



## United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Southern Nevada District Office  
Pahrump Field Office  
4701 N. Torrey Pines Drive  
Las Vegas, Nevada 89130  
<http://www.blm.gov/nv/st/en.html>

In Reply Refer To:  
N-78324-02  
2740 (NVS01000)

### Memorandum

To: State Director, Nevada (NV-930)

From: Deborah J. MacNeill  
Pahrump Field Office Manager

Subject: Issuance of a Patent to the Board of Regents of the Nevada System of Higher Education (System) for the Great Basin College

The following information should assist you in the preparation of a patent to the System. The requested patent is for 274.43 acres of public land. The following information is applicable to this case:

1. Patent is to satisfy the requirements of Public Law 113-291, sec. 3092(h), 128 STAT 3872 - 3874.
2. The System may use the Federal land conveyed for any public purpose consistent with uses allowed under the Act of June 14, 1926, as amended.
3. The patent is to the System. The address is: Nevada System of Higher Education, 4300 S. Maryland Parkway, Las Vegas, Nevada 89119.
4. Legal Description:  
Mount Diablo Meridian, Nevada  
T. 21 S., R. 54 E.,  
sec. 2, lots 1, 2, and 5, S $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ NE $\frac{1}{4}$ .

(Containing approximately 274.43 acres).

**TERMS AND CONDITIONS FOR THE PATENT ARE AS FOLLOWS:**

The Board of Regents of the Nevada System of Higher Education shall manage the land in accordance with a Memorandum of Agreement (MOA) between the Bureau of Land Management and the Board of Regents of the Nevada System of Higher Education signed and dated September XX, 2016. The MOA complies with all other terms and conditions identified in Section 3092 (h) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015, Public Law 113-291.

**EXCEPTING AND RESERVING TO THE UNITED STATES:**

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. 945); and
2. All mineral deposits in the land so patented, and right of the United States, or persons authorized by the United States, to prospect for, mine, and remove such deposits from the same under applicable laws and regulations as the Secretary of the Interior may prescribe.
3. Right-of-way N-92818, for a clearance area for safe air travel and aviation purposes, as reserved to the United States, pursuant to the Act of October 21, 1976 (43 U.S.C. 1718 and 43 U.S.C. 1767).
4. Right-of-way West-wide Energy Corridor 224-225, for a designated energy corridor (Public Law 109-58), as reserved to the United States, pursuant to the Act of October 21, 1976 (43 U.S.C. 1763), as depicted in Exhibit A and legally described in Exhibit B attached hereto and made part hereof.

**SUBJECT TO:**

1. Valid existing rights;
2. Right-of-way N-57100 for a transmission line granted to Valley Electric Association, its successors or assigns, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761);
3. Right-of-way N-80918 for a transmission line granted to Valley Electric Association, its successors or assigns, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761);
4. Right-of-way N-83062 for an underground telephone line granted to Nevada Bell, its successors or assigns, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761);
5. Right-of-way N-84246 for an access road granted to the Bureau of Land Management, DOI, its successors or assigns, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761);

6. Right-of-way N-92514 for a Regulation Energy Management Facility to Advance Rail Energy Storage, its successors or assigns, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761);
7. Right-of-way N-92514-01 for an access road to Advance Rail Energy Storage, its successors or assigns, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761); and
8. Provisions of Title VI of the Civil Rights Act of 1964;
  - a. The patentee or any successor in interest shall comply with and shall not violate any of the terms or provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 241) and requirements of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant thereto (43 CFR 17) for the period that the land conveyed herein is used for the purpose for which the patent was made pursuant to the act cited or for another purpose involving the provision of similar services or benefits.
  - b. If the patentee or any successor in interest does not comply with the terms or provisions of Title VI of the Civil Rights Act of 1964 and the requirements imposed by the Secretary of the Interior issued pursuant to that title during the period which the land described herein is used for the purpose for which the patent was made pursuant to the act cited or for another purpose involving the provision of similar services or benefits, said Secretary or his delegate may declare the terms of this patent terminated in whole or in part.
  - c. The patentee, by acceptance of this patent, agrees for itself and its successors in interest that a declaration of termination in whole or in part of this patent shall, at the option of the Secretary or his delegate, operate to revert in the United States full title to the land involved in the declaration.
  - d. The United States shall have the right to seek judicial enforcement of the requirements of Title VI of the Civil Rights Act of 1964 and the terms and conditions of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant to said Title VI, in the event of their violation by the patentee or any successor in interest.
  - e. The patentee or any successor in interest will, upon request of the Secretary of the Interior or his delegate, post and maintain on the property conveyed by this document signs and posters bearing a legend concerning the applicability of Title VI of the Civil Rights Act of 1964 to the property conveyed.
  - f. The reservations, conditions, and limitations contained in paragraphs

(1) through (5) shall constitute a covenant running with the land, binding on the patentee and his (its) successors in interest for the period for which the land described herein is used for the purpose for which this patent was made, or for another purpose involving the provision of similar services or benefits.

