

William Arrington  
and M. P. Parlett

Agreement of Sale

with  
John Shoebat

Vanderbilt Series of Mines

This Indenture Made the 15th day of February A. D.  
1879 Between William Arrington and M. P. Parlett

of the Town and County of Eureka, State of Nevada, parties of the first  
part and John Shoebat of the same place party of the second part.

Witnesseth That the said parties of the first part in consideration of the  
covenants promises and agreements on the part of the said party of the second  
part, hereinafter contained, and of the sum of one dollar gold coin of the  
United States to them in hand paid by said party of the second part the  
receipt whereof is hereby acknowledged: do hereby covenant promise and agree  
to and with the said party of the second part that the said parties of the  
first part, will sell and convey unto the said party of the second part all  
that real estate property and premises described as follows: Namely: First:  
That certain Mining ground and those mines, Mining claims and locations,  
lodes or deposits, situate lying and being in the Secret Canon Mining District  
in the said County of Eureka and State of Nevada, and known and des-  
cribed as follows, namely 1st. That certain mining ground and that  
mine mining claims and location, lode or deposits, situate lying and being  
in the Secret Canon Mining District in the State and County aforesaid,  
as located owned and held by and in the name of the "Geddes No 3"  
by Samuel Geddes Louis Bertrand and W. H. Carter on the 19th day of  
August A. D. 1869 and duly recorded in the Records of Eureka Mining  
District in Eureka County Nevada being 800 feet in length & 200 ft wide.  
2nd That certain Mine located owned and held by and in the name of  
the Geddes No 4 by the parties last aforesaid on the same day and recorded  
in Book of Records in the same Mining District being 800 ft. in length by 200  
feet in width. 3rd That certain Mine located owned and held by and in  
the name of the "Bertrand No 2" by the same parties on the same day, also recorded  
in the same Mining District and being 800 feet in length by 200 feet wide.  
4th That certain Mine located owned and held by and in the name of the  
"Geddes No 2" on the 23rd day of August A. D. 1869 by the same parties also and  
recorded in the same Mining District being 800 feet long and 200 feet wide.  
5th That certain Mine located owned and held by and in the name of the  
"Bertrand No. 4" on the 25th day of August A. D. 1869 and recorded in the  
same Mining District being 800 feet in length and 200 feet wide. 6th That  
certain Mine located owned and held by and in the name of the "Bertrand  
No 1" by the said parties on the said last named day and duly recorded in the  
records of the same Mining District, being 800 feet long and 200 feet wide.  
7th That certain Mine located owned and held by and in the name of the  
"Bertrand No 3" on or about the 28th day August A. D. 1869, which said Mine  
is called generally the "Calico Mine" upon and in which is the shaft known as  
the "Calico Shaft" and upon which is the Hoisting Works buildings engine and  
machinery of the parties of the first part. 8th That certain Mine located owned  
and held by and in the name of the "Stockton" or "Stockton No 1" by William  
Criden, W. H. Carter, George Eberhart and Samuel Geddes on the 23rd day of  
August A. D. 1869 and recorded in the said Eureka Mining District, being  
1000 feet long and 200 feet wide. 9th That certain Mining claims located  
owned and held by and in the name of "Stockton No 2" on the same day and  
by the same parties last set forth in the "Stockton No 1" and duly recorded,  
being 1000 feet in length & 200 feet wide. 10th. That certain Mine located

