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LexisNexis Document Solution:  
125 Park Avenue  
New York, N 10017  
Phone: (212) 3479



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(FX TO V) - ("NYC")

Debtor: State Street Bank and Trust Company,  
Juris: County Recorder, Erie County, NY

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1a. INITIAL FINANCING STATEMENT FILE #

363, 9/30/94

1b. This FINANCING STATEMENT AMENDMENT is  
to be filed [for record] (or recorded) in the  
☒ REAL ESTATE RECORDS.

2. ☐ TERMINATION: Effectiveness of the Financing Statement identified above is terminated with respect to security interest(s) of the Secured Party authorizing this Termination Statement.

3. ☐ CONTINUATION: Effectiveness of the Financing Statement identified above with respect to security interest(s) of the Secured Party authorizing this Continuation Statement is continued for the additional period provided by applicable law.

4. ☐ ASSIGNMENT (full or partial): Give full assignee in item 7a or 7b and address of assignee in item 7c; and also give name of assignor in item 9.

5. AMENDMENT (PARTY INFORMATION) This Amendment affects ☒ Debtor or ☐ Secured Party of record. Check only one of these two boxes.

Also check one of the following three boxes provide appropriate information in items 6 and/or 7.

☒ CHANGE name and/or address: Give old record name in item 6a or 6b; also give new name (if name change) in item 7a or 7b; new address (if address change) in item 7c. ☐ DELETE name: Give record name to be deleted in item 6a or 6b. ☐ ADD name: Complete item 7a or 7b, and also item 7c; also complete items 7d-7g (if applicable).

6. CURRENT RECORD INFORMATION:

6a. ORGANIZATION'S NAME

State Street Bank and Trust Company, as successor to Shawmut Bank Connecticut, National Association, as Owner Trustee\*

OR

6b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

7. CHANGED (NEW) OR ADDED INFORMATION:

7a. ORGANIZATION'S NAME

OR

7b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

7c. MAILING ADDRESS

225 Asylum Street, 23rd Floor

CITY

Hartford

STATE

CT

POSTAL CODE

06115

COUNTRY

USA

7d. TAX ID #: SSN OR EIN

ADD'L INFO RE: TYPE OF ORGANIZATION  
ORGANIZATION  
DEBTOR Trust Company

7f. JURISDICTION OF ORGANIZATION

MA

7g. ORGANIZATIONAL ID #, if any

☒ NONE

8. AMENDMENT (COLLATERAL CHANGE) check only one box.

Describe collateral ☐ deleted or ☐ added give entire ☐ restated collateral description, or describe collateral ☐ assigned.

\*under Trust Agreement No. 1 dated as of July 15, 1994 with Philip Morris Capital Corporation

9. NAME OF SECURED PARTY OF RECORD AUTHORIZING THIS AMENDMENT (name of assignor, if this is an Assignment). If this is an Amendment authorized by a Debtor which adds collateral or adds the authorizing Debtor if this is a Termination authorized by a Debtor, check here ☐ and enter name of DEBTOR authorizing this Amendment.

9a. ORGANIZATION'S NAME

Bank One, National Association f/k/a The First National Bank of Chicago, as Indenture Trustee

OR

9b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

10. OPTIONAL FILER REFERENCE DATA

Filed with: Eureka Co., NY

TR1

FILING OFFICE COPY — NATIONAL FINANCING STATEMENT AMENDMENT (FORM UCC3) (REV. 07/29/98)  
NATUCC3 4/23/01 CT System Online

BOOK 351 PAGE 134

UCC FINANCING STATEMENT AMENDMENT ADDENDUM

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

11. INITIAL FINANCING STATEMENT FILE (same as item 1a on Amendment form)		
155363, 9/30/94		
12. NAME OF PARTY AUTHORIZING AMENDMENT (same as item 9 on Amendment form)		
12a. ORGANIZATION'S NAME Bank One, National Association/k/a The First National Bank of Chicago, as Indenture Trustee		
OR	12b. INDIVIDUAL'S LAST NAME	FIRST NAME MIDDLE NAME, SUFFIX
13. Use this space for additional information		
THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY		

Collateral Description:

All of the Debtor's right, title and interests in and to the equipment, goods and other tangible personal property (including fixtures) which together comprise a refray gold ore treatment plant facility located near Carlin, Nevada, all as more fully described in Schedule A hereto.

