

File No. 33995

WOODBURN, FORMAN, WEDGE, BLAKEY and THOMPSON
and GRAY AND HORTON

Attorney's for Plaintiff

IN THE THIRD JUDICIAL DISTRICT COURT OF THE STATE OF
NEVADA, IN AND FOR THE COUNTY OF EUREKA

EUREKA CORPORATION LIMITED
a corporation
Plaintiff,

-VS-

RICHARD-EUREKA MINING CO.
a corporation
Defendant

LIS PENDENS

LIS PENDENS

NOTICE IS HEREBY GIVEN, that an Action has been commenced in the Third Judicial District Court of the STATE OF NEVADA, in and for the County of Eureka, by the above named Plaintiff, EUREKA CORPORATION LIMITED, a corporation, against RICHMOND EUREKA MINING COMPANY, a corporation, the above named Defendant, to cancel and set aside certain deeds, and conveyances wherein Plaintiff is the Grantor and the Defendant is the Grantee and to have reconveyed to said Plaintiff all the property hereinafter described in Exhibit "B" attached hereto and to annul any and all title or claim to title now made by said Defendant to the property described in said deeds and conveyances, which property is situate in the County of Eureka, State of Nevada, and are more particularly described in Exhibit "B" which Exhibit is attached hereto, hereby referred to, and by such reference made a part of this notice as though set forth herein haec verba;

Said action also seeks a judgment by which title will be reconveyed to said Plaintiff, of all buildings, structures, machinery and equipment which is now situate upon the real property described in Exhibit "A" Which attached to, is hereby referred to and by such reference made a part hereof as though set out herein haec verba.

DATED the _____ day of December, 1958.

WOODBURN, FORMAN, WEDGE, BLAKEY and THOMPSON

and

GRAY AND HORTON

By W. Howard Gray
Attorney's for Plaintiff

1. Certain real property situated and lying and being in the Townsite of Eureka, County of Eureka, State of Nevada, described as follows:

Lots number Eight, Nine and Ten in Block Eighteen;
Also, Lots number Eleven, Twelve, Thirteen, Fourteen, Fifteen, Sixteen, Seventeen, Eighteen, Nineteen and Twenty in Block Thirty-nine-C;
Lots Twenty-seven, Twenty-eight, Twenty-nine, Thirty, Thirty-one, Thirty-two and Thirty-three in Block Seventy-seven;
All of Block Eighty-seven;
All of Block Eighty-six;
Lot Five in Block One Hundred Twenty-one;
Lots Twelve, Thirteen, Fourteen, Fifteen, Sixteen, Seventeen, Eighteen, Nineteen and Twenty in Block Thirty-nine-B;
Lots Eight, Nine, Ten, ~~Eleven~~, Twelve and Thirteen in Block Thirty-nine-A;

Also that certain parcel of land known as the old railroad grade and which is more particularly described as follows:

Beginning at the Northwest corner of Lot Eleven, thence North 1°08' West along the West end line of Lots Twelve, Thirteen, Fourteen, Fifteen, Sixteen, Seventeen, Eighteen, Nineteen and Twenty to the Northwest corner of Lot Twenty in Block Thirty-nine-B, thence South 77°30' West a distance of 25.31 feet to the Northeast corner of Lot Twenty in Block Thirty-nine-C, thence South 1°01' East along the East end line of Lots Twenty, Nineteen, Eighteen, Seventeen, Sixteen, Fifteen, Fourteen, Thirteen and Twelve to the Northeast corner of Lot Eleven in Block Thirty-nine-C, thence North 77°30' East a distance of 25.31 feet, more or less, to the Northwest corner of Lot Eleven in Block Thirty-nine-B, the place of beginning;

Also, all of that part of Lot Twenty, Block Seventy-eight which is particularly described as follows:

Beginning at the Northeast corner of Block Seventy-eight, thence South 9°09' East along the East side of said Block 225.05 feet to a point, thence South 80°51' West, 145.64 feet to a point on the West side line of said block, thence North 9°09' West 235 feet to the north-west corner of said Block on South line of Block One Hundred Thirteen, thence North 84°45' East, 145.98 feet to the Northeast Corner, the place of beginning and containing 33,501.4 square feet;

Also, all of that parcel of land particularly described as follows:

Beginning at the Northeast corner of Block Seventy-seven, thence along the North end line of Block Seventy-seven, South 80°51' West a distance of 73.22 feet to Corner No. 1 of Block One Hundred Thirteen, thence along the Eastside line of Block One Hundred Thirteen, North 5°15' West, 466 feet to Corner No. 4 of said Block One Hundred Thirteen, thence North 80°51' East, 382.2 feet to a point on the West side line of Block One Hundred Fourteen, thence South 15°00' East a distance of 148.7 feet along the West side line of Block One Hundred Fourteen to Corner No. 10 of said Block, thence south 12°30' East, 185.5 feet to Corner No. 9 of Block One Hundred Fourteen, thence South 77°30' West a distance of 30 feet, to a point, thence South 12°21' East a distance of 130.28 feet to the Northeast corner of Block Seventy-seven, the place of beginning and containing 30,039.1 square feet.

