

This document is being re-recorded to correct an error in the legal description.

QUITCLAIM DEED

THIS DEED is made this the 21th day of July, 1982, in the City of Washington, in the District of Columbia, by and between the Deputy Assistant Secretary - Indian Affairs (Operations) acting pursuant and subject to the Act of June 4, 1953, 67 Stat. 41, as amended, 25 U.S.C. Section 293a (1964), and pursuant to authority delegated by the Secretary of the Interior on the 17 day of November, 1981, Departmental Release Number 2364, hereafter referred to as the grantor and the State of Nevada hereafter referred to as the grantee.

WITNESSETH:

WHEREAS, the real estate and property hereinafter described and heretofore used for the Stewart Indian School at Stewart, Nevada, are no longer needed for Federal Indian school purposes; and

WHEREAS, the forementioned grantee intends to use the real estate and property herein described for public benefit primarily as a correctional institution and such other uses as the legislative branch of the State of Nevada shall deem appropriate, in accordance with the conditions of this quitclaim deed and the agreement entered into by the Administrator and Ex-officio, State Land Registrar, Jac R. Shaw, on the 9th and 14th day of July, 1982, as incorporated into this deed by reference and attached hereto,

NOW, THEREFORE, the forementioned grantor, in consideration of the provisions of the forementioned Act of Congress and terms of agreement to be observed by the grantee, does by these presents convey, transfer, release, and quitclaim unto the said grantee in fee all of the right, title, and interest of the United States in and to the following described real estate and property situated in the City of Carson City, in the State of Nevada, to wit:

That real property and improvements lying and situate in Carson City, State of Nevada and more particularly described as being a portion of the S1/2 of the SE1/4 of Section 32, Township 15 North, Range 20 East, and the N1/2 of the NE1/4 of Section 5, Township 14 North, Range 20 East, M.D.B.&M.; and more fully described by metes and bounds as follows, to wit:

BEGINNING at a point which bears North 69° 48' 57" West, a distance of 913.06 feet from the Southwest corner of Section 32, Township 15 North, Range 20 East, M.D.B.&M.; Thence South 31° 52' 06" West, a distance of 395.68 feet; Thence South 74° 54' 48" West, a distance of 207.70 feet; Thence South 26° 04' 24" West, a distance of 497.00 feet; Thence North 65° 02' 06" West, a distance of 488.53 feet; Thence North 24° 05' 28" West, a distance of 687.25 feet; Thence North 62° 12' 54" West, a distance of 456.62 feet; Thence North 26° 55' 22" East, a distance of 147.92 feet; Thence North 62° 38' 24" West, a distance of 109.83 feet, to a point on the Quarter Section line; Thence following said Quarter Section line, North 0° 41' 52" East, a distance of 654.17 feet, to a point where said Quarter Section line intersects the Sixteenth Section line; Thence following said Sixteenth Section line, South 89° 06' 59" East, a distance of 110.78 feet; Thence South 0° 41' 52" West, a distance of 330.08 feet; Thence South 5° 22' 00" East, a distance of 340.03 feet; Thence South 62° 50' 01" East, a distance of 245.00 feet; Thence North 28° 20' 04" East, a distance of 628.52 feet; Thence North 44° 15' 30" East, a distance of 235.95 feet; Thence North 49° 48' 10" East, a distance of 72.00 feet, to a point on the Sixteenth Section line; Thence following said Sixteenth Section line, South 89° 06' 59" East, a distance of 789.43 feet, to a point on the west side of the abandoned Virginia and Truckee Railroad (V&TRR) right-of-way; Thence following the west side of said abandoned V&TRR right-of-way, South 21° 30' 35" East, a distance of 1152.43 feet; Thence North 80° 32' 08" West, a distance of 312.76 feet, to the POINT OF BEGINNING; said parcel containing an area of 50.28 acres, more or less.

Excepting from the above described parcel that building and the land surrounding and lying beneath said building known as the "Public Health Service, Indian School Health Center". The area of said land being more fully described by metes and bounds as follows, to wit:

BEGINNING at a point which bears North 84° 21' 19" West, a distance of 1377.27 feet; Thence North 63° 10' 00" West, a distance of 122.18 feet; Thence South 26° 50' 00" West, a distance of 140.50 feet; Thence South 63° 10' 00" West, a distance of 122.18 feet; Thence North 26° 50' 00" East, a distance of 140.50 feet, to the POINT OF BEGINNING; said parcel containing an area of 0.39 acre, more or less, which leaves a total net area of 49.88 acres, more or less.