- g. The assurances and covenant required by sections (1) through (6) above shall not apply to ultimate beneficiaries under the program for which this patent is made; "Ultimate beneficiaries" are identified in 43 CFR 17.12(h).

By accepting this patent, the patentee agrees to indemnify, defend and hold the United States harmless from any costs, damages, claims, causes of action, penalties, fines, liabilities, and judgments of any kind or nature arising from the past, present, and future acts or omissions of the patentee, its employees, agents, contractors, or lessees, or any third-party, arising out of, or in connection with, the patentees use, occupancy, or operations on the patented real property. This indemnification and hold harmless agreement includes, but is not limited to, acts and omissions of the patentee, its employees, agents, contractors, or lessees, or third party arising out of or in connection with the use and/or occupancy of the patented real property resulting in: (1) Violations of federal, state, and local laws and regulations applicable to the real property; (2) Judgments, claims or demands of any kind assessed against the United States; (3) Costs, expenses, damages of any kind incurred by the United States; (4) Other releases or threatened releases on, into or under land, property and other interests of the United States by solid or hazardous waste(s) and/or hazardous substances(s), as defined by federal or state environmental laws; (5) Other activities by which solid or hazardous substances or wastes, as defined by federal and state environmental laws were generated, released, stored, used or otherwise disposed of on the patented real property, and any cleanup response, remedial action, or other actions related in any manner to said solid or hazardous substances or wastes; (6) Or natural resource damages as defined by federal and state law. This covenant shall be construed as running with the patented real property, and may be enforced by the United States in a court of competent jurisdiction;

PURSUANT to the requirements established by section 120(h) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), (42 U.S.C. 9620(h)), as amended by the Superfund Amendments and Reauthorization Act of 1988, (100 Stat. 1670), notice is hereby given that the above described lands have been examined and no evidence was found to indicate that any hazardous substances had been stored for one year or more, nor had any hazardous substances been disposed of or released on the subject property.

The patentee may use the above described lands for any public purposes consistent with uses allowed under the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act) 43 U.S.C. 869 *et seq.* The patentee shall get approval from the BLM for a development plan or management plan before construction begins in accordance with the Act of June 14, 1926. Provided that title shall revert to the United States upon a finding, after notice and opportunity for a hearing, that, without the approval of the Secretary of the Interior or his delegate, the above described lands ceases to be used for the System, or the patentee or its approved successor attempts to transfer title to or control over the lands to another, or the lands

have been devoted to a use other than that for which the lands were conveyed, or the patentee has failed to follow the approved development plan or management plan.

Provided further that the Secretary of the Interior may take action to revest title in the United States if the patentee directly or indirectly permits its agents, employees, contractors, or subcontractors (including without limitation lessees, sublessees, and permittees) to prohibit or restrict the use of any part of the patented lands or any of the facilities thereon by any person because of such person's race, creed, color, sex, or national origin.

The patent is to satisfy the requirements of Public Law 113, 291, sec. 3092(h), 128 STAT 3872 and 128 STAT 3874, which is to the System for the Great Basin College. Patent is without consideration, no purchase monies received.