This is a fixture filing to be recorded in the real estate records against the real property described in Schedule B.

## SCHEDULE A

Debtor:

State Street Bank and Trust Company (as successor in interest to Shawmut Bank Connecticut, National Association), a trust company organized under the laws of Massachusetts, not in its individual capacity but solely as Owner Trustee under the Trust Agreement No. 1, dated as of July 15, 1994, between Shawmut Bank Connecticut, National Association and Philip Morris Capital Corporation

225 Asylum Street - 23rd Floor  
Hartford, Connecticut 06103

Secured Party:

Bank One, National Association (formerly known as The First National Bank of Chicago), as Indenture Trustee under the Trustee Indenture and Security Agreement, dated as of July 15, 1994 between The First National Bank of Chicago and Shawmut Bank Connecticut, National Association, relating to the Newmont Gold Company leasing financing 1994 project.

1 Bank One Plaza  
Chicago, IL 60670

Attention: Sharon McGrath  
Corporate Trust Service Division

Description of Collateral:

All of the Debtor's right, title and interest in and to the equipment, goods and other tangible personal property (including fixtures) which together comprise a refractory gold ore treatment process facility located near Carlin, Nevada, all as more fully described in Annex 1 hereto, and any and all substitutions, replacements and accessions thereto or therefor and the proceeds thereof, including, without limitation, insurance proceeds.

The above-described collateral includes goods which are or are to become fixtures on the real estate described in Schedule B attached hereto and incorporated herein by this reference.

The record owner of the real estate described in  
Schedule is Newmont USA Limited.

COPY

## ANNEX 1

### LIST OF ASSETS

The Facility consists of the structures, machinery and equipment which together make up an integrated refractory gold ore treatment process facility. The principal components of the Facility are (1) a primary and secondary crushing circuit composed of, among other things, a jaw crusher, a high-angle conveyor, a screen and standard cone crusher, a radial stacker, reclaim feeders and a lime bin, (2) a dry grinding circuit composed of, among other things, a natural gas-fired burner, a double rotator grinding mill with an integral drying chamber, primary and secondary air classifiers, a fine bin, a bucket elevator and two baghouse clusters, (3) a roasting circuit consisting of two parallel trains each with a day feed bin, a circulating fluid bed preheater circuit, a baghouse, an SO<sub>2</sub> scrubber, a circulating fluid bed roaster, two four-stage calcine coolers and two calcine quench tanks, (4) a thickening, cooling and CIL/CIP circuit, consisting of, among other things, six CIL tanks, 5 CIP tanks, a neutralization tank and related pumps, piping and compressors, (5) a gas cooling and cleaning circuit consisting of, among other things, a washing tower, two gas coolers, a fluorine removal tower and electrostatic precipitators, (6) a sulfuric acid plant consisting of, among other things, a drying tower, heat exchangers, a multiple bed converter vessel, intermediate and final absorption towers, a scrubber, a filter and sulfuric acid tank and (7) related conveyor systems, pollution control equipment, emission stacks, cooling tower, a propane back-up system, water and acid pipelines and storage tanks.

Set forth below is a more detailed list of the assets comprising the Facility each of which is located on the process plot plan of the site on which the Facility is located near Carlin, Nevada, a reduced copy of which is attached hereto as Annex 1. Each number on the attached plot corresponds to the number next to the asset set forth below.

1. Second Crushing Facility G.A.
2. Second Crushing Electrical Equipment Room
3. High Angle Conveyor
4. Primary Jaw Crusher

5. [Intentiona left blank]
6. 300-TK-02me storage Tank
7. Lime Slak
8. [Intentiony left blank]
9. [Intentiony left blank]
10. 300-TK-Quench Thickener
11. [Intentiony left blank]
12. Equipmeand improvements relating to Quench Water Cooling Pond
13. [Intentiony left blank]
14. Sludge nk
15. Quenchater Pumps
16. Coolingond Transformer and MCC
17. Neutraltion Feed Tank
18. Thicke Feed Tank Electrical Room
19. Equipnt and improvements relating to Spill Pond
20. Equipnt and improvements relating to Storm Pond
21. DoubRotator Mill Feed Conveyor
22. Five C TANKS
23. Six Pane Tanks