Building or Facility	Construction Type*	Most Recent Use	Year Constructed	Square Footage
Store Building #1	1	Offices	1923	5,602
Cottage Building #3 (Payne)	1	Quarters	1930	5,917
Dormitory Building #6	1	Dormitory	1930	18,743
Dormitory Building #12	1	Dormitory	1941	14,572
Dormitory Building #13	1	Dormitory	1941	14,572
Kitchen/Dining Bldg. #15	1	Kitchen/Dining Hall	1923	1,444
Dormitory Building #16	1	Dormitory	1942	8,416
School Building #17	2	School	1964	41,826
		School-Law		
Office Building #18	1	Enforcement Center	1936	3,700
Dormitory Building #21	1	Offices	1937	8,662
Dormitory Building #22	1	Dormitory	1937	6,396
Dormitory Building #23	1	Dormitory	1937	6,396
Dormitory Building #24	1	Dormitory	1937	6,396
Dormitory Building #25	1	Dormitory	1937	6,396
Duplex Building #28	1	Quarters	1937	3,523
Cottage Building #65	1	Quarters	1937	2,102
Fourplex Bldg. #67	1	Quarters	1939	4,862
Cottage Bldg. #79	1	Quarters	1933	2,959
Administration Bldg. #89	1	Offices	1931	17,545
Dormitory Building #107	2	Dormitory	1963	32,832
Cottage Bldg. #116	3	Quarters	1963	1,452
Cottage Bldg. #117	3	Quarters	1963	1,264
Gymnasium Bldg. #160	2	Gymnasium & Recreation	1973	37,150
Building or Facility	Most Recent Use	Year Constructed	Square Footage	
Post Office Building #2	Warehouse	1926	362	
Office Building #4	Storage	1938	662	
Storage Building #8	Storage	1930	720	
Cottage Building #9	Quarters	1939	2,222	
Cottage Building #11	Quarters	1925	1,182	
Cottage Building #14	Quarters	1939	1,430	
Post Office Building #19	Post Office	?	1,646	
Gymnasium Building #20	Gymnasium	1938	11,933	
Cottage Building #26	Quarters	1937	1,828	
Cottage Building #27	Quarters	1937	2,254	
Quarters Building #29	Quarters	1937	3,231	
Quarters Building #30	Quarters	1939	2,569	
Cottage Building #31	Quarters	1939	2,388	
Cottage Building #44	Quarters	1937	650	
Music Building #45	School	1930	2,373	
Shop Building #84	Shop	1931	4,581	
Auditorium Building #90	Auditorium	1925	5,857	
Trailer Building #92	Utility Bldg.	1924	3,825	
Storage Building #96	Warehouse	1940	2,710	

<u>Building or Facility</u>	<u>Construction Type *</u>	<u>Most Recent Use</u>	<u>Year Constructed</u>	<u>Square Footage</u>
Water System		Water System		
Sewer System (excluding lagoons)		Sewer System		
Steam Heating System		Heating		
Irrigation System		Domestic Irrigation		
Electric System		Electricity		

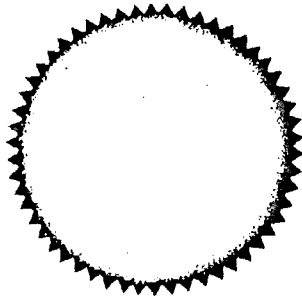
Conditions of Transfer to ensure preservation of the historic
integrity pursuant to National Historic Preservation Act and
36 CFR Part 800

1. The rehabilitation of the Stewart Indian School Complex in Carson City, Nevada, will be done in accordance with the Secretary of Interior's, Standards for Rehabilitation, a copy of which is attached and incorporated herein by reference. Rehabilitation plans will be submitted to the Nevada State Historic Preservation Officer for review and approval within a 45-day period. The State Historic Preservation Officer will review and approve, or disapprove, such plans in writing within 45 days after receipt; if such response is not mailed within said time period, it will constitute approval.
2. The State of Nevada shall make every reasonable effort to protect and preserve the property for the public benefit. All work on the structures shall be done with materials and workmanship which are the same as those found in the structures originally built. If such materials are not available, materials which are similar in texture and appearance shall be used.
3. The State of Nevada shall undertake no action having an effect on the properties architecture or the appearance of the grounds without the prior submission of an appropriate determination of effect to the Nevada State Historic Preservation Officer. Such determination shall specify the nature of the proposed action, the reasons for which the action is proposed, and the anticipated effects of the action. The State Historic Preservation Officer shall be given sufficient time for a full review and comment on the proposed action, together with the opportunity to prepare an alternate course of action if the proposed action is found to be detrimental in effect. Such determination will not be required for actions that are deemed to be matters of routine maintenance and operation of the property.
4. Any alteration, improvement, or new development deemed pursuant to No. 3 to be detrimental at the Stewart Indian School complex shall be made only after obtaining the written approval of the Nevada State Historic Preservation Officer and the Bureau of Indian Affairs.
5. These covenants shall become a part of the conveyance document and shall be incorporated therein by reference. However, the Advisory Council on Historic Preservation, in consultation with the State Historic Preservation Officer, may, for good cause, modify or cancel any or all of the provisions of these covenants upon application of the Grantee, the State of Nevada.

