

Buckhorn Town & Mining Company

no 3865

Recorder

to

Dan P Murphy
J C McCormack

Lot No 1.

Block No 11.

This Indenture made this 19th day of August 1910 at Buckhorn, Eureka County, State of Nevada, between The Buckhorn Town and Mining Co, party of the first part, and Dan P. Murphy and J. C. McCormack party of the second part, Witnesseth: - That the party of the first part for and in consideration of the sum of Ten and ^{no}/₁₀₀ Dollars to him in hand paid, receipt whereof is hereby acknowledged in full payment and for the further consideration of the agreement between the parties hereto for themselves, their heirs, successors, assigns and legal representatives, that this lease is for surface rights only and that there is reserved from the premises herein leased all ore and mineral rights on, in and under the premises herein leased, with the right to mine and remove the same and to tunnel or drift under said premises for mineral, and all such other mining rights and privileges as shall not interfere with the safe, quiet and peaceable possession of the said party of the second part, his heirs and assigns, to the surface of the premises herein leased, for the ordinary use of said surface for townsite purposes; and said party of the second part, by accepting this lease for himself, his heirs, executors, administrators and assigns, consents and agrees to the reservations and conditions aforesaid and also in further consideration that the said party of the second part, his heirs or assigns, shall never present or prosecute any claims against the party of the first part his heirs, legal representatives or successors in interest, for damages done by any mining under said premises that does not interfere with the free and safe use for townsite purposes of the surface of the said premises; - has leased, let and demised and by these presents does lease, let and demise unto the party of the second part, his heirs and assigns, the surface only of the following described premises, situate in the Buckhorn Mining District, Eureka County, State of Nevada, particularly described as follows, to-wit, Lot No 1 Block No 11 - Townsite of Buckhorn, according to the plat thereof; To Have and To Hold the same until patent for said premises shall be issued by the United States to the party of the first part, his heirs, assigns or legal representatives subject to the following conditions: That the party of the second part shall pay to the party of the first part, his heirs, assigns, or legal representatives, as rental for said premises the sum of One Dollar (\$1.00) on the first day of July each year, until deed shall pass as herein provided; And the party of the first part further agrees that if the party of the second part shall pay to the party of the first part, his heirs, assigns, or legal representatives the rental as aforesaid, and for the further consideration of One Dollar (\$1.00) to be paid,

by the party of the second part, his heirs, and assigns to the party of the first part, his heirs, assigns or legal representatives, within six (6) months after the date of filing in the office of the County Recorder of Eureka County aforesaid of patent from the United States for said premises, made to the party of the first part, his heirs, assigns or legal representatives, and time is of the essence hereof, then the party of the first part, his heirs, assigns or legal representatives, shall thereupon make, execute and deliver to the party of the second part, his heirs or assigns a good and sufficient deed to the surface of said premises as heretofore subscribed, reserving and excepting the minerals and mining rights in substance and form as heretofore reserved.

It is mutually understood and agreed by and between the parties hereto that should default be made in any of the payments as heretofore reserved, or in any of the covenants or conditions herein contained all rights of the party of the second part, his heirs and assigns, to the possession of said premises and hereunder, shall thereupon cease, and the possession of said premises shall revert to the party of the first part, his heirs, assigns and legal representatives, and all payments theretofore made hereunder shall be and remain the property of the party of the first part, his heirs, assigns and legal representatives, as rental for said premises and the party of the first part his heirs, assigns and legal representatives, their and each of their agents or attorneys, may enter said premises and dispossess all persons therefrom using such force as may be necessary thereto.

In Witness Whereof the parties hereto have hereunto set their hands and seals the day and year first above written.

The Buckhorn Town and Mining Co (seal)

by W. P. McCrea Secy (seal)

Recorded at the request of J. C. McCormack Aug 25, 1910 at 10 mins past 5 pm
C. H. Gorman Recorder