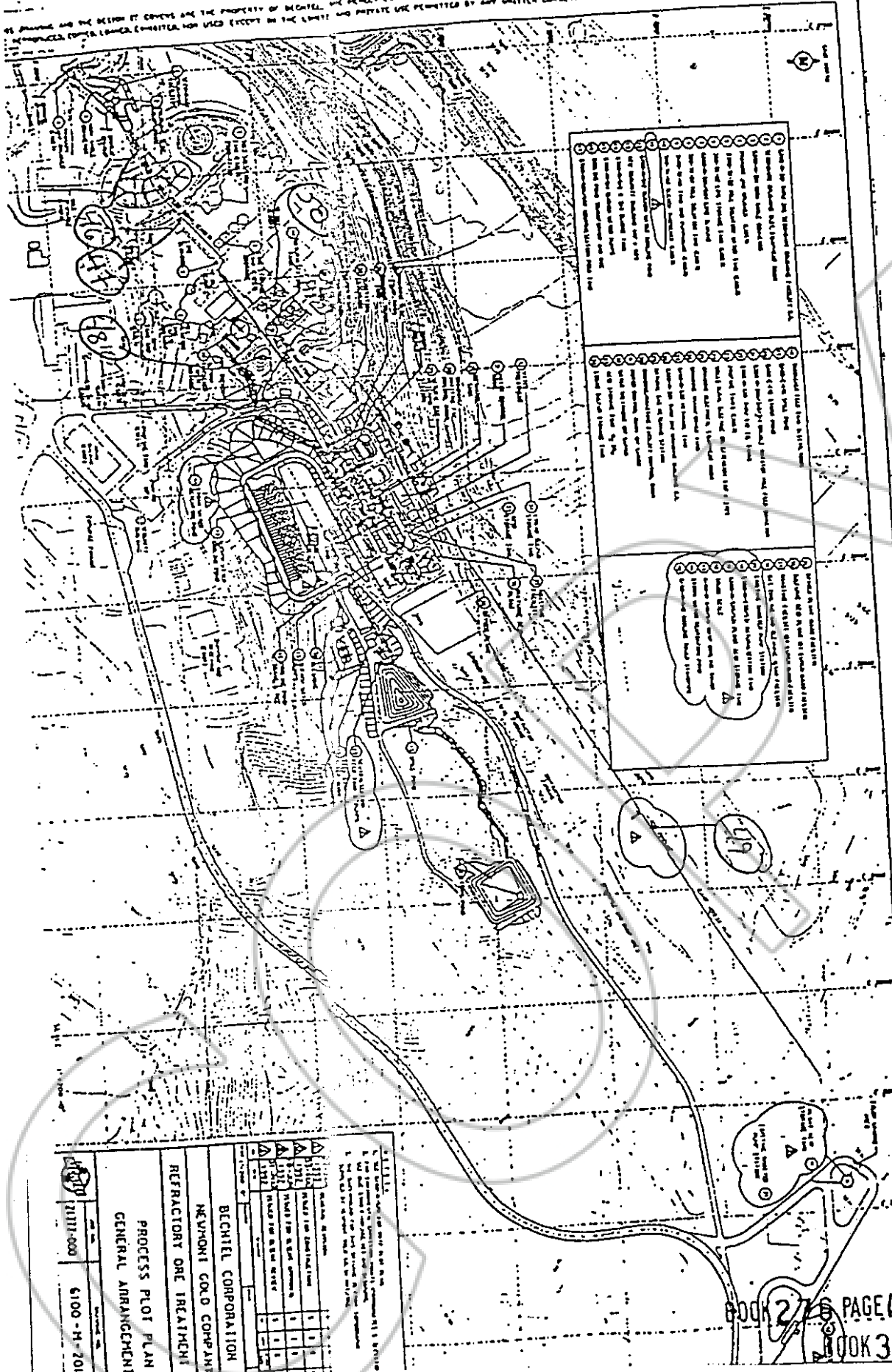
24. [Intentionally left blank]
25. Grinding Electrical Equipment Room
26. Equipment improvements relating to Grinding Transformer Yard
27. Methanol Tank
28. Grinding Edging G.A.
29. [Intentionally left blank]
30. Grinding/Polishing Facility Control Room
31. Motor Cool Room
32. Water Treatment
33. Acid Storage Tank  $H_2SO_4$
34. Liquid Sulfur Storage Tank
35. [Intentionally left blank]
36. Sulfuric Acid Plant (By Lurgi)
37. Roasting Facility (By Lurgi)
38. Gas Cooling and Cleaning
39. [Intentionally left blank]
40. Neutralization Tank
41. Plant Air Storage Tank
42. [Intentionally left blank]