To have and to hold the same, the appurtenance and privileges thereunto belonging, or in any wise appertaining, all the estate, right, title and interest of the United States, either in law or equity, in possession or expectancy, only for the proper forementioned use and benefit of the said grantee.

If at any time the Secretary of the Interior determines that the grantee has failed to observe any provision or condition of this deed or the aforesaid Act of Congress, and that any such failure has continued for at least one year, he may declare a forfeiture of this entire conveyance and the whole title hereby conveyed shall thereupon revert to the United States. Such determination by the Secretary of the Interior shall be final.

IN WITNESS WHEREOF, for and on behalf of the United States of America, the said Deputy Assistant Secretary - Indian Affairs (Operations), John W. Fritz, has hereunto set his hand and the official seal of the Bureau of Indian Affairs this the 21th day of July, 1982.



UNITED STATES OF AMERICA

By

Deputy Assistant Secretary -
Indian Affairs (Operations)

ACCEPTED:

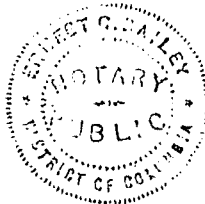
Robert D. Westergaard
Director, Department of Conservation
and Natural Resources

City of Washington

District of Columbia:

On this 21th day of July, 1982, before me, the undersigned Notary Public in and for the District of Columbia, personally appeared John W. Fritz, known to me to be the Deputy Assistant Secretary - Indian Affairs (Operations), who executed the forgoing instrument and acknowledged that he signed the same on behalf of the United States.

Witness my hand and seal this 21th day of July, 1982.



A handwritten signature of Ernest C. Bailey in cursive script.

Ernest C. Bailey

Notary Public

District of Columbia

My Commission expires: 12-15-83

The State of Nevada acting through Jac R. Shaw, Administrator and Ex-officio, State Land Registrar, does hereby agree to the following conditions which shall become a part of the Quitclaim Deed to be executed by the United States Government for the conveyance of approximately 50 acres of the Stewart Indian School properties under the provisions of 25 U.S.C. 293(a):

1. If at any time the Secretary of the Interior determines that the Grantee has failed to observe the provisions of this transfer agreement and that the failure has continued for at least one year, he may declare a forfeiture of the conveyance and the title conveyed shall thereupon revert to the United States.
2. That all mineral rights are reserved to the United States along with the right to prospect for and remove such deposits under rules and regulations prescribed by the Secretary.
3. That the property will be used for school or other public purposes and shall be available to Indians and non-Indians on the same terms unless otherwise approved by the Secretary.
4. That the State of Nevada is the legal entity to receive the property for use under transfer authority contained in the Act of June 14, 1953.
5. That no related personal property is transferred by the quitclaim deed, except as per inventory.
6. The Area Director and Superintendent are released from responsibility for the property conveyed at the time of execution of the quitclaim deed.
7. That the Grantee agrees to the continued occupancy by the Bureau of Indian Affairs of the building currently used by the Western Nevada Agency for a period not to exceed three years from the date of the conveyance. Said permit shall stipulate that the Bureau will pay a pro-rated share of all utilities, including insurance, but shall not be liable for rental costs of the building.
8. The State of Nevada will allow occupants of the existing residential structures to remain rent-free for a period of 90 days and will assist, if possible, in locating suitable quarters in the vicinity for said occupants.
9. The State of Nevada recognizes that the proposed grant surrounds the property occupied by the Indian Health Service Clinic and agrees to a

reservation of a right-of-way for ingress and egress and for utility purposes; said right-of-way will generally follow the route of Gibson Way from Center Street. Ingress and egress shall be restricted to regular business hours of the clinic.

10. The State of Nevada wishing to perpetuate the 90-year history of the Stewart Indian School will reserve Building 1 and Building 3 to house and display the crafts, artifacts and the memorabilia relating to the Stewart Indian School. Funding for operation to be dependent upon legislative appropriation and/or private donations solicited by Nevada tribes and other interested persons.

