the Complaint and Notice of Complaint.

16 4. Beginning on March 2, 2010, for at least 30 consecutive days, the United
17 States published Notice of the Forfeiture Action on the official internet government
18 forfeiture site www.forfeiture.gov. A Declaration of Publication was filed on April 7,
19 2010.

20 5. In addition to the public notice on the official internet government
21 forfeiture site www.forfeiture.gov, actual notice or attempted notice was given to the
22 following individuals:

- 23 a. Charles M. Hilkey, Jr.
- 24 b. Kenneth W. Hermiston

25 6. Claimant Charles M. Hilkey, Jr. filed a claim alleging an interest in the
26 majority of the defendant real properties on January 29, 2010. Kenneth W. Hermiston
27 filed a claim alleging an interest to the defendant real property with APN: 61-140-77
28 on February 3, 2010. Carol Cator, Trustee of the Nathan Hilkey Trust, filed a claim
alleging an interest in the defendant real property with APN: 61-140-52 on February 3,

1 2010.¹ No other parties have filed claims or answers in this matter, and the
2 time for which any person or entity may file a claim and answer has expired.

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

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

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

10 3. All right, title and interest of Charles M. Hilkey, Jr. and Kenneth
11 Hermiston in the following defendant real properties shall be forfeited to the United
12 States pursuant to 18 U.S.C. § 981(a)(1)(A), 31 U.S.C. § 5317(c)(2) and 21 U.S.C. §
13 881(a)(6):

- 14 (a) Real property located in Nevada County, California, APN: 61-140-
15 37, including all appurtenances and improvements thereto;
- 16 (b) Real property located in Nevada County, California, APN: 61-140-
17 69, APN: 61-140-77², APN: 61-140-78 and 61-140-81 (Originally
18 known as 61-140-43 and formally known as APN: 61-140-70³, APN:
19 61-140-72, and APN: 61-140-79, including all appurtenances and
20 improvements thereto; and
- 21 (c) Real property located in Nevada County, California, APN: 61-070-
22 08, including all appurtenances and improvements thereto.

23 4. The United States in not forfeiting the following defendant real
24 properties. Within thirty (30) days of the entry of the Final Judgment of Forfeiture,
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¹ 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-LKK.

² According to the Nevada County Assessor's office, APN: 61-170-25, which became part of APN: 61-140-75, are now both void. The current APNs are as follows: 61-140-76, 61-140-77 and 61-140-78.

³ According to the Nevada County Assessor's office, APNs 61-140-70, 61-140-72 and 61-140-79, which became part of APN: 61-140-80, are now all void. The current APNs are as follows: 61-140-81, 61-140-82, 61-140-83 and 61-140-84. The Government only seeks to forfeit APN: 61-140-81.

1 the United States shall record a Withdrawal of *Lis Pendens* against the following
2 defendant real properties:

- 3 (a) Real property located in Nevada County, California, Original APN:
4 61-150-08, currently known as APN: 61-151-08, including all
5 appurtenances and improvements thereto; and
- 6 (b) Real property located in Nevada County, California, Original APN:
7 61-140-43, currently known as and including: APN: 61-140-52, 61-
8 140-58, APN: 61-140-63, APN: 61-140-74, and APN: 61-140-76.

9 5. The Internal Revenue Service (or a designee) shall list the defendant real
10 properties listed above in paragraph 4(a)-(c) for sale. The Internal Revenue Service
11 shall have sole authority to select the means of sale, including sale by internet or
12 through a licensed real estate broker, and shall have sole authority over the marketing
13 and sale of the defendant real properties.

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

18 7. If necessary, the Internal Revenue Service, and any real estate broker
19 employed by the Internal Revenue Service, shall have the right to put a "lock box" on
20 the properties to facilitate the marketing and sale of the properties.

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

- 24 (a) The costs incurred by the Internal Revenue Service to the date of
25 close of escrow, including the cost of posting, service, advertising,
26 and maintenance.
- 27 (b) Any unpaid real property taxes, which shall be prorated as of the
28 date of the entry of the *Amended* Final Judgment of Forfeiture.
- (c) A real estate commission not to exceed the Internal Revenue
Service contractual brokerage fee.

1 (d) The seller shall pay any county transfer taxes.

