Peter Merialdo --- Recorder.

File No.23607.

C.J.Samuels, et al.)

to

R. W. Gergen.

ROYALTY AGREEMENT

THIS AGREEMENT, made and entered into at Salt Lake City, Utah, this 29th day of May, 1940, by and between C.J. Samuels, J.L.Bay, and Glen Sharer, Parties of the First Part, and R.W.Gergen, Party of the Second Part.

WITNESSETH:

WHEREAS, the Parties of the First Part have purchased from C.W. Holt and Wallace Holt four unpatented lode mining claims located in the Diamond Mining District, County of Eureka, State of Nevada, to-wit: Edith Ohlin #1 Edith Ohlin #2 Edith Ohlin #3 Edith Ohlin #4

AND WHEREAS, the First Parties have located and are now the owners of the following lode mining claims located in the aforesaid Diamond Mining District, County of Eureka, State of Nevada, to-wit: Sharer #1

AND WHEREAS, the Second Party is desirous of purchasing from First Parties a Ten (10%) per cent royalty on the net smelter returns of all ore mined and shipped from the aforesaid mining claims.

NOW, THEREFORE, for and in consideration of \$1.00 and other valuable considerations, the receipt of which is hereby acknowledged, the Parties of the First Part hereby assign and sell to the Party of the Second Part a royalty of Ten (10%) per cent to be based on the net smelter returns from all ores mined andshipped from the aforesaid properties; it being understood and agreed that said royalties shall apply on ores mined and shipped during the life of this lease, and when First Parties have completed purchasing of said claims that the royalty shall be a permanent royalty and in the event First Parties at any time in the future sell said property that said sale shall be subject to the said Ten (10%) per cent royalty; it being understood and agreed that the royalties to apply on ores shipped from the Sharer and Sharer #1 shall be a permanent royalty and in the event First Parties sell said claims that said sale shall be subject to the aforesaid Ten (10%) per cent royalty.

	F	irst 1	Parties	agree	to	direc	t the	Smel	ter t	o w	hich	said	ores	are	shippe	d to	deduc	t from	n the
net	sme	elter	returns	s the	afor	resaid	l Ten	(10%)	per	cen	t ro	yalty	here	inab	ove mer	tion	ed and	mail	same
to	the	First	t Nation	nal Be	ınk,	Salt	Lake	City,	Utal	to	be 1	placed	l to	the	credit	of t	he Sec	ondPar	ty.

IN WITNESS WHEREOF, the Parties hereto have hereunto affixed their signatures at Salt Lake City, Utah, this 29th day of May, 1940.

	Glen Sharer
WITNESSES:	Parties of the First Part.
	R. W. Gergen
	Party of the Second Part

C.J. Samuel

COUNTY OF SALT LAKE SS STATE OF UTAH.

On this 29th day of May, 1940 personally appeared before me C.J. Samuels, J.L. Bay, and Glen Sharer, who duly acknowledged to me that they signed and executed the above instrument.

My commission expires:

Notary Public Residing at Salt Lake City, Utah

Recorded at the request of Celia Gergen Sept. 24, A.D. 1940 At 0 minutes past 11 A.M.

Peter Merialdo---Recorder.