Also, that part of Block Sixty-seven which is particularly described as follows:

Beginning at the Northwest corner of Block Sixty-seven, thence along the North line of said Block, North 81°27' East a distance of 273.35 feet to a point, thence South 8°33' East a distance of 125.43 feet to a point on the South line of said Block, thence South 81°27' West a distance of 273.35 feet to the Southwest corner of said Block, thence North 8°33' West a distance of 125.43 feet to the Northwest corner, the place of beginning and containing 34,286.3 square feet.

The lots and blocks referred to in the fore-going descriptions are described according to the map of the townsite of Eureka, approved by the United States Land Office on November 19, 1937, and on file in the office of the Recorder of said County of Eureka, State of Nevada.

Together will all and singular the dumps, water and water rights, plant, fixtures, improvements, rents, issues, profits, rights, privileges and appurtenances therunto belonging.

2. All those certain town lots situate, lying and being in the Twon of Eureka, County of Eureka, State of Nevada, described as follows:

Lots 18 and 19 in Block No. 17;
Lots 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17 and 18 in Block No. 18;
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 16, 18, 19, 20, 21, 22, 23 in Block No. 19;

of the townsite of Eureka, according to the map thereof, approved by the United State Land Office on November 19, 1937, and on file in the office of the County Recorder of Eureka County, State of Nevada,

Together with all and singular the dumps, water and water rights, plant, fixtures, improvements, rents, issues, profits, rights, privileges and appurtenances thereunto in anywise belonging.

3. All those certain lode mining claims, town lots and water and water rights situated and lying and being in the County of Eureka, State of Nevada, described as follows:

<u>PATENTED CLAIMS</u> <u>In Eureka Mining District</u>	
<u>Name of Claim</u>	<u>Lot or Survey Number</u>
Alabama	106
Badger	218
Bowman	175
Central Consolidated	268
Europa (also described in prior grants as Eurapa Consol. or Europa Consolidated)	176
Fredrika	269
General Lee	120
Little Giant	192
Margaretta (also described as Margarita)	1946
Members No. 2 and/or Members	281
Morning Star	249
Macon City	250
Oriental & Belmont Consolidated (also described in prior grants as Oriental and Belmont Consol.)	196
Racine	489
Wide West	105
Horizontal	316
Democrat	310
Central Hill	273
Isandula	213
Connell	190
Harlem and Eureka Belle Consolidated (also described in prior grants as Harlem & Eureka JBelle Consolidated or Harlem and Eureka Belle Con.)	262
Maud C	307
Silver Bill and Diagonal (also described in prior grants as Signal Bell & Diagonal, Signal Bell and Diagonal or Silver JBill & Diagonal or Silver Bill and Diagonal)	255
Jack & Scanland (also des- cribed in prior grants as Jack & Scalon or Jack and Scanland Patent No. 6057 or Jack and Scanlon)	217
Cyanide	4686
Richmond Extension	4686
Richmond Extension No. 1	4686
Richmond Extension No. 2	4686
Richmond Extension No. 3	4686
Richmond Extension No. 4	4686
Richmond Fraction	4686
Ruby Hill No. 1	4686
Ruby Hill No. 2	4686
Ruby Hill Fraction	4686
Lone Pine	4686
Monarch No. 2	4686
Monarch No. 3	4686
Silver Lick and Bobby Burns Consolidated (also described as Silver Lick and Bobbie Burns Consol.)	75
Vera Cruz and California Consol. (also described as Vera Cruz and California)	76
Minerva	292
Protection	300
Herculean	317
Green Seal	167A
Charter	297
Pride of the West	267
Patroon and Grand Delivery Consolidated (also described as Patroon and Grand Delivery Con.)	261
Hope Consolidated	206
Belle of the West No. 2	271
Western and Winchester (also described in prior grants as Western & Winchester)	216

Together with all and singular the mines, minerals, lodes and veins within the lines of said claims and their dips, spurs and angles, and all dumps, water and water rights, plant, fixtures, improvements, rights, privileges and appurtenances thereunto in anywise belonging.