2 (e) To the United States of America: the net proceeds from the sale of
3 the real properties. All right, title, and interest in said funds shall
4 be substituted for the defendant real properties and forfeited to the
5 United States pursuant to 18 U.S.C. § 981(a)(1)(A), 31 U.S.C. §
6 5317(c)(2) and 21 U.S.C. § 881(a)(6), to be disposed of according to
7 law.

8 9. Any liens or encumbrances against the defendant real properties that
9 appear on record subsequent to the recording of plaintiff's *lis pendens* on December 29,
10 2009, and prior to the close of escrow may be paid out of escrow. The United States
11 may pay any such lien or encumbrance at its sole discretion.

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

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

16 12. Each party shall execute all documents necessary to close escrow, if
17 such signatures are required by the title insurer.

18 13. The United States and its servants, agents, and employees and all
19 other public entities, their servants, agents, and employees, are released from any and
20 all liability arising out of or in any way connected with the filing of the Complaint and
21 the posting of the defendant real properties with the Complaint and Notice of
22 Complaint. This is a full and final release applying to all unknown and unanticipated
23 injuries, and/or damages arising out of the filing of the Complaint and the posting of
24 the defendant real property with the Complaint and Notice of Complaint, as well as to
25 those now known or disclosed. Claimant waived the provisions of California Civil Code
26 § 1542.

27 14. Claimants Charles M. Hilkey, Jr. and Kenneth Hermiston represent that
28 they will not take any action, or cause any other person to take any action, to damage

1 or modify the defendant real properties from their present condition or other action
2 that may result in a reduction in value of the defendant real properties.

3 15. Claimants Charles M. Hilkey, Jr. and Kenneth Hermiston shall remove
4 all personal possessions, and the personal possessions of any former occupant, and
5 leave the properties clean and in the same state of repair as the properties were on the
6 date they were posted. Any and all of claimants' personal possessions, and the
7 personal possessions of any former occupant, not removed within 72 hours after the
8 entry of an *Amended* Final Judgment of Forfeiture will be disposed of by the United
9 States without further notice.


10 16. This settlement is contingent upon the simultaneous execution of the
11 settlement agreements in the following related cases: U.S. v. Real Properties in Nevada
12 County, 2:09-CV-03062 LKK/GGH; U.S. v. Real Property in Nevada County, 2:09-CV-
13 03063 LKK/GGH; U.S. v. Real Property at 24271 Hoyt Crossing Road, 2:09-CV-03085
14 LKK/GGH; and U.S. v. Approximately \$90,830.00 in U.S. Currency, 2:10-CV-00390
15 LKK/EFB. Failure to execute the settlement agreement in even a single action will
16 void all settlement agreements.

17 17. Pursuant to the stipulation of the parties, and the allegations set forth
18 in the Complaint filed December 21, 2009, the Court finds that there was reasonable
19 cause for the posting of the defendant real properties and for the commencement and
20 prosecution of this forfeiture action, and a Certificate of Reasonable Cause pursuant to
21 28 U.S.C. § 2465 shall be entered accordingly.

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

23 19. The U.S. District Court for the Eastern District of California, Hon.
24 Lawrence K. Karlton, District Judge, shall retain jurisdiction to enforce the terms of
25 the Amended Final Judgment of Forfeiture.

26 SO ORDERED THIS 2nd day of December, 2013.

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28 LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

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CERTIFICATE OF REASONABLE CAUSE

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

DATED: December 2, 2013.



LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

EXHIBIT A

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

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

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

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

11 **PARCEL 1:**

12 The Placer Mining Claim of the "Badger Hill and Cherokee Gravel Mining
13 Company", designated by the United States Surveyor General for the State of
14 California as Lot No. 38 of Section 36, Township 18 North, Range 8 East, and
15 Lot No. 41, embracing a portion of Section 1, Township 17 North, Range 8 East,
16 M.D.M., particularly described in the Patent from the United States to Badger
17 Hill and Cherokee Gravel Mining Company, dated December 24, 1873, and
18 recorded in the Office of the County Recorder of the County of Nevada, State of
19 California, March 4, 1874, in Book 1 of Patents, at Pages 40 et seq., to which
20 Patent and the Record thereof reference is hereby made for purposes of
21 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
25 and 56 in Townships 17 and 18 North of Ranges 8 and 9 East, M.D.M., as
26 described in the Patent from the United States of America to Joseph Hustler,
27 John Nankervis and M. Fitzpatrick as Trustees, dated November 1, 1819,
28 recorded December 31, 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.

