

File No. 39115

Tom P. Costas and
Arthur Blake Thomas

to

Royston Coalition Mines, Ltd.,

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() DEED-ASSIGNMENT-ROYALTY RESERVATION
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DEED-ASSIGNMENT-ROYALTY RESERVATION

THIS INDENTURE, made this 4th day of November, 1963, by and between TOM P. COSTAS and ARTHUR BLAKE THOMAS, sometimes herein called Grantors, and ROYSTON COALITION MINES, LTD., a corporation, sometimes herein called Grantee and/or "Royston", all doing business at Salt Lake City, Utah;

W I T N E S S E T H:

THAT the said Grantors for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, to them in hand paid by said Grantee, receipt of which is hereby acknowledged, do by these presents remise, release and forever quit claim and confirm unto the said Grantee and to its heirs and assigns forever, a one hundred per cent (100%) undivided interest in and unto the following unpatented mining claim, located in the Lynn Mining District, Eureka County of Nevada, described as follows:

Name "Open Fraction"
Date Located and Recorded June 15, 1963, and June 17, 1963, in Book "P" of "Outside Mining",
Page 66 of records of Eureka County, Nevada,

together with all and singular the tenements, hereditaments, and appurtenances thereunder belonging or in any way appertaining, and reversion and reversions, remainder and remainders, rents, issues and profits thereof, excepting reservation of a royalty interest to Arthur Blake Thomas as hereinafter specified;

TO HAVE AND TO HOLD all and singular the premises, together with the appurtenances unto the said Grantee and to successors and assigns forever; and

FURTHERMORE, in consideration of Ten Dollars (\$10.00) in hand paid, receipt of which is hereby acknowledged, Grantors hereby assign, convey and set over unto Grantee all their right, title and interest in and to that certain lease and purchase option by and between Arthur Blake Thomas and Arthur and Leon Hansen, dated June 9, 1963, covering certain located mining claims in Eureka County of Nevada known as the Sheep Creek No. 1 and Sheep Creek No. 2, located on April 22, 1957, April 30, 1957, May 22, 1963, and May 22, 1963, and all rights, interests and ownerships of Grantors, as thereby covered, are hereby assigned, excepting a reservation of a royalty interest to Arthur Blake Thomas as hereinafter specified; and

INCONSIDERATION for the above Deed and Assignment, Royston does hereby consent to and confirm and approve and establish a royalty interest reservation in each and all property herein deeded or assigned unto Arthur Blake Thomas, his assigns and successors, as follows: One per cent (1%) of the "net smelter, mint, or other purchasing agency return" received from the sale of crude ore, bullion, precipitate or concentrate extracted, produced and sold from all subject premises with said royalty to be owed and paid upon receipt of the proceeds of sale. Net return is defined as the gross value of the product marketed less sampling, milling, smelter, and transportation charges, and less such charges as are customarily deducted by the mint or any purchasing agency, mill or refinery. And Royston, in consideration of Ten Dollars (\$10.00) to it in hand paid by Arthur Blake Thomas, does hereby grant, assign, deed, transfer and otherwise establish in and unto Arthur Blake Thomas, his assigns and successors, a similar one per cent (1%) royalty interest in and upon those located mining claims known as Fraction No. 1 and Fraction No. 2, located adjacent to the Sheep Creek No. 1 and Sheep Creek No. 2 claims, subject to the same deductions as stipulated to be paid from the Open Fraction claim above referred to. And it is stipulated that the one per cent (1%) royalty interest hereby reserved and established on said claims is high individual ownership limited only by paramount titles of the United States or by fundamental provisions of base property "lease and purchase option contracts" and is to exist for the term of said mineral locations and contracts, or any extensions and adjustments thereof, and is to apply in perpetuity as an encumbrance upon any title thereunder existing or hereafter acquired and Notice is Hereby Given through recordation of this contract, To Whom it May Concern, that a royalty interest is outstanding and that a defined portion of the mineral contained in the subject premises has been alienated and allocated hereunder to a separate entity not in privity with Royston, its assigns and successors, and hence is not available to substantiate business or credit.

The terms and conditions of this contract shall be binding upon and inure to the benefit of the heirs, executors, administrators and assigns of the parties hereto.

IN WITNESS WHEREOF, this contract is executed by Tom P. Costas, Arthur Blake Thomas, and Royston Coalition Mines, Ltd., a corporation, this 4th day of November, 1963.

Tom P. Costas
Tom P. Costas

Arthur Blake Thomas
Arthur Blake Thomas

" G r a n t o r s "

ROYSTON COALITION MINES, LTD.,
a corporation

ATTEST: (CORPORATE SEAL AFFIXED)

By: H. G. Metos

Sid Spencer
Secretary

" G r a n t e e "

STATE OF UTAH)
: ss.
County of Salt Lake)

On this 6th day of November, 1963, personally appeared before me, a Notary Public in and for Salt Lake County, State of Utah, H. G. Metos and Sid Spencer, known to me to be the persons whose names are subscribed to the within instrument and known to me to be the President and Secretary of the corporation executing the foregoing instrument, and that upon oath they did depose that they are officers of said corporation as above designated; that they are acquainted with the corporate seal of said corporation and that the seal affixed to said instrument is the seal of said corporation; and that the said corporation executed the said instrument freely and voluntarily and for the uses and purposes therein mentioned.

(NOTARIAL SEAL AFFIXED)

Karl V. King
NOTARY PUBLIC
Residing at: Salt Lake City, Utah
KARL V. KING
NOTARY PUBLIC
Residing at Salt Lake City, Utah
My Commission Expires Jan. 15, 1965.

STATE OF UTAH)
: ss.
County of Salt Lake)

On this 6th day of November, 1963, personally appeared before me, a Notary Public in and for Salt Lake County, State of Utah, Tom P. Costas and Arthur Blake Thomas, known to me to be the persons whose names are subscribed to the within instrument, and upon oath, did depose and state that they are the parties named and that they are acquainted with the contents of the within document and that they executed the same freely and voluntarily for the uses and purposes indicated therein; and they did sign said instrument in my presence.

(NOTARIAL SEAL AFFIXED)

Karl V. King
NOTARY PUBLIC
Residing at: Salt Lake City, Utah
KARL V. KING
NOTARY PUBLIC
Residing at Salt Lake City, Utah
My Commission Expires Jan. 15, 1965.

Recorded at the request of Royston Coalition Mines, Inc., November 7, A.D., 1963 At 45 minutes past 10 A. M.

Willis A. DePaoli - Recorder.