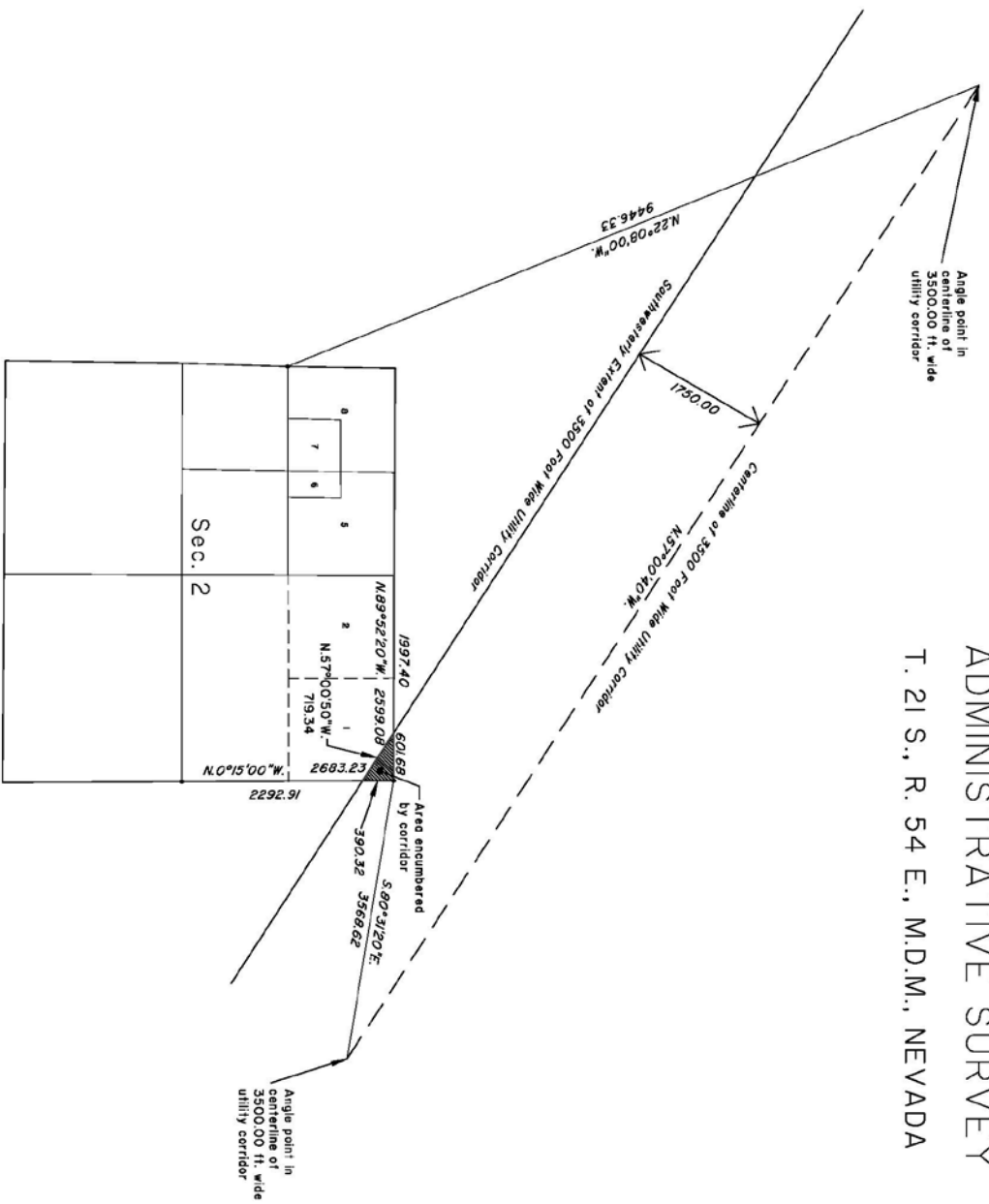
A Final Environmental Site Assessment (ESA) has been completed prior to patent issuance.

Please send all patent documents to: Attn: Nicholas G. Vaskov, System Counsel and Director of Real Estate Planning, Nevada System of Higher Education, 4300 S. Maryland Parkway, Las Vegas, Nevada 89119.

An electronic version of this memorandum will be uploaded into the Sharepoint site, attn: to Edison Garcia, Land Law Examiner, NV-931.

Should you have any questions concerning this patent request, please contact Eric Benavides, Realty Specialist, by e-mail at [ebenavides@blm.gov](mailto:ebenavides@blm.gov) or by phone at (702) 515-5144.

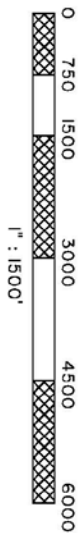
ADMINISTRATIVE SURVEY  
 T. 21 S., R. 54 E., M.D.M., NEVADA



Correct as to Administrative Survey Data

Chief, Branch of Geographic Sciences

Date



UNITED STATES  
 DEPARTMENT OF THE INTERIOR  
 BUREAU OF LAND MANAGEMENT  
 NEVADA STATE OFFICE - DIV. OF SUPPORT SERVICES  
 BRANCH OF GEOGRAPHIC SCIENCES

EXHIBIT "A"  
 Bureau of Land Management  
 Energy Right-of-Way Corridor  
 (Public Law 103-58 Section 368)  
 Through a Portion of Lot 1  
 of Section 2  
 T. 21 S., R. 54 E.  
 Mount Diablo Meridian  
 NYE COUNTY, NEVADA

Sheet No. 1 of 1

Exhibit "B"

Bureau of Land Management Energy Right-of-Way Corridor  
(Public Law 109-58 Section 368)

All that portion of Lot 1 of Section 2, Township 21 South, Range 54 East, Mount Diablo Meridian, Nye County, Nevada, lying northeasterly of the following described line;

**BEGINNING AT A POINT** on the line between Sections 1 and 2, from which the 1/4 section corner of Sections 1 and 2 bears South 0°15'00" East, 2292.91 feet. Thence from the **POINT OF BEGINNING**, the following course:

North 57°00'50" East, 719.34 feet to a point on the line between Sections 2 and 35, on the north boundary of the township and **POINT OF TERMINATION**, from which the corner of said Sections 1 and 2 bears South 89°52'20" East, 601.68 feet.

The area described contains 2.70 acres, more or less, according to the administrative survey of the said lands.

All distances stated are in U.S. Survey Foot and all bearing are referenced to the true meridian based on geodetic methods.

A plat showing the above described right-of-way is attached hereto as Exhibit "A" and made a part hereof.