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

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

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

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

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

15 **PARCEL 3:**

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

20 Commencing at a point on the West line of said Patterson Placer Mine, that is
21 located North 14.95 chains from Corner No. 54 of said Patterson Placer Mine,
22 running thence from said point of commencement, South 75° 30' East 2.64
23 chains to a stake, marked D & R No. 15; thence South 27° East 2.33 chains to a
24 stake, marked D & R No. 1, standing on the North side of the road, leading from
25 Cherokee to Columbia Hill; thence on a true line variation 17° East, North 64
26 1/2° East 14.84/100 chains to a stake, marked D & R No. 2; thence North 11 1/2°
27 East 4 47/100 chains to a stake, marked D & R No. 3; thence North 32° East 6
28 48/100 chains to a stake, marked D & R No.4; thence North 86 1/2° West 9
29 20/100 chains to a stake, marked D & R No. 5; thence South 47° West 5 60/100
30 chains to a stake, marked D & R No. 6; thence North 40° West 4 10/100 chains to
31 a stake, marked D & R No. 7, standing near two cedar trees; thence North 24°
32 West 4 80/100 chains to a stake, marked D & R No.8; thence South 50° West 7
33 40/100 chains to a stake, marked D & R No. 9, standing by the side of a small
34 pine tree; thence South 22 1/2° East 1 21/100 chains to a stake, marked D & R
35 No. 10; thence South 37 3/4° West 1 78/100 chains to a stake, marked D & R No.
36 11; thence South 49 3/4° West 6 00/100 chains to a stake, marked D &. R No. 12;
37 South 12° West 0 75/100 chains to a stake, marked D & R No. 13, crossing
38 Grizzly Cut Stakes Nos. 12 and 13, being each 25 feet from the center of the Cut,
39 one on either side; thence South 59 1/2° East 3.70 chains to a stake, marked D &
40 R No. 14; thence South 75 1/2° East 6.36 chains, more or less, to the point of
41 commencement.

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

44 APN: 61-151-08

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PARCEL 4:

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.

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

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PARCEL 5:

Lot 15, Block 2, as 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, California on December 31, 1874.

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

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

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EASEMENT 2:

An easement for ingress, egress and utility purposes, and to include cut and fill slopes as necessary for road construction in accordance with general engineering 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:

Beginning at a point on the Southerly line of said Patterson Placer Mine, from which 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 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 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;

THENCE North 04° 58' 50" West for a distance of 10.00 feet; 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 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 16° 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

1 distance of 14.76 feet; THENCE along a curve to the right having a radius of
2 500.00 feet through a central angle of 11° 12' 57" for an arc length of 97.88 feet,
3 being subtended by a chord of North 29° 41' 30" West for a distance of 97.72 feet;
4 THENCE North 24° 05' 01" West for a distance of 370.91 feet to a point on the
5 Southerly right-of-way line of Tyler-Foote Crossing Road.

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

8 **EASEMENT 3:**

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
12 Placer Mine, located in Section 1, T. 17 North, Range 8 East, and the centerline
13 of which is more particularly described as follows:

14 Beginning at a point in the Easterly line of said Patterson Placer Mine, from
15 which an angle point thereof, said point also being the most Northerly corner of
16 the Johnny K. Placer Mine as shown in the Record of Survey filed in Book 3 of
17 Surveys, at Page 111, bears South 18° 34' 59" West for a distance of 56.60 feet,
18 THENCE FROM SAID POINT OF BEGINNING, along said centerline, North
19 89° 20' 59" West for a distance of 239.34 to a point in the centerline of Easement
20 2 hereinabove described.

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

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

27 Beginning at a point on the Southerly line of said Patterson Placer Mine, from
28 which an angle point thereof, said point also being the most Northerly corner of
the Johnny K. Placer Mine as shown on the Record of Survey filed in Book 3 of
Surveys, at Page 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
radius of 100.00 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; THENCE North 04° 58' 50" West for a distance of 10.00 feet;
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
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

1 distance of 82.81 feet; THENCE North 28° 48' 41" West for a distance of 43.13
2 feet; THENCE along a curve to the left having a radius of 400.00 feet through a
3 central angle of 6°29' 17" for an arc length of 45.30 feet, being subtended by a
4 chord of North 32° 03' 20" West for a distance of 45.27 feet; THENCE North
5 35°17' 58" West for a distance of 14.76 feet; THENCE along a curve to the right
6 having a radius of 500.00 feet through a central angle of 11° 12' 57" for an arc
7 length of 97.88 feet, being subtended by a chord of North 29° 41' 30" West for a
8 distance of 97.72 feet; THENCE North 24° 05' 01" West for a distance of 370.91
9 feet to a point on the Southerly right-of-way line of Tyler-Foote Crossing Road.

