

APN: 1220-03-000-038  
1220-10-510-002  
1220-10-510-006

**When Recorded Return To:**

Gust Rosenfeld P.L.C.  
201 East Washington  
Suite 800  
Phoenix, Arizona 85004  
Attention: Tom Halter

**Mail Tax Statements To:**

Wal-Mart Property Tax Department  
Reference Store No. 5864-00  
P.O. Box 8050  
Bentonville, Arkansas 72716-8050

R.P.T.T.: \$15,705.35  
APN: Portions of 1220-03-000-038, 1220-10-510-002 &  
1220-10-510-006

**LAWYERS TITLE**

Gardnerville, Nevada

1/2 856367

**GRANT, BARGAIN AND SALE DEED**

THIS INDENTURE WITNESSETH: That **SIERRA NEVADA SW ENTERPRISES, LTD.**, a Nevada limited liability company, whose address is P.O. Box 1700, Dayton, Nevada 89403, Grantor, in consideration of Ten Dollars (\$10.00), the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and Convey to **WAL-MART REAL ESTATE BUSINESS TRUST**, a Delaware statutory trust, Grantee, whose address is 2001 S.E. 10<sup>th</sup> Street, Bentonville, AR 72716-0550, all that real property situate in the County of Douglas, City of Gardnerville, State of Nevada (the "Property"), legally described on Exhibit "A" attached hereto and incorporated herein by this reference. Together with all rights and privileges appurtenant thereto free of liens and encumbrances except as specifically set forth on Exhibit "B" attached hereto and made a part hereof.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

EXCEPTING AND RESERVING unto Grantor, to the extent owned by Grantor, all water rights appurtenant to the Property, but neither Grantor nor Grantor's successors or assigns shall have the right for any purpose whatsoever to enter upon, into or through the surface of the Property in connection therewith, or to undermine the lateral and subjacent support of the surface of the Property or any improvements located thereon.

DATED: January 20, 2010.



**SIERRA NEVADA SW ENTERPRISES, LTD.,** a  
Nevada limited liability company

By: Corporate Management Services, Inc., a Nevada  
corporation

Its: Manager

By: \_\_\_\_\_

James S. Bradshaw

Its: President

State of Nevada

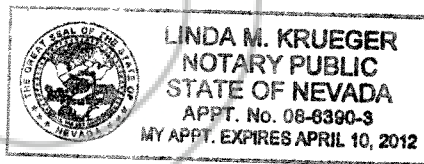
County of Carson City

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of January, 2010, by James S. Bradshaw, as President of Corporate Management Services, Inc., a Nevada corporation, as Manager of Sierra Nevada SW Enterprises, Ltd., a Nevada limited liability company, on behalf of the company.

(Seal and Expiration Date)

Linda M. Krueger

Notary Public





**Exhibit "A"**

Legal Description

**PARCEL 1:**

**ADJUSTED PARCEL 6 AS SHOWN ON RECORD OF SURVEY RECORDED ON 11/18/2009, IN BOOK 1109, PAGE 4280, DOCUMENT NO. 754143, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

ALL THAT REAL PROPERTY SITUATE IN THE COUNTY OF DOUGLAS, STATE OF NEVADA, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED WITHIN A PORTION OF SECTIONS 3 AND 10, TOWNSHIP 12 NORTH, RANGE 20 EAST, MOUNT DIABLO MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE **POINT OF BEGINNING**, SAID POINT BEING THE EASTERNMOST CORNER OF PARCEL 6 ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF MATHIAS PARKWAY AS SHOWN ON THE "RECORD OF SURVEY FOR JACOBSEN FAMILY SURVIVORS/RESIDUAL TRUST" AS FILED FOR RECORD MAY 11, 2000 IN THE OFFICE OF THE RECORDER, DOUGLAS COUNTY, NEVADA AS DOCUMENT NO. 491782; THENCE NORTH 44°45'21" WEST ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF SAID MATHIAS PARKWAY AND WITH ALL BEARINGS RELATED THERETO, A DISTANCE OF 190.24 FEET TO A POINT OF CURVATURE;

THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE OF MATHIAS PARKWAY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1747.50 FEET, A CENTRAL ANGLE OF 15°06'34" AND AN ARC LENGTH OF 460.83 FEET TO A POINT OF COMPOUND CURVATURE;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 150.00 FEET, A CENTRAL ANGLE OF 82°47'25" AND AN ARC LENGTH OF 216.74 FEET TO A POINT OF REVERSE CURVATURE;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 683.00 FEET, A CENTRAL ANGLE OF 7°54'54" AND AN ARC LENGTH OF 94.25 FEET;

THENCE SOUTH 45°15'04" WEST, A DISTANCE OF 180.18 FEET;

THENCE SOUTH 37°18'27" WEST, A DISTANCE OF 86.83 FEET;

THENCE SOUTH 45°15'04" WEST, A DISTANCE OF 108.63 FEET;

THENCE SOUTH 52°05'38" WEST, A DISTANCE OF 100.72 FEET;

THENCE SOUTH 45°15'04" WEST, A DISTANCE OF 86.80 FEET;



THENCE SOUTH 48°58'41" WEST, A DISTANCE OF 62.79 FEET;

THENCE SOUTH 50°47'36" WEST, A DISTANCE OF 79.47 FEET;

THENCE SOUTH 31°47'39" EAST, A DISTANCE OF 22.98 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 332.50 FEET, A CENTRAL ANGLE OF 12°57'17" AND AN ARC LENGTH OF 75.18 FEET;

THENCE SOUTH 44°44'56" EAST, A DISTANCE OF 666.83 FEET;

THENCE NORTH 45°14'39" EAST, A DISTANCE OF 281.03 FEET TO THE WESTERLY RIGHT OF WAY LINE OF LARSON WAY AS DEPICTED ON THE FINAL SUBDIVISION MAP FOR JEWEL COMMERCIAL PARK—PHASE 2 AS FILED FOR RECORD JULY 24, 1997 IN THE OFFICE OF THE RECORDER, DOUGLAS COUNTY, NEVADA AS DOCUMENT NO. 417846;

THENCE NORTH 50°20'59" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE OF LARSON WAY, A DISTANCE OF 49.69 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT AND CONTINUING ALONG SAID WESTERLY RIGHT OF WAY OF LARSON WAY, HAVING A RADIUS OF 280.00 FEET, A CENTRAL ANGLE OF 23°05'04" AND AN ARC LENGTH OF 112.81 FEET;

THENCE NORTH 27°15'55" WEST ALONG SAID WESTERLY RIGHT OF WAY LINE OF LARSON WAY, A DISTANCE OF 40.83 FEET;

THENCE NORTH 45°44'39" EAST ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF LARSON WAY, A DISTANCE OF 62.74 FEET;

THENCE SOUTH 27°15'55" EAST ALONG THE EASTERLY RIGHT OF WAY LINE OF LARSON WAY, A DISTANCE OF 59.17 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT AND CONTINUING ALONG SAID EASTERLY RIGHT OF WAY OF LARSON WAY, HAVING A RADIUS OF 220.00 FEET, A CENTRAL ANGLE OF 23°05'04" AND AN ARC LENGTH OF 88.64 FEET;

THENCE SOUTH 50°20'59" EAST ALONG SAID EASTERLY RIGHT OF WAY LINE OF LARSON WAY, A DISTANCE OF 120.20 FEET;

THENCE NORTH 39°39'01" EAST AND DEPARTING SAID RIGHT OF WAY, A DISTANCE OF 692.55 FEET TO THE **POINT OF BEGINNING.**

SAID PARCEL CONTAINS 768,737 SQUARE FEET OR 17.648 ACRES, MORE OR LESS.