TOWN LOTS SITUATED IN THE TOWN OF EUREKA

Lots 17, 18, 19, 20, 21, 22, 23, 24 and 25 in Block Number 17.

Lots 1, 2, 3, 4, 5, 6, 7 and 8 in Block No. 18.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 in Block Number 19 of the Townsite of Eureka, according to the map thereof approved by the United States Land Office

on November 19, 1937, and on file in the Office of the Recorder of the County of Eureka, State of Nevada,

Together with all and singular the dumps, water and water rights, plant, fixtures, improvements, rents, ~~issues~~, issues, profits, rights, ~~privileges~~ and appurtenances thereunto in anywise belonging.

WATER AND WATER RIGHTS

Certificate of appropriation No. 4423- Certificate record No. 1164 Recorded in Book 5, page 1164 in the office of the State Engineer, Carson City, Nevada, and in Book "A" page 177 of Water Location in the office of the JCounty Recorder, Eureka JCounty, Nevada; Certificate of appropriation No. 4897 - Certificate Record No. 1165 Recorded in Book 5, page 1165 in the office of the State Engineer, Carson City, Nevada, and in Book "A" page 178 of Water Locations in the office of the County Recorder of Eureka Coutn, Nevada, together with all the water and water rights therein referred to in the said certificates above mention and described.

4. All those certain lode mining claims situated and lying and being in Eureka Mining District, County of Eureka, State of Nevada, bounded and described as follows, to wit:

Location monument of Rye approximately 1500 feet south of Holly shaft, and claiming 1000 feet westerly from location monument and 500 feet easterly from location monument with 300 feet on each side of the lode line.

Location monument of Bourbon approximately 2100 feet south of Holly shaft, and claiming 1000 feet westerly of location monument and 500 feet easterly from location monumnt together with 300 feet on each side of the lode line.

The above description is intended to be and is the description of all of that certain mining claim located on the first day of September, 1939, by J. J. Depaoli and recorded in K Book of Eureka Mining Claims, page 283, together with all of the dips, spurs and angles thereof.

5. All those certain lode mining claims istuated and lying and being in Eureka Mining District, County of Eureka, State of Nevada, set forth as follows:

Boom, Boom No. 1, Boom No. 2, Boom No. 3, situated in the SE $\frac{1}{4}$ of Section 15, T. 19 N., R. 53 E., M.D.B. & M., and bounded and described as follows, to wit:
By Bourbon lode, on the east by December No. 3 lode, on the south by December No. 2 and Last Fraction, and on the west by Democrat Lot No. 310.

The above description is intended to be and is the description of all those certain mining claims located on the 17th day of February 1945 by Carl R. Harris and recorded in Book K of mining claims, pages 297 to 299 in the office of the County Recorder of Eureka County, Nevada, together with all of the dips, spurs and angles thereof.

6. All those certain lode mining claims situated and lying and being in Eureka Mining District, County of Eureka, State of Nevada, described as follows:

PATENTED CLAIMS

<u>Name of Claim</u>	<u>Lot or Survey No.</u>
Holly	122
Bull Whacker	51
Silver West	131

UNPATENTED CLAIMS

Location certificate of record in the office of the County Recorder of said county

	<u>Book</u>	<u>Page</u>
Holly No. 2	K	364
Holly No. 3	K	365
Bull Whacker No. 2	K	362
Bull Whacker No. 3	K	363
Silver West No. 2	K	366

Togehther with all and singular the mines, minerals, lodes and veins within the lines of said claims and their dips, spurs and angles, and all dumps, water and water rights, plant, fixtures, improvements, rights, privileges and appurtenances thereunto in anywise belonging.

7. All those certain lode mining claims and other real property situated and lying and being in Eureka Mining District, JCounty of Eureka, State of Nevada, described as follows:

UNPATENTED CLAIMS

Name of Glaim

March Ex. No. 2
November No. 2
September No. 2
Hope Ex. No. 2
Hope No. 3

Together with all and singular the mines, minerals, lodes and veins within the lines of said claims and their dips, spurs and angles, and all dumps, water and water rights, plant, fixtures, improvements, rights, privileges and appurtenances hereunto in anywise belonging.