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

12 ALSO RESERVING THEREFROM the following easements:

13 **EASEMENT 1:**

14 An easement for ingress, egress and utility purposes, on, over and across a
15 portion of the Patterson Placer Mine, located in Section 1, T. 17 North, Range 8
16 East, and the centerline of which is more particularly described as follows:

17 Beginning at a point along the Southerly right of way line of Tyler-Foote
18 Crossing Road, from which the intersection of said right of way line and the
19 Easterly line of the Patterson Placer Mine bears North 73° 47' 25" East for a
20 distance of 450.47 feet, THENCE FROM SAID POINT OF BEGINNING, North
21 73° 47' 25" East for a distance of 100 feet; THENCE South 24° 05' 01" East for a
22 distance of 70 feet; THENCE South

23 **EASEMENT 4:**

24 An easement for utility lines and access, repair and maintenance thereof, on,
25 over and across a portion of the Patterson Placer Mine, located in Section 1, T.
26 17 North, Range 8 East, and the centerline of which is more particularly
27 described as follows:

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

32 **EASEMENT 5:**

33 An easement for exclusive use and development, on, over and across a portion of
34 the Patterson Placer Mine, located in Section 1, T. 17 North, Range 8 East, and
35 in Section 6, T. 17 North, Range 9 East, being more particularly described as
36 follows: Beginning at the most Northerly corner of the Johnny K. Placer Mine as
37 shown in the Record of Survey filed in Book 3 of Surveys, at Page 111, THENCE
38 FROM SAID POINT OF BEGINNING, North 18° 34' 59" East for a distance of
39 550.85 feet; THENCE South 71° East for a distance of 2046.79 to a point on the
40 Northerly line of the Donnelly Creek Claim as described in Volume 534 of
41 Official Records, at Page 526, THENCE, along said Northerly line, North 75° 60'
42 West for a distance of 1964.34 feet; THENCE South 31° 30' 00" West for a
43 distance of 394.58 feet to the point of beginning.

44 Grantee agrees and warrants that the easement reservation as shown above in

the deed is exclusive to Grantor and the Grantor will have the exclusive non-restricted occupancy and use of that easement and Grantee will not cut any trees, trespass or cause any surface or underground disturbance in said easement.

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Exhibit B

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

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

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

Containing 2.74 Ac. More or less

EXCEPTING THEREFROM the perpetual rights and ownerships, 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 50 feet beneath the surface of the land described in the Deed recorded in Book 274, Page 163, Official Records.

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 grated 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

Exhibit C

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

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

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

APN: 61-140-58

Exhibit D

**(Real Property Located in Nevada County, California,
APN: 61-140-63, Including all Appurtenances and Improvements Thereto)**

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

Beginning at a point on the West line of said Patterson placer mine, located North 00 degrees 38 minutes 17 seconds West for a distance of 1205.95 feet from corner No. 54 of said Patterson Placer Mine; THENCE from said point of beginning, North 00 degrees 34 minutes 34 seconds West for a distance of 542.38 feet; THENCE North 37 degrees 45 minutes 00 seconds East for a distance of 224.29 feet; THENCE North 22 degrees 30 minutes 00 seconds West for a distance of 79.86 feet; THENCE North 50 degrees 00 minutes 00 seconds East for a distance of 488.40 feet; THENCE South 24 degrees 00 minutes 00 seconds East for a distance of 316.80 feet; THENCE South 40 degrees 00 minutes 00 seconds East for a distance of 270.60 feet; THENCE North 47 degrees 00 minutes 00 seconds East for a distance of 369.60 feet; THENCE South 86 degrees 30 minutes 00 seconds East for a distance of 607.20 feet; THENCE South 32 degrees 00 minutes 00 seconds West for a distance of 427.68 feet; THENCE South 11 degrees 30 minutes 00 seconds West for a distance of 295.02 feet; THENCE South 66 degrees 16 minutes 37 seconds West for a distance of 423.19 feet; THENCE South 64 degrees 30 minutes 00 Seconds West for a distance of 426.42 feet to the southeast corner of that property described in Book 37 of Deeds at page 622; THENCE North 25 degrees 30 minutes 00 seconds West for a distance of 327.10 feet to a point in the centerline of the Grizzly Cut, THENCE, along said centerline, South 77 degrees 17 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

