

135746

ASSIGNMENT OF MINING LEASE

WHEREAS, on the 15th day of January, 1979 a certain Mining Lease (hereinafter "Mining Lease") was made and entered into by and between Buckhorn Mines Co., a Nevada corporation, and Hennes-Westex Corporation, a Nevada corporation (hereinafter "Hennes-Westex") as Lessors, and Bar Resources, Inc., a Nevada corporation, as Lessee, covering certain mining properties more particularly described in the Mining Lease, which Mining Lease was recorded on or about August 17, 1984 in Book 126 at page 076 of the records of Eureka County, Nevada; and

WHEREAS, on or about December 29, 1981 Hennes-Westex assigned all of its right, title and interest in the Mining Lease to Herbert Kuglmeier by Agreement dated December 29, 1981 (hereinafter "Agreement") which Agreement was recorded on or about August 17, 1984 in Book 126 at page 068 of the records of Eureka County, Nevada; and

WHEREAS, on or about January 23, 1989 the United States District Court in and for the District of New Mexico in Civil Cause No. 87-1066-JB captioned "Medard Schmitz and Hennes-Westex Corporation, a Nevada corporation, Plaintiffs, v. Herbert Kuglmeier, Defendant" (hereinafter "Lawsuit") entered a Judgment in favor of Medard Schmitz and against Herbert Kuglmeier ordering Herbert Kuglmeier to immediately convey any interest which he acquired from Hennes-Westex in the Mining Lease to Medard Schmitz, individually, and

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WHEREAS, Medard Schmitz was represented in the Lawsuit by Keleher & McLeod, P.A. and James E. Kirk; and

WHEREAS, at the inception of the Lawsuit Medard Schmitz agreed to pay Keleher & McLeod, P.A. and James E. Kirk as an attorney fee for representing him in the Lawsuit a 1/3 undivided interest in any interest he obtained in the Mining Lease;

NOW, THEREFORE, for and in consideration of \$1.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, Medard Schmitz and Martha True Schmitz, his wife, hereby sell, transfer, convey and assign unto Keleher & McLeod, P.A., a New Mexico Professional Association, 414 Silver Ave. S.W., P.O. Drawer AA, Albuquerque, New Mexico 87103, and James E. Kirk, 11927 Menaul N.E., Suite #201, Albuquerque, New Mexico 87112 an undivided 1/3 interest in and to any interest Medard Schmitz and Martha True Schmitz, his wife, have or hereafter acquire in the Mining Lease.

WITNESS THEIR HANDS AND SEALS this 2 day of April, 1990.

Medard Schmitz
Medard Schmitz

Martha True Schmitz
Martha True Schmitz

STATE OF TEXAS)
)§
COUNTY OF ERATH)

On this 2nd day of April, 1990, before me personally appeared Medard Schmitz and Martha True Schmitz, his wife, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their own free act and deed.

SEAL
Affixed

Randa Basschen
Notary Public

My Commission Expires: 1-31-92

State of Texas

Printed Name of Notary: **DOCK 219 PAGE 464**

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OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Kelcher & McLeod

'91 JAN 16 09:14

EUREKA COUNTY, NEVADA
M.N. REBALEATI, RECORDER
FILE NO. FEE \$7.00

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