43. ROTP Cog Tower
44. Equipment improvements relating to Storm Water Retention Pond
45. Cooling Tar Standpipe
46. 200 BM C Radial Stacker
47. 300 CV C Mill Feed Conveyor System
48. Equipment improvements relating to 2375 Spill Catchment Pond
49. Sulfuric Acid Pipeline
50. 400 TK 0-15 Six CIP Tanks



THIS DRAWING AND THE DESIGN IT CONVEYS ARE THE PROPERTY OF BECHTEL. THE HEREIN GRANTED AND ON THE COMPANY'S COMPLETE AGREEMENT THAT THE SAME SHALL NOT BE REPRODUCED, COPIED, LOANED, EXHIBITED, NOR USED EXCEPT IN THE LIMITED AND PRIVATE USE PERMITTED BY ANY WRITTEN CONSENT GIVEN BY THE LENDOR TO THE BORROWER.

ANNEX 1  
TO  
LIST OF ASSETS



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SCHEDULE B

All that certa lot, piece or parcel of land situate in the County of Eureka, State of Nevada, described as follows:

PORTIONS OF THE NORTH HALF OF SECTION 1, TOWNSHIP 33 NORTH, RANGE 51 EAST; THE SOUTH HALF OF SECTION 36, TOWNSHIP 34 NORTH, RANGE 51 EAST; AND THE WEST HALF OF SECTION 31, TOWNSHIP 34 NORTH, RANGE 52 EAST MOUNT DIABLO MERIDIAN; SAID PORTIONS TO DEFINE THE LIMITS OF AN EASEMENT KNOWN AS THE CONVEYOR PLOT AREA AND EACH OF FOUR SITE INTEREST PARCELS KNOWN AS FOLLOWS: SITE INTEREST PARCEL 1, AN APPROXIMATE 47.69 ACRE LEASE PARCEL; SITE INTEREST PARCEL 2, AN APPROXIMATE 6.28 ACRE LEASE PARCEL; SITE INTEREST PARCEL 3, AN APPROXIMATE 2203.84 SQUARE FOOT LEASE PARCEL; SITE INTEREST PARCEL 4, AN APPROXIMATE 456.75 SQUARE FOOT LEASE PARCEL, EACH MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR EACH OF THE FOLLOWING DESCRIPTIONS IS THE EAST SECTION LINE OF SECTION 36, TOWNSHIP 34 NORTH, RANGE 51 EAST, DEPICTED AS NORTH 00°05' 41" WEST ON EXHIBIT "A" ATTACHED TO THAT CERTAIN SHORT FORM LEASE BETWEEN NEWMONT GOLD COMPANY, AS LESSOR, AND AXAIR, INC., AS LESSEE, DATED THE 23RD DAY OF NOVEMBER, 1977, RECORDED IN BOOK 244 AT PAGE 072 IN THE OFFICE OF THE RECORDER OF EUREKA COUNTY, NEVADA.

SITE INTEREST PARCEL 1

COMMENCING AT THE SOUTHEAST SECTION CORNER OF SECTION 36, TOWNSHIP 34 NORTH, RANGE 51 EAST, MOUNT DIABLO MERIDIAN, A FOUND GENERAL LAND OFFICE MONUMENT, ALSO COMMON TO SECTION 31, TOWNSHIP 34 NORTH, RANGE 52 EAST, AND SECTION 1, TOWNSHIP 33 NORTH, RANGE 51 EAST, AN SECTION 6, TOWNSHIP 33 NORTH, RANGE 52 EAST;

THENCE NORTH 00°05' 41" WEST, COINCIDENT WITH THE EAST LINE OF THE AFOREMENTIONED SECTION 36, 731.30 FEET, TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID SECTION LINE, SOUTH 62°51' 52" WEST, 74.18 FEET;

THENCE SOUTH 06°43' 15" EAST, 172.08 FEET;

THENCE SOUTH 44°36' 42" WEST, 294.74 FEET;

THENCE SOUTH 69°37' 35" WEST, 1000.00 FEET;

