

STATE OF UTAH  
COUNTY OF SALT LAKE

ss.

I, W. Sterling Evans, Clerk in and for the County of Salt Lake and Ex-Officio Clerk of the District Court of the Third Judicial District in and for Salt Lake County, State of Utah, do hereby certify that the foregoing is a full, true and correct copy of the original Findings of Fact & Conclusions of Law

In the following Case:

Earl A. Paulsen & Goldie Poulsen

-vs-

Case No. 220655

William M. Bleazard & Beverly Bleazard

as appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand  
and affixed my official seal, this 5th

day of November, A. D. 1976

W. Sterling Evans Clerk

By \_\_\_\_\_ Deputy Clerk



BOOK 57 PAGE 229



UNITED STATES OF AMERICA  
IN THE  
District Court of The Third Judicial District  
IN AND FOR  
SALT LAKE COUNTY, STATE OF UTAH

I, Bryant H. Croft, Presiding Judge of the District Court of the Third Judicial District, in and for the County of Salt Lake, State of Utah, do hereby certify that said Court is a Court of Record, having a Clerk and a seal; that W. STERLING EVANS who signed the attestation, is the duly elected and qualified County Clerk of the County of Salt Lake, State of Utah, and was at the time of signing said attestation Ex-Officio Clerk of the said District Court; that said signature is his genuine handwriting; and that all his official acts as such Clerk are entitled to full faith and credit. And I further certify that said attestation is in due form of law.

Witness my hand this 5th day of November, A. D. 1976



Bryant H. Croft  
Judge of said District Court

STATE OF UTAH  
COUNTY OF SALT LAKE

ss.

I, W. STERLING EVANS, County Clerk and Ex-Officio Clerk of said District Court of the County of Salt Lake, State of Utah, do hereby certify that the Honorable Bryant H. Croft whose name is subscribed to the preceding certificate, is one of the Judges of said Court, duly commissioned and qualified, and that the signature of said Judge to said certificate is genuine.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 5th day of November, A. D. 1976

W. Sterling Evans  
County Clerk and Ex-Officio Clerk  
of the said District Court





FILED IN  
SALT LAKE COUNTY  
Nov 3 12 13 PM '76  
CLERK  
J. L. LARSEN  
CLERK

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IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR  
SALT LAKE COUNTY STATE OF UTAH

EARL A. POULSEN and  
GOLDIE POULSEN, his wife,

Plaintiff,

vs

WILLIAM W. BLEAZARD and  
BEVERLY BLEAZARD, his wife,

Defendants.

FINDINGS OF FACT

&

CONCLUSIONS OF LAW

Civil No. 220655

THE ABOVE CAPTIONED MATTER having come on for trial on Friday, August 29, 1975 at 10:00 a.m. before the Honorable G. Hal Taylor, the Plaintiffs appearing and being represented by their attorney D. Clayton Fairbourn and the Defendants appearing and being represented by their attorney Robert K. Mouritsen. The parties having stipulated that Goldie Poulsen could be joined as a Plaintiff in this action and Beverly Bleazard could be joined as a Defendant and Counterclaimant. The Court having heard the evidence presented by both Plaintiffs and Defendants being fully advised in the premises upon the motion of Plaintiffs' counsel hereby enters and makes the following

FINDINGS OF FACT

1. That the Defendants and the Plaintiffs are residents of Salt Lake County, State of Utah.
2. That on or about August 21, 1972, the Defendants



entered into a contract with the Plaintiffs whereby the Plaintiffs and the Defendants would each put up \$10,000 and purchase a fifty percent (50%) undivided interest in certain Patented Mining Claims located in the Lynn Creek Mining District, Eureka County, Nevada, hereinafter described.

3. That the Defendants failed to put up their \$10,000. share pursuant to said agreement and in fact only put up \$5,000. That the Plaintiffs put up \$15,000. for the purchase of the subject mining claims.

4. That the Defendants have failed and refused to pay the balance of \$5,000. pursuant to the aforesaid agreement. That the Defendants, despite the fact that they failed to pay the total amount of \$10,000. pursuant to the agreement with the Plaintiffs, were deeded an undivided twenty-five percent (25%) interest in the aforesaid claims by the sellers of the claims.

5. Through said purchase and from sellers an undivided twenty-five percent (25%) interest in said Nevada patented mining claims was conveyed to Defendants giving Defendants a total interest of thirty-five percent (35%) in said claims.

