

--File No.11765--

JENNIE C.D.MEYER,Trustee.)
and)
JAMES C.DUNPHY.) AGREEMENT.

IT IS AGREED between JENNIE C.D.MEYER,trustee uhder the Will of William Dunphy,deceased, and JAMES C.DUNPHY,as follows:

FIRST:James C.Dunphy hereby sells and Jennie C.D.Meyer,trustee,hereby buys the share and interest of James C.Dunphy in all live stock,reserving one saddle horse,upon the lands known as "Dunphy Ranch",situated in the counties of Elko,Eureka and Lander,in the State of Nevada,for the agreed price of Forty-five thousand dollars,to be paid as follows:

Fifteen thousand dollars in cash to be paid March 1,1917,or as sonn thereafter as Trustees' loan is consummated;

Twelve thousand five hundred dollars to be paid as James C.Dunphy's proportion of the sums required to be paid pursuant to a Decree rendered October 11,1916,in an action entitled "Viola Burnett vs.Jennie C.D.Meyer",in the District Court of Elko,Nevada.

Ten thousand nine hundred and nine dollars to be paid to the State of Nevada,being the amount remaining due from James C.Dunphy upon contracts of purchase.

Six thousand five hundred and ninety-one dollars bya promissory note of Jennie C.D.Meyer trustee,payable on or before one year from its date with interest at six per cent per annum, interest payable monthly(the trustee agrees that as soon as she receives from any source sufficient money for the purpose,she will apply it to the payment of said note before the expiration of said year)

SECOND: James C.Dunphy leases to Jennie C.D.Meyer trustee,all of his land set apart to him by Decree of Partition,dated Aug.16,1916,together with his water rights and personal property not sold by this Agreement,for the term of one year beginning April 1,1917,for the monthly rent of four hundred dollars a month.James C.Dunphy agrees that provided said rent be punctually paid he will waive any claim to share in the net income from the trust accruing to said trustee during said lease,to the extent of \$250.a month

The lessee agrees to keep the improvements on said land in ordinary repair and to pay according to the Decree of October 11,1916,the second installment of taxes becoming delinquent next June.The lesse also agrees to pay the installment of taxes which must be paid in December 1917.

E.W.B.
N.P.

THIRD: During the term of said lease James C.Dunphy agrees that if the trustee should make a sale of the portion of said Ranch belonging to the trustee,he will join with the trustee and sell his part upon the same terms as the trustee,provided that the price be not less than \$10.00 per acre.And he authorizes and empowers the said Jennie C.D.Meyer to execute in his name during said year a contract with a purchaser to make such sale,provided that such contract be also executed by said trustee.

PROVIDED that the whole of this Agreement shall be dependent on the trustee obtaining the loan of One Hundred thousand dollars from the Hibernia Bank on the lands in Nevada,set apart to the trustee.

E.W.B.
N.P.

Dated this 28th day of February,1917.

JAMES C DUNPHY

STATE OF CALIFORNIA)
) ss.
CITY AND COUNTY OF SAN FRANCISCO.)

On this 28th day of February in the year One Thousand Nine Hundred and seventeen before me,EDITH W.BURNHAM,a Notary Public in and for the said City and County of San Francisco, residing therein,duly commissioned and sworn,personally apperaed James C.Dunphy known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal in the City and County of San Francisco, the day and year in this certificate first above written.

EDITH W. BURNHAM

Notary Public

(Notary Public Seal)

In and for the City and County of San Francisco, State of California.

Endorsed: Agreement Between Jennie C.D. Meyer, Trustee, and James C Dunphy. DATED; this 28th day of February 1917. 18055 State of Nevada County of Elko. Filed for Record at Request of A.D. Tobin on the 23 day of Mar 1917 at 11-45 o'clock A.M. and recorded in book 6 of Miscellaneous Page 253-254 inclusive records of said county.

W.G. Greathouse

County Recorder.

Recorded at the request of A. Moore May 14 A.D. 1917 at 25 minutes past 10 A.M.

Edgar Eather, Recorder.