THENCE NORTH 875' 12" WEST, 192.16 FEET;  
 THENCE NORTH 332' 32" WEST, 203.42 FEET;  
 THENCE SOUTH 811' 37" WEST, 171.61 FEET;  
 THENCE SOUTH 571' 05" WEST, 103.37 FEET;  
 THENCE NORTH 390' 14" WEST, 74.74 FEET;  
 THENCE SOUTH 561' 48" WEST, 95.22 FEET;  
 THENCE SOUTH 431' 00" EAST, 38.92 FEET;  
 THENCE SOUTH 549' 09" WEST, 55.80 FEET;

THENCE NORTH 435' 04" WEST, 169.95 FEET, TO A POINT COINCIDENT  
 WITH THE "CONVEYOR PLOT AREA EASEMENT" PERIMETER LINE, AS  
 DESCRIBED WITH THIS LEGAL DESCRIPTION FOR DEFINITION OF A LEASE  
 UNDER THE HEADG OF "CONVEYOR PLOT AREA EASEMENT";

THENCE COINCIDENT WITH SAID "CONVEYOR PLOT AREA EASEMENT"  
 PERIMETER LINE THROUGH THE FOLLOWING THREE COURSES, CONTINUING  
 NORTH 40°35' 0" WEST, 8.50 FEET, TO A POINT KNOWN AS POINT 'A';

THENCE DEPARTS POINT 'A', NORTH 48°03' 57" EAST, 20.00 FEET;

THENCE NORTH 24' 28" WEST, 7.88 FEET;

THENCE DEPARTS SAID COINCIDENT "CONVEYOR PLOT AREA EASEMENT"  
 PERIMETER LINE CONTINUING NORTH 39°24' 28" WEST, 198.71 FEET;

THENCE NORTH 55' 58" EAST, 219.88 FEET;

THENCE SOUTH 03' 39" EAST, 224.41 FEET;

THENCE NORTH 55' 30" EAST, 547.94 FEET;

THENCE NORTH 22' 52" WEST, 363.22 FEET;

THENCE NORTH 34' 35" EAST, 506.09 FEET;

THENCE NORTH 41' 40" EAST, 225.46 FEET;

THENCE NORTH 3°24' 23" EAST, 285.70 FEET;

THENCE NORTH 7°06' 34" EAST, 195.70 FEET;

THENCE NORTH 2°24' 44" EAST, 237.36 FEET;

THENCE NORTH 7°59' 38" EAST, 188.43 FEET;

THENCE NORTH 8°31' 52" EAST, 257.54 FEET;

THENCE NORTH 62°17' 00" EAST, 282.30 FEET;

THENCE NORTH 65° 30" EAST, 239.04 FEET;  
 THENCE NORTH 56° 52" EAST, 938.04 FEET;  
 THENCE NORTH 67° 58" EAST, 372.63 FEET;  
 THENCE NORTH 66° 21" EAST, 290.51 FEET;  
 THENCE NORTH 127° 24" WEST, 153.64 FEET;

THENCE NORTH 340° 49" EAST, 301.06 FEET, TO A POINT ON A CURVE  
 ON THE SOUTHWESRLY RIGHT-OF-WAY LINE OF STATE ROUTE 766, AS  
 RECORDED IN BOC 76, PAGES 144-148 OF DEEDS, IN THE OFFICE OF THE  
 RECORDER OF EURA COUNTY, NEVADA;

THENCE ALONG SD CURVE, WHICH IS NON-TANGENT AND CONCAVE TO THE  
 SOUTHWEST, DEPAING A TANGENT WHICH BEARS SOUTH 59° 18' 00" EAST,  
 COINCIDENT WITH THE AFOREMENTIONED SOUTHWESTERLY RIGHT-OF-WAY  
 LINE OF STATE UTE 766, SAID CURVE HAVING A RADIUS OF 9900.00  
 FEET, PASSING ROUGH A CENTRAL ANGLE OF 2° 09' 27", AN ARC  
 DISTANCE OF 3779 FEET;

THENCE DEPARTI SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, SOUTH  
 40° 20' 12" WES 98.74 FEET;