11. & 12. Any surface water or groundwater rights which have historic, i.e., vested use, shall be apportioned according to the appurtenant use of the respective water source. Whatever water right is established shall remain with the land at the time of the reconveyance of the property, i.e., water vested in the Stewart facility proper shall remain at the facility, water vested in areas outside the 50 [±] acres shall remain appurtenant. Historical users will receive what is recognized as being vested or appropriated via decree, permit, etc.

Water Applications 43227, 43228, 43229, 43230, 43231 and 43232 are filed on all six wells at the facility. The United States shall convey to the State all right and title to the wells and appurtenances (i.e., pumps, motors, etc.) wherein the State will recognize any right to the waters of said wells to the historic use of the waters as deemed to be vested by proof of appropriation and the continual use thereof.

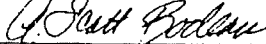
13. The State of Nevada recognizes that the Stewart Indian School has been declared eligible for inclusion on the Register of National Historic Places, and as such will be maintained in accordance with the National Historic Preservation Act of 1966 as amended, and applicable portions of NRS 383 relative to Historic Preservation, and also comply with State and local building codes applicable to the site.

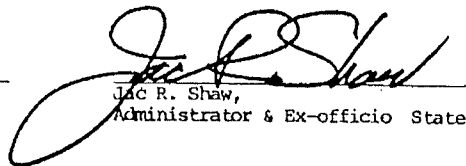
14. Subject to a reservation for existing utility corridors across the conveyed property to service adjacent lands of the United States.

15. Subject to all existing easements or rights-of-way across conveyed property.

16. The United States recognizes that Mark Twain Avenue is the main access route to the Stewart Indian School campus. The United States will reserve a right-of-way for ingress and egress to the State of Nevada from Snyder Drive to the Campus via Mark Twain Avenue as it is now situate.

Approved as to form:


Deputy Attorney General


Jac R. Shaw,
Administrator & Ex-officio State Land Registrar

July 14, 1982

This represents an addendum to stipulations made by the Administrator and Ex-officio State Land Registrar, Jac R. Shaw on July 9, 1982, and is to be incorporated in the quitclaim deed by and between the Deputy Assistant Secretary - Indian Affairs (Operations) acting pursuant and subject to the Act of June 4, 1953, 67 Stat. 41, as amended, 25 U.S.C. 293a (1964), and pursuant to authority delegated by the Secretary of the Interior and the State of Nevada.

As to Paragraph 11, the State of Nevada has made application on January 15, 1982, to appropriate waters of the State of Nevada from an underground source — Applications Nos. 45227 through 45232 consecutively and hereby stipulate that the place of use of the waters from said applications shall be described as follows, to wit:

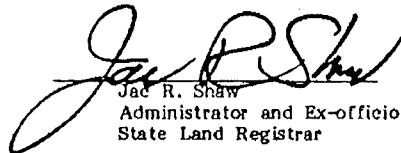
The South half of the Southwest quarter and the Southeast quarter, Section 32, Township 15 North, Range 20 East, Mount Diablo Base and Meridian; the North half of the Northeast quarter and the Northeast quarter of the Northwest quarter of Section 5, Township 14 North, Range 20 East, Mount Diablo Base and Meridian;

that historical users may receive any excess water under Applications 45227 through 45232 subject to the State's needs for the property conveyed to the State of Nevada within the place of use described above, so as to avoid, mitigate, or minimize adverse effects on the nationally eligible historic property remaining under Federal ownership subsequent to this transfer. Any changes in the described place of use shall be in accordance with applicable provisions in the Nevada Revised Statutes.

As to Paragraph 12, the water application numbers 43227, 43228, 43229, 43230, 43231, and 43232 should be changed to read 45227, 45228, 45229, 45230, 45231, and 45232 and the surface water shall be apportioned in accordance with the decree of the Second Judicial District of Ormsby County on April 24, 1872.

Approved as to form:


A. Scott Bodeau
Deputy Attorney General


Jac R. Shaw
Administrator and Ex-officio
State Land Registrar

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AT THE REQUEST OF

State of Nevada

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FILE NO. **12607**

PETE SUPERA
CLERK OF DISTRICT COURT
Alvarado DEPUTY

n/c
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AT THE REQUEST OF

STATE OF NEVADA

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FILE NO. **14687**

PETE SUPERA
CLERK OF DISTRICT COURT
Alvarado DEPUTY
n/c