

57340

EAST UTAH MINING COMPANY
INCORPORATED 1922
101 FIRST SECURITY BUILDING
SALT LAKE CITY, UTAH 84111
TELEPHONE 693-1111
AREA CODE 801

DAVID L. OLEGO
CHAIRMAN OF THE BOARD

M. C. GODBE, III
PRESIDENT

October 13, 1972

Mr. J. D. McBeth, Resident Manager
Carlin Gold Mining Company
P.O. Box 975
Carlin, Nevada 89822

Dear Jay,

Enclosed are the executed copies of the right-of-way agreements requested by Carlin Gold Mining Company. One copy of each agreement has been retained for our files here.


I expect to be in the Carlin area in the next few weeks and hope to have the opportunity to see you personally at that time.

Sincerely,


M. C. Godbe, III
President

(Omitted in error from envelope containing
copies of agreements)

RIGHT-OF-WAY GRANT AND EASEMENT

 THIS AGREEMENT AND GRANT, made ^{as of} this 21st day of September, 1972, by and between EAST UTAH MINING COMPANY, a Utah corporation, hereinafter referred to as "Grantor", and CARLIN GOLD MINING COMPANY, a Delaware corporation, hereinafter referred to as "Grantee";

WHEREAS, Grantor is the owner of certain unpatented mining claims located in Section 13, Township 36 North, Range 49 East, M.D.B.&M.; and

WHEREAS, Grantee is engaged in mining and milling operations centered in Section 14, Township 35 North, Range 50 East, M.D.B.&M., and has located thereon a milling plant; and

WHEREAS, Grantee is desirous of constructing a road for the purpose of ingress and egress to and from certain patented and unpatented mining claims owned by Grantee in Sections 2, 3, 10 and 11, Township 36 North, Range 49 East, M.D.B.&M., and for the purpose of exploring, extracting, hauling and transporting minerals and other substances from said claims to Grantee's millsite, and to acquire from Grantor a right-of-way and easement for the construction and maintenance of said road; and

WHEREAS, Grantor is willing to convey to Grantee an easement to construct, use and maintain said road, 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 Grantor in hand paid by Grantee, and in consideration of the covenants hereinafter contained, Grantor does hereby give and grant to Grantee a right-of-way and easement for the construction and maintenance of a road across and affecting the mining claims of Grantor in Section 13, Township 36 North, Range 49 East, M.D.B.&M., which right-of-way and easement shall be:

A fifty-foot (50') right-of-way beginning at a point 1,320 feet east of the S. E. Corner of Section 13, Township 36 North, Range 49 East, M.D.B.&M., and proceeding in Westerly and Northwesterly directions to the point of ending at a point 1,450 feet N. 65°30' West of the S. E. Corner of Section 13.

As is more fully described on the map attached hereto as Exhibit "A" and incorporated by reference.

The rights and easements hereinbefore granted shall remain in effect 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 Grantor and Grantee as follows:

1. That any road built by Grantee on the easement and right-of-way herein granted shall be at the expense of Grantee.

2. That the road constructed over said easement and right-of-way shall be at least thirty (30) feet wide with proper turn-outs provided and be of a rock base where needed with proper drainage and culverts provided.

3. That if in the future it becomes necessary to remove the road constructed under this right-of-way and easement so that Grantor can remove ore from the claims over which the road traverses, the route of said road will be changed by Grantee to a different place at its own expense.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement and Grant, ^{as of} the day and year first above written.

EAST UTAH MINING COMPANY

GRANTOR

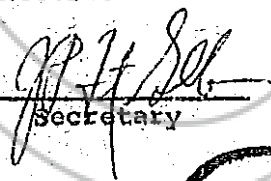
By: 
President

CARLIN GOLD MINING COMPANY

GRANTEE

By: 
President

Attest:


Secretary

SEAL
Affi...

STATE OF Utah)
COUNTY OF Salt Lake) SS:

On this 9th day of October, 1972, before me, a Notary Public, personally appeared H. C. Godbe, Jr. known to me to be the President of EAST UTAH MINING COMPANY, who acknowledged that he executed the foregoing Right-of-Way Grant and Easement.