THENCE NORTH 832° 34" WEST, 383.38 FEET;  
 THENCE SOUTH 007° 24" EAST, 154.01 FEET;  
 THENCE SOUTH 046° 21" WEST, 319.68 FEET;  
 THENCE SOUTH 058° 58" WEST, 369.44 FEET;  
 THENCE SOUTH 022° 52" WEST, 937.28 FEET;  
 THENCE SOUTH 030° 30" WEST, 240.85 FEET;  
 THENCE SOUTH 017° 00" WEST, 286.32 FEET;  
 THENCE SOUTH 031° 52" WEST, 259.31 FEET;  
 THENCE SOUTH 059° 38" WEST, 186.55 FEET;  
 THENCE SOUTH 024° 44" WEST, 234.01 FEET;  
 THENCE SOUTH 006° 34" WEST, 192.93 FEET;  
 THENCE SOUTH 0324° 23" WEST, 145.17 FEET;  
 THENCE SOUTH 0422° 52" EAST, 3.18 FEET;  
 THENCE NORTH 0303° 21" EAST, 638.50 FEET;  
 THENCE SOUT 023° 58' 36" EAST, 333.36 FEET;

THENCE NORTH 651' 52" EAST, 1053.72 FEET;

THENCE SOUTH 228' 08" EAST, 292.71 FEET;

THENCE SOUTH 651' 52" WEST, 1217.41 FEET, TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THOSE LANDS SUBJECT TO THAT CERTAIN LEASE AGREEMENT DESCRIBED WITHIN THAT CERTAIN SHORT FORM LEASE BETWEEN NEWMONT GOLD COMPANY, AS LESSOR, AND PRAXAIR, INC., AS LESSEE, DATED THE 23RD DAY OF NOVEMBER, 1992 ENCOMPASSING THAT STRUCTURE KNOWN AS THE CGEN PLANT, RECORDED IN BOOK 244, AT PAGE 072, IN THE OFFICE OF THE RECORDER OF EUREKA COUNTY, NEVADA, TOGETHER WITH A 10 FOOT WIDE STRIP COINCIDENT WITH THE NORTHEASTERLY PERIMETER OF THE SAID OXYGEN PLANT, BOTH MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE AFOREMENTIONED SOUTHEAST SECTION CORNER, OF SECTION 36;

THENCE NORTH 01' 05" WEST, 1077.63 FEET, TO THE POINT OF BEGINNING;

THENCE COINCIDENT WITH THE AFOREMENTIONED OXYGEN PLANT LEASE LINE THROUGH THE FOLLOWING THREE COURSES, SOUTH 50°00' 00" WEST 248.70 FEET;

THENCE NORTH 1°48' 00" WEST, 296.03 FEET;

THENCE NORTH 5°12' 00" EAST, 240.00 FEET;

THENCE DEPARTING SAID OXYGEN PLANT LEASE LINE, DEFINING THE AFOREMENTIONED 10 FOOT WIDE STRIP, CONTINUING NORTH 65°12' 00" EAST, 10.00 FEET;

THENCE SOUTH 4°48' 00" EAST, 228.11 FEET;

THENCE SOUTH 0°00' 00" WEST, 10.36 FEET TO THE POINT OF BEGINNING.

#### SITE INTEREST, PARCEL 2

COMMENCING THE SOUTHEAST SECTION CORNER OF SECTION 36, TOWNSHIP 34 NORTH, RANGE 51 EAST, MOUNT DIABLO MERIDIAN, A FOUND GENERAL LAND OFFICE MONUMENT, ALSO COMMON TO SECTION 31, TOWNSHIP 34 NORTH, RANGE 52 EAST, AND SECTION 1, TOWNSHIP 33 NORTH, RANGE 51 EAST, AND SECTION 6, TOWNSHIP 33 NORTH, RANGE 52 EAST;

THENCE SOUTH 86°39' 35" WEST, 2469.72 FEET TO POINT 'C' AS DESCRIBED IN THIS LEGAL DESCRIPTION FOR DEFINITION OF A LEASE UNDER THE ADING OF "CONVEYOR PLOT AREA EASEMENT", SAID POINT BEING THE POINT OF BEGINNING;



THENCE DEPARTING AID POINT 'C', SOUTH 17°51' 15" EAST, 163.93 FEET;

THENCE SOUTH 11° 36" WEST, 69.90 FEET;

THENCE SOUTH 45° 32" WEST, 175.84 FEET;

THENCE NORTH 88° 21" WEST, 81.84 FEET;

THENCE NORTH 55° 37" WEST, 171.49 FEET;

THENCE SOUTH 261' 22" WEST, 248.89 FEET;

THENCE SOUTH 411' 56" WEST, 244.91 FEET;

THENCE NORTH 419' 28" WEST, 370.66 FEET;

THENCE NORTH 409' 31" EAST, 470.21 FEET;

THENCE SOUTH 518' 53" EAST, 139.94 FEET;

THENCE NORTH 302' 06" EAST, 172.49 FEET;

THENCE NORTH 615' 27" EAST, 225.71 FEET;

THENCE SOUTH 419' 00" EAST, 88.70 FEET, TO A POINT ON THE PERIMETER LINE OF THE AFOREMENTIONED "CONVEYOR PLOT AREA EASEMENT";

THENCE SOUTH 440' 00" EAST, COINCIDENT WITH SAID PERIMETER LINE, 20.43 FT TO THE POINT OF BEGINNING.