owned and held by and in the name of the "Secret Valley" on the 2<sup>nd</sup> day of September A.D. 1869, recorded in same Mining District being 800 feet long by 200 feet wide. All of which mines hereinbefore named were recorded in the Records of Eureka Mining District before the Secret Cañon Mining District was organized and set off from the Eureka Mining District. 11<sup>th</sup> That certain Mine located owned and held by and in the name of the "Osborne and Elzy" on the 9<sup>th</sup> day of October A.D. 1873 by J. B. Osborne & J. Elzy and G. J. Gardner, and duly recorded in the Records of the Secret Cañon Mining District in said Eureka County, being 600 feet long and 200 feet wide - Together with all the dips spurs and angles, also all the metals ores gold and silver bearing quartz rock and earth contained in said Mines mining claims and locations and each and every of them. "Second" That certain wagon road of the parties of the first part leading from the Mines to the mouth of Cave Cañon in said Secret Cañon Mining District, and all the graded wagon roads owned by the parties of the first part and used for the property herein described. "Third" All those pieces parcels or tracts of land and Wood Ranches, situate lying and being upon and adjoining the said Mines in the said County of Eureka, bounded and described as follows - Namely 1<sup>st</sup>. That certain tract of land - beginning at a Mahogany tree marked "1" about 1/2 mile west of the line between Eureka and White Pine Counties, State of Nevada about 600 feet north of the house formerly occupied by Samuel Seddes and running thence 1 S 80 chains to a Mahogany tree marked "2" - thence 2 N 20 chains to a Mahogany tree marked "6" thence - 3 N 80 chains to a Mahogany tree marked "7" thence 4 E 20 chains to the place of beginning, containing 160 acres, surveyed by the true Meridian, duly located surveyed and recorded in the Records of the said County of Eureka. 2<sup>nd</sup>. That certain piece of woodland beginning at the Southeast corner of the land last described and running thence 1 E 20 chains to a pine tree marked "3" thence 2 N 80 chains to a stake marked 8 - thence 3 W 20 chains to a Mahogany tree marked "4" - thence 4 S 80 chains to the place of beginning, containing 160 acres, located surveyed and recorded in manner and place as in the 1<sup>st</sup> piece of woodland before described. 3<sup>rd</sup>. That certain piece of wood and timbered land beginning at the S. E. corner of the land as in the "1<sup>st</sup>" described, thence running 1 E. 20 chains to a pine tree marked 3 - thence 2 S. 40 chains to a pine tree marked 4 - thence 3 W 40 chains to a Mahogany tree marked 5 - thence 4 N 40 chains to a Mahogany tree marked 6 - thence 5 E 20 chains to the place of beginning; containing 160 acres, located surveyed and recorded in manner and place as in the piece of land in the "1<sup>st</sup>" described. 4<sup>th</sup>. That certain piece of wood and timbered land beginning at a Mahogany tree marked 7 at the N. W. corner of the land in the "1<sup>st</sup>" described and running thence 1 N. 20 chains to a stake marked 9 - thence 2 W 20 chains to a stake marked 10, thence 3 S 80 chains to a Mahogany tree marked 11 - thence 4 E 20 chains to a stake marked 12 - thence 5 N 60 chains to place of beginning; containing 160 acres, located surveyed and recorded in manner and place as in the piece of land in the "1<sup>st</sup>" described - All of which said several pieces of land are more particularly designated by a wood and brush fence which inclose each and all thereof. Fourth. All those certain Springs of water and the land upon and in which the same issue situate near the premises herein described in said Eureka County, together with the pipes and conduits by which the same is conveyed to the hoisting works and mill & furnace site of the parties of the first part

and the tanks, appliances and fixtures connected therewith.  
 Fifth. The Mill and Furnace site near the road leading from the Town of Eureka in said Eureka County to Vanderbilt in same County in close proximity to the Hoisting Works with the Iron building thereon and the Office opposite thereto. Together with all and singular the tenements, hereditaments and appurtenances, buildings, erections, machinery of all kinds, & improvements in or upon or in any way belonging or appertaining to the said mines, lands, water rights and premises. That is to say the said parties of the first part will sell and convey all and every part of the said property and premises herein described for the sum of Eighty thousand (80,000) dollars in gold coin of the United States to them by the party of the second part paid on or before the 25th day of May A. D. 1879 at the Town and County of Eureka State of Nevada. And the party of the second part, in consideration of the covenants promises and agreements on the part of the parties of the first part herein before contained and of the sum of one dollar gold coin of the United States the receipt whereof is hereby acknowledged, covenants promises and agrees to and with the said parties of the first part, that the said party of the second part will pay unto the said parties of the first part the sum of Eighty thousand dollars (80,000) in gold coin of the United States on or before the 25th day of May A. D. 1879; And the said parties of the first part upon the payment or tender to them of the said sum of Eighty thousand (80,000) dollars gold coin of the United States at the Town and County of Eureka, Nevada on or before the 25th day of May A. D. 1879, also agree that they will execute and deliver unto the party of the second part immediately a good and sufficient deed of bargain and sale conveying unto the party of the second part their title to the said premises free from all incumbrances and their forthwith surrender the possession thereof to the party of the second part. It is understood that in case the party of the second part shall fail to pay the said sum of Eighty thousand dollars within the time herein specified, this agreement shall become and be null and void of no force or effect against any of the parties hereto but shall be determined and cancelled and discharged of record by either of the parties hereto, and that time shall be considered and is of the essence of this agreement. And it is understood that the covenants promises and agreements herein contained shall apply to and bind the heirs, executors, administrators and assigns of the respective parties. In Witness Whereof the parties hereto have set their hands and seals the day and year first above written.

In presence of  
 C. J. Lansing

Wm. Arington      Seal  
 M. B. Bartlett      Seal  
 Jno Shoobar      Seal

State of Nevada }  
 County of Eureka } ss.

On this 24th day of February A. D. one thousand eight hundred and seventy nine before me, C. Levy, Recorder and ex-officio Auditor in and for said Eureka County, personally appeared the within named Wm Arington M. B. Bartlett and John Shoobar whose names are subscribed to the annexed instrument, as parties thereto, personally known to me to be the individuals described in and who executed the said annexed instrument, and they and each of them duly acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein mentioned.

In Witness Whereof, I have hereto set my hand and  
affixed my Official Seal, in said County, the day and year  
in this Certificate first above written.

Benj. C. Levy, Recorder By W. P. Steichelman, Deputy.

Recorded at the Request of Mrs. Avington, February 24th A. D. 1879,  
at 30 min. past 3 P. M.

Benj. C. Levy, Recorder.