

RIGHT-OF-WAY GRANT AND EASEMENT(Road and Ditch)

THIS AGREEMENT AND GRANT, made this 17<sup>th</sup> day of November, 1965, by and between M. M. & S. EXPLORATION CO., a Nevada corporation, ARTHUR BLAKE THOMAS of Salt Lake City, Utah, CARDIFF INDUSTRIES, INC., a Utah corporation, GEORGE HADRABA, HARRY G. METOS, Owners, and KERR-McGEE OIL INDUSTRIES, INC., a Delaware corporation, Lessee, Parties of the First Part, hereinafter referred to as Grantors, and CARLIN GOLD MINING COMPANY, a Delaware corporation, authorized to do and doing business in the State of Nevada, Party of the Second Part, hereinafter referred to as Grantee,

W I T N E S S E T H:

WHEREAS, M. M. & S. EXPLORATION CO., a Nevada corporation, ARTHUR BLAKE THOMAS of Salt Lake City, Utah, CARDIFF INDUSTRIES, INC., a Utah corporation, GEORGE HADRABA and HARRY G. METOS are the owners of the Yellow Rose Nos. 8 and 9 unpatented lode mining claims situate in Section 11, Township 35 North, Range 50 East, M.D.B. & M., County of Eureka, State of Nevada, and

WHEREAS, KERR-McGEE OIL INDUSTRIES, INC., a Delaware corporation, is the lessee of said unpatented mining claims, which said mining claims are shown on the map hereto attached and marked Exhibit A to this grant and easement, and

WHEREAS, Grantee is engaged in mining and milling operations centering in Section 14, Township 35 North, Range 50 East, and has located thereon a milling plant, and

WHEREAS, Grantee is desirous of constructing a road and ditch for the diversion of Sheep Creek along a route, the center line of which is hereinafter described, and which center line is shown on Exhibit A attached hereto, and to acquire from Grantors a right-of-way and easement for the construction and maintenance of said road and ditch insofar as said road and ditch affect said Yellow Rose No. 8 and Yellow Rose No. 9 mining claims, and

WHEREAS, Grantors are willing to convey to Grantee an easement to use and maintain said road and ditch, all as hereinafter set forth,

NOW, THEREFORE, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States, to Grantors in hand paid by said Grantee, and in consideration of the covenants herein contained, Grantors do hereby give and grant to Grantee the right-of-way and easement for the construction and maintenance of a certain road and ditch for the diversion of Sheep Creek across and affecting the mining claims of Grantors hereinbefore mentioned, which right-of-way and easement shall be 100 feet in width and extending 50 feet on each side of a center line hereinafter described, which center line traverses and affects other claims, other than the Yellow Rose No. 8 and Yellow Rose No. 9, and this grant

is intended to convey only said right-of-way and easement along that portion of the center line affecting said Yellow Rose No. 8 and Yellow Rose No. 9, and which center line is described as follows, to-wit:

Beginning at a point on the south line of the Sheep Creek No. 1 which bears S 49° 32' 49" W 294.24 feet distant from the most easterly corner of the Sheep Creek No. 1 and which also bears N 32° 30' 06" W 1175.59 feet distant from the southeast corner of the said Section 11;