**PARCEL 2:**

ANY RIGHTS, TITLE AND INTEREST IN THAT PORTION OF THE LARSON WAY RIGHT-OF-WAY BEING ABANDONED BY DA 09-056 AND DA 09-057, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT REAL PROPERTY SITUATE IN THE COUNTY OF DOUGLAS, STATE OF NEVADA, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED WITHIN A PORTION OF SECTION 10, TOWNSHIP 12 NORTH, RANGE 20 EAST, MOUNT DIABLO MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF ADJUSTED LOT 1A AS SHOWN ON THE RECORD OF SURVEY TO SUPPORT A BOUNDARY LINE ADJUSTMENT FOR SIERRA NEVADA SW ENTERPRISES, LTD. AND AS FILED FOR RECORD NOVEMBER 18, 2009 IN THE OFFICE OF THE RECORDER, DOUGLAS COUNTY, NEVADA AS DOCUMENT NO. 754143, SAID POINT ALSO BEING ON THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 395;

THENCE DEPARTING SAID HIGHWAY RIGHT OF WAY NORTH 31°58'39" EAST ALONG AN EASTERLY LINE OF SAID ADJUSTED LOT 1A, A DISTANCE OF 264.89 FEET TO THE NORTHERLY CORNER OF ADJUSTED LOT 2 REMAINDER AS SHOWN ON SAID RECORD OF SURVEY DOCUMENT NO. 754143;

THENCE ALONG THE PERIMETER OF SAID ADJUSTED LOT 2 REMAINDER THE FOLLOWING 12 COURSES:

- 1) SOUTH 44°45'21" EAST, A DISTANCE OF 165.48 FEET;
- 2) SOUTH 00°09'31" WEST, A DISTANCE OF 239.35 FEET;
- 3) SOUTH 45°14'39" WEST, A DISTANCE OF 88.83 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY 395;
- 4) SOUTH 44°45'21" EAST ALONG SAID HIGHWAY 395, A DISTANCE OF 159.61 FEET;
- 5) NORTH 00°59'14" WEST, A DISTANCE OF 191.74 FEET;
- 6) NORTH 00°42'58" WEST, A DISTANCE OF 87.16 FEET;
- 7) SOUTH 44°45'21" EAST, A DISTANCE OF 302.87 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF CHARLOTTE WAY AS SHOWN ON THE FINAL SUBDIVISION MAP FOR JEWEL COMMERCIAL PARK PHASE 2 AND AS FILED FOR RECORD ON JULY 24, 1997 IN THE OFFICE OF THE RECORDER, DOUGLAS COUNTY, NEVADA AS DOCUMENT NO. 417846;



8) THENCE NORTH 29°35'16" EAST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 282.76 FEET TO A POINT OF CURVATURE;

9) THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE AND ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 530.00 FEET, A CENTRAL ANGLE OF 10°03'45", AND AN ARC LENGTH OF 93.08 FEET;

10) THENCE NORTH 39°39'01" EAST ALONG SAID NORTHERLY RIGHT OF WAY, A DISTANCE OF 65.21 FEET TO A POINT OF CURVATURE;

11) THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE AND ALONG THE WESTERLY RIGHT OF WAY LINE OF LARSON WAY AS SHOWN ON SAID FINAL SUBDIVISION MAP FOR JEWEL COMMERCIAL PARK PHASE 2 AND THROUGH THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'00", AND AN ARC LENGTH OF 31.42 FEET;

12) THENCE NORTH 50°20'59" WEST ALONG SAID WESTERLY RIGHT OF WAY LINE OF LARSON WAY, A DISTANCE OF 39.48 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 50°20'59" WEST AND CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE OF LARSON WAY, A DISTANCE OF 120.20 FEET TO A POINT OF CURVATURE;

THENCE CONTINUING ALONG THE WESTERLY RIGHT OF WAY LINE OF LARSON WAY AND ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 280.00 FEET, A CENTRAL ANGLE OF 23°05'04", AND AN ARC LENGTH OF 112.81 FEET;

THENCE CONTINUING ALONG THE WESTERLY RIGHT OF WAY OF LARSON WAY NORTH 27°15'55" WEST, A DISTANCE OF 40.83 FEET TO THE NORTHWESTERLY CORNER OF SAID RIGHT OF WAY;

THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF LARSON WAY NORTH 45°44'39" EAST, A DISTANCE OF 62.74 FEET TO THE NORTHEASTERLY CORNER OF SAID RIGHT OF WAY;