6. Through said purchase and from sellers there was conveyed to Plaintiffs an undivided sixty-five percent (65%) interest in and to said Nevada mining claims.

7. That at the time of the filing of this action and the trial hereon, the Plaintiffs were the legal owners of an undivided sixty-five percent (65%) interest and the Defendants were the legal owners of an undivided thirty-five percent (35%) interest in the following described property located in Eureka County, State of Nevada:



An undivided interest in and to five (5) patented lode mining claims known as BIG SIX NO. 1, Patent No. 4332, GREAT DIVIDE, Patent No. 4393, MOLT, Patent No. 4422, RALD EAGLE, Patent No. 4527, and JIMMY, Patent No. 4528, covering approximately eighty-four (84) acres located in the Lynn Mining District, embracing portions of Sections 1, 2, 11 and 12, Township 35 North, Range 50 East, Mount Diablo Base Meridian, Eureka County, Nevada.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

6. That Plaintiffs are entitled to be reimbursed by Defendants for the sum of \$5,000, plus interest, or in the alternative the Defendants should be ordered to convey a 12-1/2% undivided interest in said mining claims, to the Plaintiffs for the interest conveyed to the Defendants for which the Defendants have not rendered payment.

9. That Defendants should pay interest at a reasonable rate on the subject \$5,000, since September 8, 1972, the date of the subject transaction. That a reasonable legal rate of interest is 6% per annum.

10. That for many years prior to 1971 Defendants were the owners of certain real property situated at 696 West Capitol, Salt Lake City, Utah.

11. Defendants conveyed to Plaintiffs an undivided one-half interest in said property at 696 West Capitol, and the parties thereafter purchased several adjoining properties, the parties have contributed various amounts toward these acquisitions.

Based upon the foregoing and for good cause appearing, the Court hereby makes and enters the following

#### CONCLUSIONS OF LAW

1. Plaintiffs Earl A. Poulsen and Goldie Poulsen should be awarded judgment against Defendants William W. Bleazard and Beverly Bleazard in the sum of \$5,000, plus



interest at 6% per annum from the 14th day of September, 1972, to the date of entry of judgment and interest at the rate of 8% per annum thereafter, plus costs in the amount of \$123.90; further

2. It should be ordered that if within ten (10) days of the entry of Judgment herein the Defendants fail to pay to Plaintiffs the amount of the aforesaid Judgment plus interest and costs, that a 12-1/2% undivided interest in the property located in Eureka County, Nevada, described as follows:

An undivided interest in and to five (5) patented lode mining claims known as BIG SIX NO. 3, Patent No. 4332, GREAT DIVIDE, Patent No. 4393, HOLT, Patent No. 4422, BALD EAGLE, Patent No. 4527, and JULY, Patent No. 4528, covering approximately eighty-four (84) acres located in the Lynn Mining District, embracing portions of Sections 1, 2, 11 and 12, Township 35 North, Range 50 East, Mount Diablo Base Meridian, Eureka County, Nevada.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

shall be transferred by operation of law from the Defendants to the Plaintiffs and that the Plaintiffs may accomplish such transfer by recording of the judgment herein with the County Recorder of the County in which the above property is located: further

3. It should be ordered that the Defendants' Counterclaim be dismissed with prejudice.

4. It should be further ordered that the real property acquired by the parties known as the West Capitol Hill properties be sold; that the parties reach a mutual accord by way of an accounting as to the division of the proceeds from such sale; that should the parties fail to



reach an accord that further hearing be held to determine an equitable division of the proceeds of the sale.

DATED this 3 day of November, 1976.

BY THE COURT:

*Hal Taylor*  
HAL TAYLOR  
J U D G E

Approved as to form  
and Content:

*Robert K. Mouritsen*  
ROBERT K. MOURITSEN  
Attorney for Defendants

ATTEST

STEPHEN EVANS

CLERK

*Lee A. Hagman*  
Deputy Clerk

RECORDED AT THE REQUEST OF Brian M. Barnard  
on November 8, 19 76 at 10 mins. past 11 A. M. In  
Book 57 of OFFICIAL RECORDS, page 229-235, RECORDS OF  
EUREKA COUNTY, NEVADA. WILLIS A. DePAOLI, Recorder.  
File No. 62420 Fee \$ 9.00

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