8. All those certain lode mining claims and other real lproperty situated and lying and being in Eureka Mining District, JCounty of Eureka, State of Nevada, described as follows:

UNPATENTED CLAIMSName of Claim

R-E No. 27
 R-E No. 28
 R-E No. 30
 R-E No. 31
 R-E No. 34
 Weary Fraction
 December No. 7
 December No. 8
 December No. 9
 December No. 10
 March Ex. Fraction
 October Fraction
 November Fraction
 March Ex. No. 3
 March Ex. No. 4
 March Ex. No. 5
 March Ex. No. 6
 November
 November No. 1
 Mercury
 Triangle Fraction
 Hope
 Hope No. 1
 Hope Extension
 Hope Ex. No. 1
 Hope No. 2

Together with all and singular the mines, minerals, lodes and veins within the lines of said claims and their dips, spurs and angles, and all dumps, water and water rights, plant, fixtures, improvements, rights privileges and appurtenances hereunto in anywise belonging.

9. All those certain lode mining claims situated and lying and being in Eureka Mining District, County of Eureka, State of Nevada, described as follows, to wit:

Porphyry Fraction
 Fox Fraction
 New Years Fraction

Together with all and singular the mines, minerals, lodes and veins within the lines of said claims and their dips, spurs and angles, and all dumps, plant, fixtures, improvements, rights and privileges and appurtenances hereunto in anywise belonging.

10. All those certain lode mining claims and other real property situated and lying and being in Eureka Mining District, County of Eureka, State of Nevada, described as follows:

UNPATENTED CLAIMS

Adams Hill Extension as amended August 17, 1945
 Adams Hill Extension No. 1 as amended August 17, 1945
 Adams Hill Extension No. 2 as amended August 18, 1945
 Adams Hill Extension No. 3 as amended August 18, 1945
 Adams Hill Extension No. 4 as amended August 3, 1945
 Adams Hill Extension No. 5 as amended August 3, 1945
 Adams Hill Extension No. 6 as amended August 3, 1945
 Adams Hill Extension No. 7 as amended August 3, 1945
 Adams Hill Extension No. 8 as amended August 2, 1945
 Adams Hill Extension No. 9 as amended August 2, 1945
 Adams Hill Extension No. 10 as amended August 18, 1945
 Adams Hill Fraction as amended August 24, 1945
 Adams Hill Apex
 Altoona
 Alpha Extension as amended November 21, 1945
 Alpha Extension No. 2
 Alpha Extension No. 3
 Alpha Extension No. 4
 Alpha Extension No. 5
 Alpha Extension No. 6
 Alpha Extension No. 7
 B. B. as amended June 29, 1942
 Badger Extension as amended August 23, 1945
 Cub as amended August 18, 1945
 Cub No. 1 as amended August 18, 1945
 Cedar Fraction as amended September 15, 1945
 Cyanide Fraction as amended August 22, 1945
 Auro Fraction as amended August 20, 1945
 March
 March No. 1
 March No. 2
 March No. 3
 March No. 4
 March No. 5
 March No. 6
 March No. 7
 March No. 8
 March No. 9
 March No. 10
 March No. 11
 Cyanide Extension as amended August 22, 1945
 Cyanide Extension No. 1 as amended August 22, 1945
 Cyanide Extension No. 3 as amended August 18, 1945
 Cyanide Extension No. 4 as amended August 18, 1945
 Cyanide Extension No. 5 as amended August 18, 1945
 Cyanide Extension No. 6 as amended August 18, 1945

Cyanide Extension No. 7 as amended August 1, 1945
Cyanide Extension No. 8 as amended August 1, 1945
Cyanide Extension No. 13 as amended August 1, 1945
Cyanide Extension No. 14 as amended August 1, 1945
Cyanide Extension No. 16 as amended August 2, 1945
Cyanide Extension No. 17 as amended August 2, 1945
Cyanide Extension No. 24 as amended August 2, 1945
Cyanide Extension No. 25 as amended August 2, 1945
Cyanide Extension No. 26 as amended August 2, 1945
Cyanide Extension No. 27 as amended August 2, 1945
Democrat Fraction as amended September 6, 1945
December Fraction as amended September 20, 1945
December No. 2 as amended September 6, 1945
December No. 3 as amended September 17, 1945
December No. 4 as amended September 17, 1945
December No. 5 as amended September 17, 1945
December No. 6 as amended September 17, 1945
Dodge Fraction as amended August 23, 1945
Cedar Tree as amended September 14, 1945
Fraser & Moline also described as Fraser and Mileno
Ann Fraction
Snow
Snow No. 1
Snow No. 2
Snow No. 3
Snow No. 4
Snow No. 5
Wonder as amended December 8, 1945
Wonder No. 1 as amended December 8, 1945
March Extension
March Extension No. 1
July as amended August 18, 1945
July No. 1 as amended August 18, 1945
July No. 2 as amended August 18, 1945
Last Fraction as amended September 6, 1945
Lucky Dick as amended September 6, 1945
Lucky Dick Fraction as amended June 29, 1942
Little Addie as amended June 30, 1927
Little Addie Fraction as amended August 23, 1945
Fox as amended November 20, 1945
Fox No. 1 as amended November 20, 1945
Fox No. 2 as amended November 20, 1945
May Fraction as amended September 6, 1945
March Fraction as amended August 21, 1945
Monarch Fraction as amended September 6, 1945
Mohawk as amended June 14, 1927 of rec. J545
New Years
Pine Fraction
Red Seal as amended August 24, 1945
Sage Brush as amended August 2, 1945
Sage Brush No. 1 as amended August 3, 1945
Stormy Fraction also described as Stormy Fract.
Sunday Fraction as amended August 18, 1945
Windy Fraction
East Cyanide as amended August 22, 1945
Elsie as amended September 14, 1945 , also described as Elsie and/or Elsie No. 1
Helen
January as amended August 17, 1945
Spring
Silver Fraction
Wave Fraction
Wac Fraction
Spar Fraction
Zeke Fraction
Jumbo as amended December 8, 1945
Jumbo No. 3 as amended December 8, 1945
Polly as amended May 21, 1946
Polly No. 1 as amended May 21, 1946
Polly No. 2 as amended May 21, 1946