THENCE ALONG THE EASTERLY RIGHT OF WAY LINE OF LARSON WAY SOUTH 27°15'55" EAST, A DISTANCE OF 59.17 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE EASTERLY RIGHT OF WAY LINE OF LARSON WAY AND ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 220.00 FEET, A CENTRAL ANGLE OF 23°05'04", AND AN ARC LENGTH OF 88.64 FEET;

THENCE ALONG THE EASTERLY RIGHT OF WAY LINE OF LARSON WAY SOUTH 50°20'59" EAST, A DISTANCE OF 120.20 FEET;



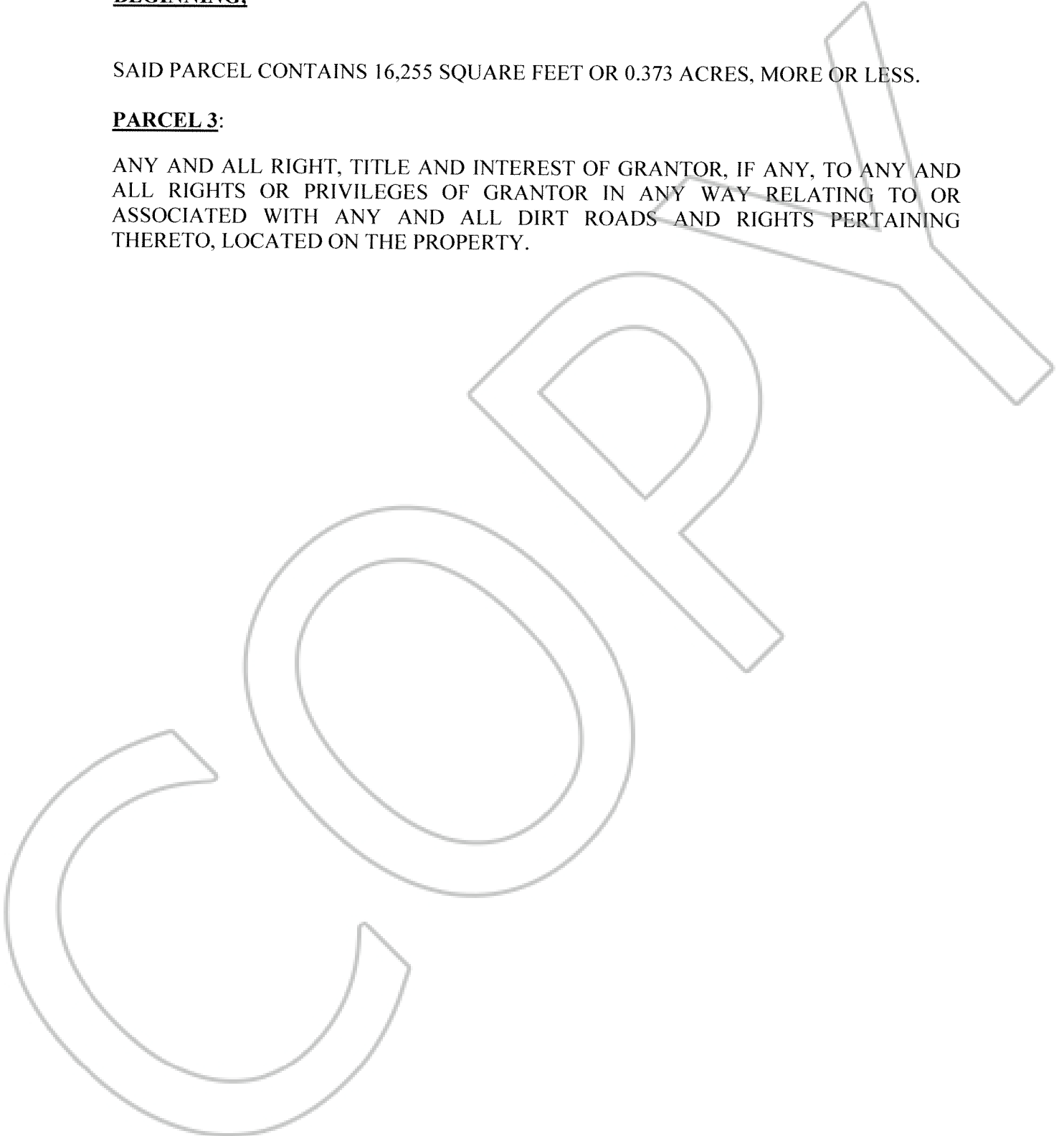


THENCE SOUTH 39°39'01" WEST, A DISTANCE OF 60.00 FEET TO THE **POINT OF BEGINNING;**

SAID PARCEL CONTAINS 16,255 SQUARE FEET OR 0.373 ACRES, MORE OR LESS.