### SITE INTEREST ARCEL 3

COMMENCING AT THE SOUTHEAST SECTION CORNER OF SECTION 36, TOWNSHIP 34 NTH, RANGE 51 EAST, MOUNT DIABLO MERIDIAN, A FOUND GENERAL LAND OFFICE MONUMENT, ALSO COMMON TO SECTION 31, TOWNSHIP 34 NTH, RANGE 52 EAST, AND SECTION 1, TOWNSHIP 33 NORTH, RANGE 52 EAST, AND SECTION 6, TOWNSHIP 33 NORTH, RANGE 52 EAST;

THENCE NORTH 47° 13" WEST, 2274.60 FEET TO POINT 'D' AS DESCRIBED IN HIS LEGAL DESCRIPTION FOR DEFINITION OF A LEASE UNDER THE HEADING OF "CONVEYOR PLOT AREA EASEMENT", SAID POINT BEING THE POINT OF BEGINNING;

THENCE DEPARTING SAID POINT 'D', SOUTH 50°00' 14" WEST, COINCIDENT WITH THE PERIMETER LINE OF SAID "CONVEYOR PLOT AREA EASEMENT", 492 FEET;

THENCE DEPARTING SAID PERIMETER LINE, NORTH 40°01' 34" WEST, 44.15 FEET;

THENCE NORTH 0°00' 14" EAST, 49.92 FEET;

THENCE SOUTH 401' 34" EAST, 44.15 FEET TO THE POINT OF BEGINNING.

SITE INTEREST RCEL 4

COMMENCING AT E SOUTHEAST SECTION CORNER OF SECTION 36, TOWNSHIP 34 NCH, RANGE 51 EAST, MOUNT DIABLO MERIDIAN, A FOUND GENERAL LAND CICE MONUMENT, ALSO COMMON TO SECTION 31, TOWNSHIP 34 NCH, RANGE 52 EAST, AND SECTION 1, TOWNSHIP 33 NORTH, RANGE 52 EAST, AND SECTION 6, TOWNSHIP 33 NORTH, RANGE 52 EAST;

THENCE NORTH 42' 17" WEST, 2212.97 FEET TO POINT 'B' AS DESCRIBED IN IS LEGAL DESCRIPTION FOR DEFINITION OF A LEASE UNDER THE HEANG OF "CONVEYOR PLOT AREA EASEMENT", SAID POINT BEING THE POI OF BEGINNING;

THENCE DEPARTG SAID POINT 'B', SOUTH 49°54' 21" WEST, 31.50 FEET;

THENCE NORTH 0°05' 39" WEST, 14.50 FEET;

THENCE NORTH 0°54' 21" EAST, 31.50 FEET, TO A POINT ON THE PERIMETER LI OF THE AFOREMENTIONED "CONVEYOR PLOT AREA EASEMENT";

THENCE SOUTH 0°05' 39" EAST, COINCIDENT WITH SAID PERIMETER LINE, 14.50 ET TO THE POINT OF BEGINNING.

CONVEYOR PLOAREA EASEMENT PARCEL 5

COMMENCING AT THE SOUTHEAST SECTION CORNER OF SECTION 36, TOWNSHIP 34 RTH, RANGE 51 EAST, MOUNT DIABLO MERIDIAN, A FOUND GENERAL LAND EICE MONUMENT, ALSO COMMON TO SECTION 31, TOWNSHIP 34 RTH, RANGE 52 EAST, AND SECTION 1, TOWNSHIP 33 NORTH, RANGE 52 EAST, AND SECTION 6, TOWNSHIP 33 NORTH, RANGE 52 EAST;