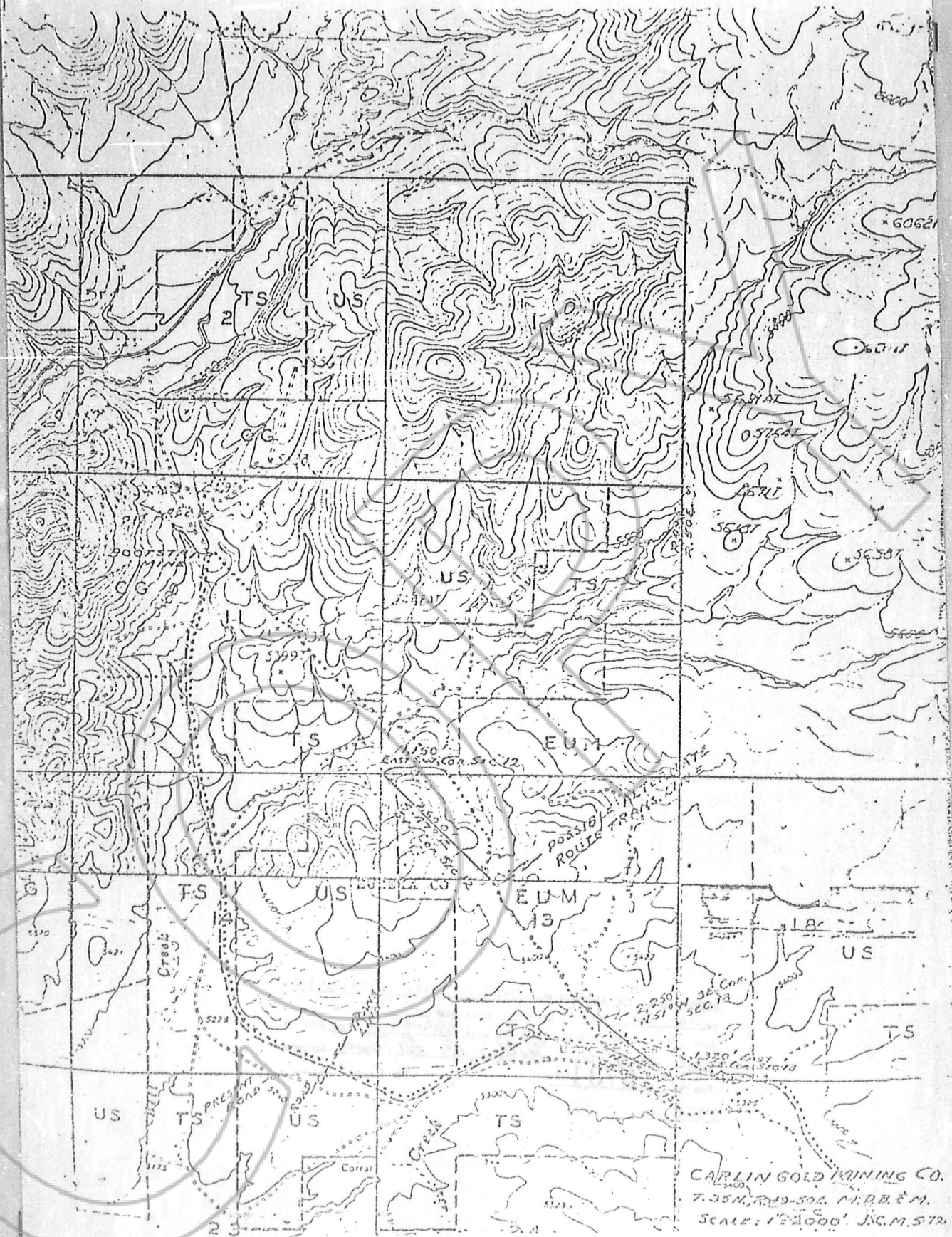
Marjorie B. Black
NOTARY PUBLIC

STATE OF New York)
COUNTY OF New York) SS:

On this 21st day of September, 1972, before me, a Notary Public, personally appeared David O. Pearce, known to me to be the President of CARLIN GOLD MINING COMPANY, who acknowledged that he executed the foregoing Right-of-Way Grant and Easement.

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, 1973





CARLIN GOLD MINING CO.
 7.35N. R. 19-50E. T. 18R. E. M.
 Scale: 1" = 4000' N.C.M. 572

014

EXHIBIT "A"

BOOK 45 PAGE 409

COOPY

RECORDED AT THE REQUEST OF Carlin Gold Mining Co.
on May 25 1973 at 22 miles past 9 A. M. to
Book 45 of OFFICIAL RECORDS, page 404-410 RECORDS OF
EUREKA COUNTY, NEVADA William A. McLaughlin Recorder.
File No. 57340 Fee \$9.00
FILE NO. 57340