**PARCEL 3:**

ANY AND ALL RIGHT, TITLE AND INTEREST OF GRANTOR, IF ANY, TO ANY AND ALL RIGHTS OR PRIVILEGES OF GRANTOR IN ANY WAY RELATING TO OR ASSOCIATED WITH ANY AND ALL DIRT ROADS AND RIGHTS PERTAINING THERETO, LOCATED ON THE PROPERTY.





**Exhibit "B"**

Permitted Exceptions

1. General and special taxes for the fiscal year 2009-2010, including any secured property taxes, a lien not yet due and payable.
2. A lien of supplemental taxes, if any, assessed pursuant to the provisions of Nevada Revised Statutes 361.260.
3. Water rights, claims or title to water, whether or not disclosed by the public records.
4. Any additional liens which may be levied by reason of said premises being within the Gardnerville Town Water District or the Minden-Gardnerville Sanitation District.
5. Reservations contained in the Patent from the United States of America, recorded March 13, 1906 in Book 1, Page 244 of Patents.
6. Covenants and Contract for providing sewer service by and between Jacobsen Family Trust, as owners, and the Gardnerville Town Water District recorded December 11, 1987, in Book 1287, Page 1731, Document No. 168573, Official Records of Douglas County Nevada.
7. Easements as delineated or offered for dedication on Subdivision Map No. 450962.
8. Easements, dedications, reservations, provisions, recitals, building set back lines, and any other matters as provided for or delineated on the subdivision map of Jewel Commercial Parkway, Phase 2, filed in the office of the County Recorder of Douglas County, on July 24, 1997, in Book 797, Page 4043, as Document No. 417846.
9. Matters disclosed on Record of Survey filed in the office of the County Recorder of Douglas County, Nevada on August 26, 1997 in Book 897, Page 4693, as Document No. 420220.
10. Terms, conditions and provisions of that certain Public Utilities and Subdivision Agreement and Development Agreement for the Jewel Commercial Park, Phase II, upon the terms and conditions contained therein recorded July 18, 1997 as Document No. 0417845, in Book 797, Page 3979, and First Amendment recorded on May 12, 1998, as Document No. 439430, in Book 598, Page 2186, of Official Records.
11. Easements, dedications, reservations, provisions, recitals, building set back lines, and any other matters as provided for or delineated on the Record of Survey filed in the office of the County Recorder of Douglas County, State of Nevada on May 11, 2000, in Book 0500, Page 2513, as Document No. 491782.
12. Easements as delineated for offered for dedication on the Record of Survey recorded as Document No. 734920, Book 1208, Page 4546.





13. Easements, dedications, reservations, provisions, recitals, building set back lines, and any other matters as provided for or delineated on the Parcel Map for Jacobsen Trust, filed in the office of the County Recorder of Douglas County, State of Nevada, on May 13, 1991, as Document No. 250593, on Parcel Map No. 2 Jacobsen Family 1982 Trust, recorded December 21, 1992, as Document No. 295705, and on Parcel Map for Jewell Commercial Park, recorded September 21, 1992, as Document No. 289083.
14. An Agreement for Annexation by and between Stoddard M. Jacobsen and Jewel L. Jacobsen, Trustees of the Jacobsen Family 1982 Trust, as the owner and the Minden and Gardnerville Sanitation District, its terms and conditions contained therein recorded August 8, 1991, in Book 891, Page 1156, Document No. 257285, Official Records of Douglas County, Nevada.
15. Easement(s) for the purpose(s) as delineated or as offered for dedication on the Record of Survey Map No. 754143.
16. Easement granted to Douglas County for public utilities recorded March 5, 1997, Instrument No. 407869, Book 397, Page 707.