thence	N 26° 06' 53" W	6.45 feet to a point;
thence	N 21° 43' 37" E	49.76 feet to a point;
thence	N 39° 22' 07" E	98.90 feet to a point;
thence	N 69° 18' 07" E	124.45 feet to a point;
thence	N 3° 49' 01" W	25.39 feet to a point;
thence	N 31° 29' 50" W	147.21 feet to a point;
thence	N 3° 22' 45" E	99.75 feet to a point;
thence	N 12° 09' 23" W	195.62 feet to a point;
thence	N 80° 34' 49" W	46.38 feet to a point;
thence	S 25° 53' 07" W	146.73 feet to a point;
thence	S 34° 38' 07" W	99.01 feet to a point;
thence	S 47° 10' 07" W	99.06 feet to a point;
thence	S 71° 56' 37" W	149.42 feet to a point;
thence	N 81° 45' 23" W	49.61 feet to a point;
thence	N 72° 37' 53" W	298.55 feet to a point;
thence	N 46° 32' 26" W	150.00 feet to a point;
thence	S 86° 34' 34" W	50.00 feet to a point;
thence	S 19° 53' 07" W	248.36 feet to a point;
thence	S 43° 16' 07" W	49.86 feet to a point;
thence	S 63° 01' 07" W	49.81 feet to a point;
thence	S 71° 43' 07" W	99.49 feet to a point;
thence	N 83° 23' 23" W	199.35 feet to a point;
thence	N 64° 46' 23" W	93.13 feet to a point;
thence	S 48° 32' 48" W	31.66 feet to a point;
thence	S 18° 08' 53" E	207.45 feet to a point;
thence	S 2° 52' 23" E	49.68 feet to a point;
thence	S 22° 26' 07" W	50.01 feet to a point;
thence	S 39° 42' 37" W	284.20 feet to a point;
thence	S 38° 21' 37" W	49.83 feet to a point;
thence	S 24° 16' 37" W	277.20 feet to a point;
thence	S 23° 46' 37" W	49.88 feet to a point;
thence	S 34° 38' 37" W	74.85 feet to a point;
thence	S 50° 56' 07" W	74.44 feet to a point;
thence	S 41° 45' 06" W	298.24 feet to a point;
thence	S 41° 33' 37" W	99.68 feet to a point;
thence	S 60° 30' 07" W	49.97 feet to a point;
thence	S 72° 57' 37" W	49.85 feet to a point;
thence	S 81° 13' 07" W	99.83 feet to a point;

thence N 88° 54' 53" W 149.30 feet to a point;  
 and  
 thence N 79° 00' 53" W 49.97 feet to a point,

outside of the mining claims shown on the map attached hereto and made a part hereof, which point bears S 77° 12' 51" W 411.51 feet distant from the 1/4 corner between the said Sections 11 and 14.

The rights and easements herein granted shall remain in effect for so long as Grantee carries on its mining or milling operations in Section 14, Township 35 North, Range 50 East, M.D.B. & M., and mining or exploratory activities appurtenant thereto.

IT IS FURTHER AGREED between Grantors and Grantee as follows:

1. That any road or ditch built by Grantee on the easement and right-of-way herein granted shall be at the expense of Grantee.
2. That Grantors, their agents, lessees and assigns shall have the right to use any road built by Grantee upon said easement for the purpose of ingress and egress to and from the mining claims mentioned herein and any other claims that Grantors may own in the area.
3. That connections for this road will be made by Grantee with existing roads going to the east, west and north of the claims of Grantors herein described.
4. That if in the future it becomes necessary to remove the road or ditch constructed under this right-of-way and easement so that Grantors can remove ore from the claims over which said road or ditch traverse, the route of the road and ditch will be changed by Grantee to a

different place and at its own expense.

IN WITNESS WHEREOF, the parties hereto have  
executed this agreement and grant the day and year first  
above written.

M. M. & S. EXPLORATION CO.,  
a Nevada corporation,

By \_\_\_\_\_

\_\_\_\_\_  
Arthur Blake Thomas

CARDIFF INDUSTRIES, INC., a  
corporation,

By \_\_\_\_\_

\_\_\_\_\_  
George Hadraba

\_\_\_\_\_  
Harry G. Metos X

KERR-McGEE OIL INDUSTRIES, INC.,  
a Delaware corporation,

By \_\_\_\_\_

GRANTORS

CARLIN GOLD MINING COMPANY, a  
~~Nevada~~ <sup>Delaware</sup> corporation,

By N.B. Fulton, Vice Pres

GRANTEE

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, 1965,  
before me, the undersigned, a notary public in and for  
the County and State aforesaid, personally appeared  
\_\_\_\_\_, personally known to me to  
be the \_\_\_\_\_ of M. M. & S. EXPLORATION  
CO., one of the corporations that executed the foregoing  
instrument, and upon oath did depose and say that he is  
the officer of said corporation as above designated;  
that he is acquainted with the seal of said corporation,  
and that the seal affixed to said instrument is the  
corporate seal of said corporation; that the signature  
to said instrument was made by the officer of said  
corporation as indicated after said signature, and that  
said corporation executed the said instrument freely and  
voluntarily and for the uses and purposes therein  
mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed my official seal at my office in the said County  
and State the day and year in this certificate first  
above written.