Together with all and singular the mines, minerals, lodes and veins within the lines of said claims and their dips, spurs and angles, and all dumps, water and water rights, plant, fixtures, improvements, rights, privileges and appurtenances therunto in anywaye belonging.

OTHER REAL PROPERTY

A strip of land situated below the E. & N. Railway station - the southwest corner of said tract bearing North 4°11' West 7100 feet from the consolidated spring;

together with all and singular the dumps, water and water rights, plant, fixtures, improvements, rights, privileges, appurtenances therunto in anywaye belonging.

PATENTED CLAIMS

<u>Name of Claim</u>	<u>Survey or Lot No.</u>
At Last	47
Atlantic	2854
Ant Arctic	2855
Arctic	2857
Albion No. 1	2860

PATENTED CLAIMS (Cont'd)

<u>Name of Claim</u>	<u>Survey or Lot No.</u>
Albion No. 2	2861
Albion No. 3	2862
Albion Consolidated	2863
Apex	2865
Acouchment	2866
Buckeye	37
Brown	87
Buckeye Mill Site	113
Brown Mill Site	139
Big T. R.	2871
Champion	38
Calloway	657
Carson	68
Champion Millsite	114
Carson Mill Site	137
Cliff Mine	2856
Diagonal	200
Davies	230
Davies #2	231
Fries	308
Frank	309
Fad	3223
Great Eastern	165
Grand Central	174
Gulch	2872
Honeymoon Am'd	2868
Hoosac	60
Lookout	43
Lupita	49A
Lucky Man	2852
La Veta	2873
Mammoth	41
Marcelina East	119
Main Shaft	2864
Marriage Am'd.	2867
Nugot	46
Porter	86
Porter Mill Site	138
Price	228
Price No. 2	229
Peach	2869
Richmond	64
Richmond Rancho	211
Rearguard	225A
Rearguard M. S.	225B
Ravine	2858

PATENTED CLAIMS (Cont'd)

<u>Name of Claim</u>	<u>Survey or Lot No.</u>
Remnants	3252
Sentinel	40
Savage	42
Skylark	56
St. George	66
Surplus	85
Surplus Mill Site	141
Silver Region	160
Skylark Mill Site	214
Sea King	240
St. Patrick	241A
St. Patrick Mill Site	241B
St. Andrew	242A
St. Andrew Mill Site	242B
St. David	2859
Tip Top	65
T. R.	2870
Victoria	161
Williamsburg	117

UNPATENTED CLAIMS

Richmond Eureka Number 2
 Richmond Eureka Number 3 Amended
 Richmond Eureka Numbers 6 to 25, both inclusive
 Richmond Eureka Number 4

IN EUREKA TOWN SITE

Lot 90	Block 108
Lot 91	Block 109
Lot 92	Block 110
Lot 93	Block 111
Lot 96	Block 112
Lot 48B	Block 114
Lot 49B	Block 116
All of City Block	115
Lot 5	Block 9
Lot 6	Block 9
Lot 7	Block 9
Lot 8	Block 9
Lot 9	Block 9
Lot 11	Block 17
Lot 12	Block 17
Lot 42	Block 7
Lot 43	Block 7
All of	Block 8
Lot 6	Block 29
Lot 9	Block 28

Recorded at the request of Mr. Forman, Dec. 30, A.D. 1958 At 30 Minutes past 1 P.M.

Marian Herrera - Recorder