Exhibit E

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

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

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

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

AND ON THE SOUTH BY 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: 61-140-69

Exhibit F

**(Real Property Located in Nevada County, California, Original
APNs: 61-140-66, 61-140-70, 61-140-72 and 61-140-79, now known as 61-140-81,
Including all Appurtenances and Improvements Thereto)**

PARCEL #1 (Original APN: 61-140-70)

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

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

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

PARCEL #2 (Original APN: 61-140-72)

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

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

64 degrees 30 minutes 00 seconds West for a distance of 271.45 feet to the point of beginning.

PARCEL #3 (Original APNs: 61-140-79 and 61-140-66)

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

Beginning at the southeast corner of the Townsite of Cherokee as shown on the official Map thereof, from which point, the West 1/4 corner of said Section 1 bears North 00 degrees 38 minutes 17 seconds West for a distance of 1349.49 feet, and North 89 degrees 49 minutes 13 seconds West for a distance of 1289.09 feet; THENCE FROM SAID POINT OF BEGINNING along the east line of said Cherokee Townsite North 00 degrees 38 minutes 17 seconds West for a distance of 835.00 feet; THENCE leaving said east line, North 81 degrees 48 minutes 50 seconds East for a distance of 138.90 feet; THENCE North 04 degrees 09 minutes 35 seconds East for a distance of 92.72 feet; THENCE North 70 degrees 05 minutes 51 seconds West for a distance of 155.33 feet to a point on the east line of said Cherokee Townsite; THENCE North 00 degrees 38 minutes 17 seconds West for a distance of 205.81 feet to a point on the south line of the Donovan and Ryan claim as described in Book 4 of Patents at Page 53; THENCE along said south line, South 75 Degrees 30 minutes 00 seconds East for a distance of 247.43 feet to a point on the west line of the Hennesy and Roach claim as described in Book 37 of Deeds at Page 622; THENCE along said west line, South 25 degrees 30 minutes 00 seconds East for a distance of 259.78 feet to a point on the north line of the Boyle and Daley claim as described in Book 2 of Miscellaneous deeds and Records at Page 469; THENCE along said North line, South 64 degrees 30 minutes 00 seconds West for a distance of 85.20 feet to west corner of said Boyle and Daley claim; THENCE along the west line of said Boyle and Daley, South 39 degrees 00 minutes 00 seconds East for a distance of 462.92 feet to the north corner of the property deeded to Driscoll in Book 37 of Deeds at page 622; 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

Exhibit G

**(Real Property Located in Nevada County, California,
APN: 61-140-74, Including all Appurtenances and Improvements Thereto)**

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

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

APN: 61-140-74

Exhibit H

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

A PORTION OF THE PATTERSON PLACER MINING CLAIM OF THE "BADGER HILL AND CHEROKEE GRAVEL MINING COMPANY", DESIGNATED BY THE UNITED STATES SURVEYOR GENERAL FOR THE STATE OF CALIFORNIA AS LOT NO. 49, EMBRACING A PORTION OF SECTION 1, TOWNSHIP 17 NORTH, 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.

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

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

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

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

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

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

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

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

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

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

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

5 ALSO EXCEPTING THEREFROM THAT PORTION LYING SOUTHERLY OF
6 THE NORTHERLY LINE OF TYLER-FOOTE CROSSING ROAD, AS SHOWN
7 ON THE RECORD OF SURVEY FILED IN BOOK 13 OF SURVEYS AT PAGE
8 263.

9 APN: 61-140-76
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Exhibit I

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

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

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

Said property contains 20.48 acres more or less.

APN: 61-140-77

Exhibit J

**(Real Property Located in Nevada County, California,
APN: 61-140-78, Including all Appurtenances and Improvements Thereto)**

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

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

APN: 61-140-78