\_\_\_\_\_  
Notary Public

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, 1965,  
personally appeared before me, a notary public in and for  
the County and State aforesaid, ARTHUR BLAKE THOMAS,  
personally known to me to be the person described in and  
who executed the foregoing instrument, and who acknowl-  
edged to me that he executed the same freely and volun-  
tarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand  
and affixed my official seal the day and year in this  
certificate first above written.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
 ) ss:  
 COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 1965,  
 before me, the undersigned, a notary public in and for  
 the County and State aforesaid, personally appeared  
 \_\_\_\_\_, personally known to me to  
 be the \_\_\_\_\_ of CARDIFF INDUSTRIES, INC.,  
 one of the corporations that executed the foregoing  
 instrument, and upon oath did depose and say that he is  
 the officer of said corporation as above designated;  
 that he is acquainted with the seal of said corporation,  
 and that the seal affixed to said instrument is the  
 corporate seal of said corporation; that the signature  
 to said instrument was made by the officer of said  
 corporation as indicated after said signature, and that  
 said corporation executed the said instrument freely and  
 voluntarily and for the uses and purposes therein  
 mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and  
 affixed my official seal at my office in the said County  
 and State the day and year in this certificate first  
 above written.

\_\_\_\_\_  
 Notary Public

STATE OF \_\_\_\_\_ )  
 ) ss:  
 COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 1965,  
 personally appeared before me, a notary public in and for  
 the County and State aforesaid, GEORGE HADRABA, personally  
 known to me to be the person described in and who  
 executed the foregoing instrument, and who acknowledged  
 to me that he executed the same freely and voluntarily  
 and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and  
 affixed my official seal the day and year in this certi-  
 ficate first above written.

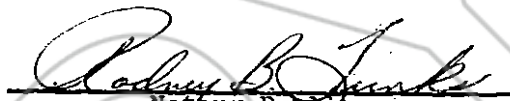
\_\_\_\_\_  
 Notary Public



STATE OF UTAH )  
COUNTY OF SALT LAKE ) ss:

On this 17<sup>th</sup> day of November, 1965,  
personally appeared before me, a notary public in and  
for the County and State aforesaid, HARRY G. METOS,  
personally known to me to be the person described in and  
who executed the foregoing instrument, and who acknowl-  
edged to me that he executed the same freely and  
voluntarily and for the uses and purposes therein  
mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed my official seal the day and year in this certi-  
ficate first above written.

  
Notary Public



STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, 1965,  
before me, the undersigned, a notary public in and for  
the County and State aforesaid, personally appeared  
\_\_\_\_\_, personally known to me  
to be the \_\_\_\_\_ of KERR-McGEE OIL  
INDUSTRIES, INC., one of the corporations that executed  
the foregoing instrument, and upon oath did depose and  
say that he is the officer of said corporation as above  
designated; that he is acquainted with the seal of said  
corporation, and that the seal affixed to said instru-  
ment is the corporate seal of said corporation; that  
the signature to said instrument was made by the officer  
of said corporation as indicated after said signature,  
and that said corporation executed the said instrument  
freely and voluntarily and for the uses and purposes  
therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand  
and affixed my official seal at my office in the said  
County and State the day and year in this certificate  
first above written.

\_\_\_\_\_  
Notary Public



STATE OF New York )  
COUNTY OF New York ) ss:

On this 8th day of December, 1965,  
before me, the undersigned, a notary public in and for  
the County and State aforesaid, personally appeared  
R. B. Fulton, personally known to me  
to be the Vice President of CARLIN GOLD MINING  
COMPANY, one of the corporations that executed the  
foregoing instrument, and upon oath did depose and say  
that he is the officer of said corporation as above  
designated; that he is acquainted with the seal of said  
corporation, and that the seal affixed to said instrument  
is the corporate seal of said corporation; that the  
signature to said instrument was made by the officer of  
said corporation as indicated after said signature, and  
that said corporation executed the said instrument  
freely and voluntarily and for the uses and purposes  
therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand  
and affixed my official seal at my office in the said  
County and State the day and year in this certificate  
first above written.

