

File No. 32789

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Attorney for Plaintiff

Conformed Copy

THE ANNEXED INSTRUMENT IS A CORRECT COPY
OF THE ORIGINAL ON FILE IN MY OFFICE

ATTEST: CERTIFIED

JUN 8-1956

MARTINE MONGAN, COUNTY CLERK of San Francisco
and Ex-Officio Clerk of the Superior Court
of the State of California, in and for the
City and County of San Francisco.

By /s/ A. McLaughlin, Deputy

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

EDGAR FORBES WILSON,
PLAINTIFF,
V.
PHOENIX SILVER MINING COMPANY
Defendant.

No. 408 387

ENDORSED

F I L E D

Jun 8, 1956

MARTIN MONGAN, Clerk

By /s/ A. McLaughlin

Deputy Clerk

ORDER APPROVING CONTRACT AND AUTHORIZING
SALE AND CONVEYANCE OF REAL PROPERTY

The petition of EDGAR FORBES WILSON, EMIL ANDKER, MAUD WILSON SUTTON, PAUL BANCROFT, JR. and JEROME POLITZER, as Trustees of said PHOENIX SILVER MINING COMPANY, a California corporation in Process of Winding Up and Dissolution, for an order approving the hereinafter described contract and authorizing sale and conveyance of subsequently described real and mining property, coming on regularly to be heard on June 8, 1956, the Court, after examining the petition and hearing the evidence and no one appearing to except or contest said petition, finds that due notice of the hearing of such petition has been given as required by law, and the order of Court, that the allegations of said petition are true, that it is for the advantage and best interests of said PHOENIX SILVER MINING COMPANY, the owners of its shares of stock and all other persons interested in said corporation that the written contract of sale made March 3, 1956, between said PHOENIX SILVER MINING COMPANY and its said trustees and the EUREKA CORPORATION, LIMITED, A Nova Scotia, Canada corporation, and the confirmation of which is prayed for in the said petition of the trustees, be approved and ratified; that one hundred per cent (100%) of the owners of the issued and outstanding shares of the capital stock of said PHOENIX SILVER MINING COMPANY have consented in writing to the making of said contract of sale of March 3, 1956, by said corporation and by its trustees, with said EUREKA CORPORATION, LIMITED, and have consented in writing to the said sale of the real and mining properties of PHOENIX SILVER MINING COMPANY, all as prayed for in said petition; that the consideration provided for in said written contract of sale of 25,000 shares of the fully paid and non-assessable shares of common capital stock of said EUREKA CORPORATION, LIMITED, which is to be paid for the said and hereinafter-described real property of PHOENIX SILVER MINING COMPANY, and the inactive mining claims of said PHOENIX SILVER MINING COMPANY also hereinafter described, is adequate;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the said written contract of sale of March 3, 1956 between the said corporation and the petitioners, as trustees of PHOENIX SILVER MINING COMPANY, with said EUREKA CORPORATION, LIMITED, and that the sale of said real and mining properties called for by said contract and prayed for in said petition are hereby approved and ratified; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that said EDGAR FORBES WILSON, EMIL ANDKER, MAUD WILSON SUTTON, PAUL BANCROFT, JR. and JEROME POLITZER, as Trustees of PHOENIX SILVER MINING COMPANY, a Corporation, be and they are hereby authorized to make, execute and deliver in their trustee capacity, upon receipt from purchaser, EUREKA CORPORATION, LIMITED, of 25,000 shares of fully-paid and non-assessable shares of the common capital stock of said EUREKA CORPORATION, LIMITED, to be issued by said purchaser in the name of EMIL ANDKER as the nominee of said PHOENIX corporation and of said trustees, a DEED of conveyance to said EUREKA CORPORATION, LIMITED, of the following-described real property:

ALL those certain inactive mining claims and real property located in EUREKA COUNTY, STATE OF NEVADA, known as the "PHOENIX MINE" more particularly described as follows:

That certain mining property known as the "PHOENIX MINE" situated on Ruby Hill and lying between the mining claims known as the "Jackson" and "Eureka Consolidated" and containing about two and fifteen one-hundredths (2.15) acres together with the mill site thereon, which property is patented as the "Addams and Farren and Deep Mine" lot or survey No. 116, General Land Office and Mineral Certificate No. 311, recorded in the General Land Office in Vol. 32, Page 399 to 404 inclusive,

and in the Eureka County Records of Nevada in Vol. 6 of Deeds at Page 319.

and that said conveyance may be executed by any three of the trustees who shall have authority to make and execute the same and any other documents and papers to carry out and complete said sale in behalf of the full number of trustees.

IT IS LASTLY ORDERED, ADJUDGED AND DECREED That no liability shall attach personally to any of said trustees as to any matter or thing done by said trustees in making the or in connection with the conveyance of said realty and mining properties and said contract; and that the PHOENIX SILVER MINING COMPANY itself, to the extent of its assets, shall carry and be responsible for any such liability.

DATED: June 8th, 1956.

THOS. M. FOLEY
JUDGE OF THE SUPERIOR COURT

Recorded at the Request of Al O'Connell, November 29 A.D. 1956 At 15 minutes past 10 A.M.
E. B. Crane, Recorder.
By Marian Herrera, Deputy.