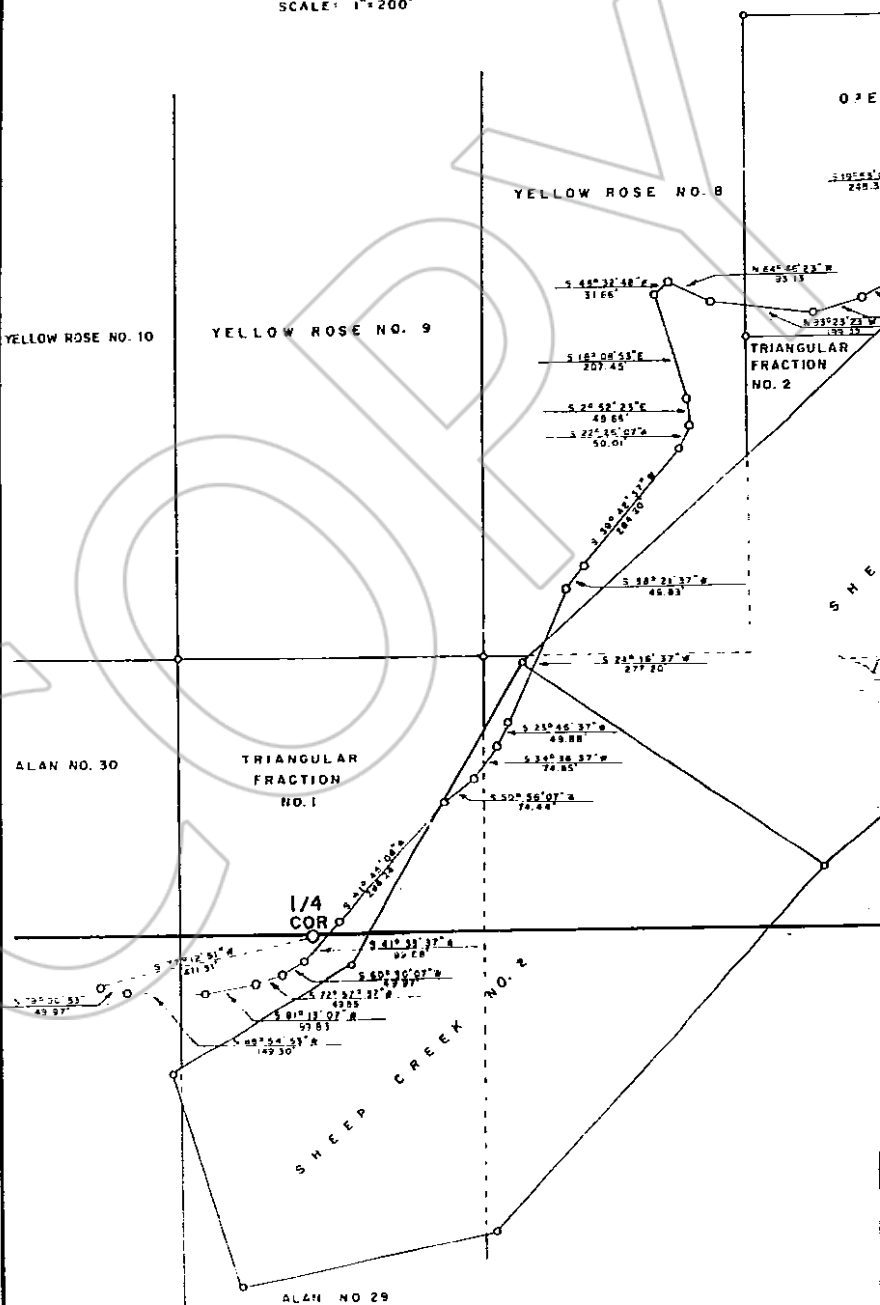
Winthrop T. Parker 3rd.  
Notary Public

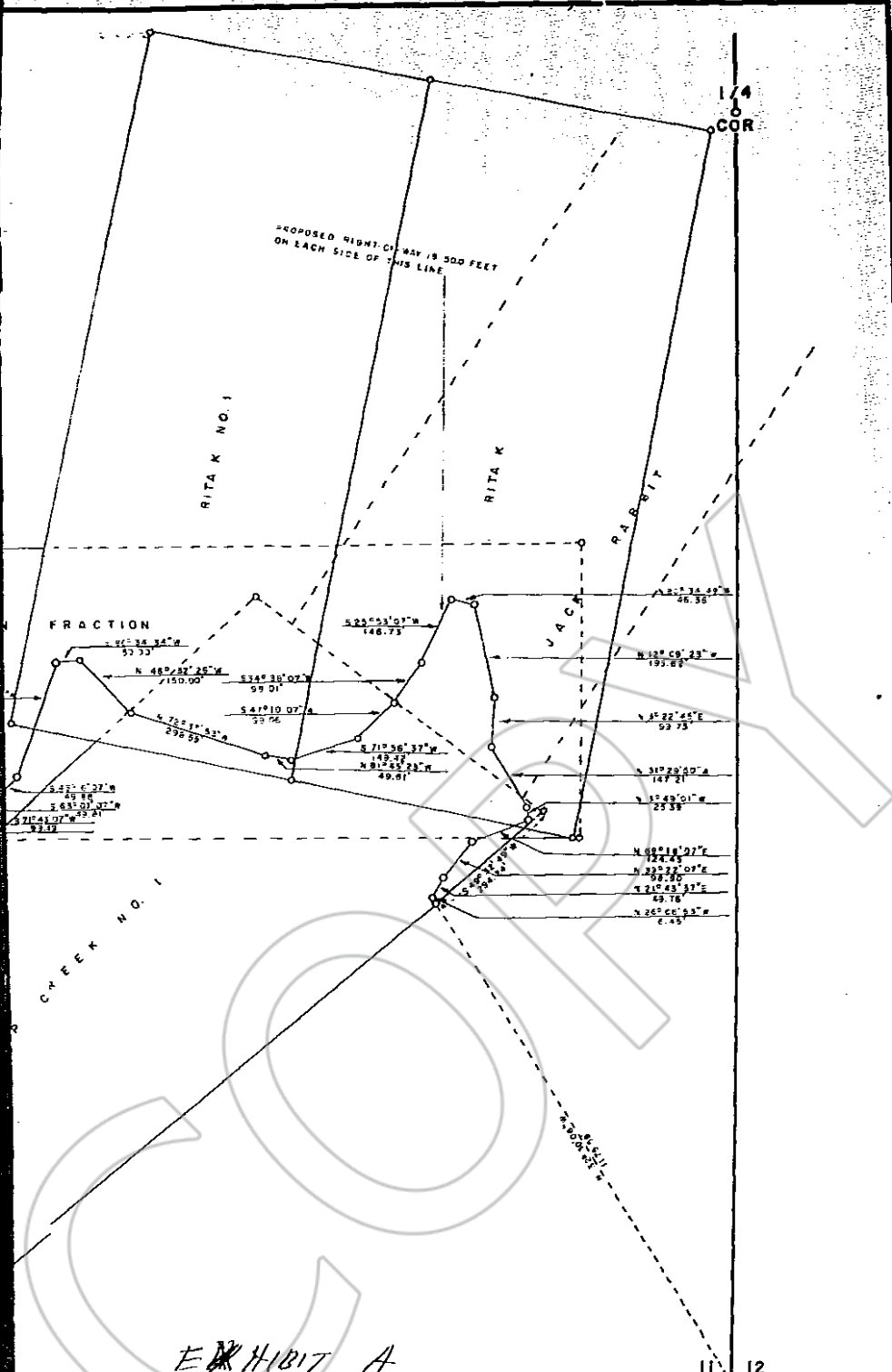
WINTHROP T. PARKER 3rd  
NOTARY PUBLIC, State of New York  
No. 60-3019515  
Qualified in Westchester County  
Cert. filed in New York County  
Commission Expires March 30, 1967





SCALE: 1" = 200'





**EXHIBIT A**  
**CARLIN GOLD MINING COMPANY**  
**PROPOSED RIGHT-OF-WAY**

ACROSS

YELLOW ROSE NOS 889 OWNED BY M. M. B. S. EX-  
 PIRATION CO., ARTHUR BLAKE THOMAS, CARDIFF  
 INDUSTRIES, INC., GEORGE HADRABA AND HARRY G. METOS  
 AT THE SHEEP CREEK NO. 1, SHEEP CREEK NO. 2,  
 TRIANGULAR FRACTION NO. 1, TRIANGULAR FRACTION NO. 2  
 ON FRACTION AND JACK RABBIT (?) OWNED BY  
 RSTON COALITION MINES LIMITED.

(UNPATENTED)

SECTIONS 11 B 14, T 35 N., R 30 E., M. D. B. & M.

N  
 D.

JULY 1965

File No. **11575**  
 RECORDED AT THE REQUEST OF  
**Carlin Gold Mining Co.**  
 Dec. 29 A. D. 1955  
 At 05 minutes past 9A M.  
 In Book 9 of OFFICIAL RECORDS  
 Page 292-302 Records of  
 ELUREA COUNTY, NEVADA  
*Willie C. Baker* Recorder  
 Fee \$ **1.00**