THENCE NORTH 6°10' 39" WEST, 2013.76 FEET TO POINT 'A', WHICH IS COINCIDENT TH THE SITE INTEREST PARCEL 1 PERIMETER AS DESCRIBED IN THIS LEG DESCRIPTION FOR DEFINITION OF A LEASE UNDER THE HEADING OF "ITE INTEREST PARCEL 1", SAID POINT BEING THE POINT OF BEGINNING

THENCE DEPAING POINT 'A', SOUTH 40°35' 04" EAST, COINCIDENT WITH THE AFEMENTIONED SITE INTEREST PARCEL 1 PERIMETER LINE, 8.50 FEET;

THENCE DEPAING SAID SITE INTEREST PARCEL 1 PERIMETER LINE, SOUTH 59°0' 56" WEST, 147.43 FEET, TO A POINT ON THE EXTERIOR OF THE MILL 2UILDING LINE;

THENCE SOU 40°05' 39" EAST, COINCIDENT WITH THE EXTERIOR OF SAID MILL BUILDING LINE, 0.88 FEET;

THENCE DEPARTS SAID EXTERIOR OF MILL 2 BUILDING LINE, ON A COURSE WITHIN THE INTERIOR OF THE MILL 2 BUILDING, SOUTH 49°54' 21" WEST, 89.46 FEET TO A POINT ON THE EXTERIOR OF MILL 2 BUILDING LINE;

THENCE COINCIDENT WITH THE EXTERIOR OF MILL 2 BUILDING LINE THROUGH THE NEXT THREE COURSES, NORTH 40°05' 39" WEST, 23.00 FEET, TO A POINT COINCIDENT WITH LEASE PARCEL 4 PERIMETER LINE, KNOWN AS POINT 'B';

THENCE DEPARTS POINT 'B', COINCIDENT WITH SAID LEASE PARCEL 4, CONTINUING NORTH 40°05' 39" WEST, 14.50 FEET;

THENCE DEPARTS SAID LEASE PARCEL 4 PERIMETER LINE, CONTINUING NORTH 40°05' 39" WEST, 30.86 FEET;

THENCE DEPARTS THE AFOREMENTIONED EXTERIOR OF MILL 2 BUILDING LINE, SOUTH 43°36' 54" WEST, 293.26 FEET, TO A POINT COINCIDENT WITH LEASE PARCEL 2 PERIMETER LINE, KNOWN AS POINT 'C';

THENCE DEPARTS POINT 'C', NORTH 28°40' 00" WEST, COINCIDENT WITH LEASE PARCEL 2 PERIMETER LINE, 20.43 FEET;

THENCE DEPARTS SAID LEASE PARCEL 2 PERIMETER LINE, NORTH 49°36' 54" EAST, 216.17 FEET;

THENCE NORTH 0°01' 34" WEST, 2.59 FEET, TO A POINT COINCIDENT WITH LEASE PARCEL 3 PERIMETER LINE;

THENCE NORTH 0°00' 14" EAST, COINCIDENT WITH SAID LEASE PARCEL 3 PERIMETER LINE, 49.92 FEET, TO A POINT KNOWN AS POINT 'D';

THENCE DEPARTS SAID POINT 'D' AND LEASE PARCEL 3 PERIMETER LINE, SOUTH 0°01' 34" EAST, 2.21 FEET;

THENCE NORTH 49°33' 52" EAST, 23.12 FEET, TO A POINT ON THE EXTERIOR OF SAID MILL 2 BUILDING LINE;

THENCE DEPARTS SAID EXTERIOR OF MILL 2 BUILDING LINE, BEGINNING A SERIES OF EVEN COURSES WITHIN THE INTERIOR OF THE MILL 2 BUILDING, CONTINUING NORTH 49°33' 52" EAST, 27.26 FEET;

THENCE SOUTH 38°43' 26" EAST, 22.37 FEET;

THENCE NORTH 51°16' 34" EAST, 11.80 FEET;

THENCE SOUTH 38°43' 26" EAST, 10.50 FEET;

THENCE NORTH 78°18' 36" EAST, 37.73 FEET;

THENCE NORTH 49°54' 21" EAST, 18.00 FEET;

THENCE SOUTH 40°05' 39" EAST, 13.91 FEET, TO A POINT ON THE EXTERIOR OF SAID MILL 2 BUILDING LINE;



THENCE COINCIDENWITH THE EXTERIOR OF SAID MILL 2 BUILDING LINE,  
CONTINUING SOUTH 0°05' 39" EAST, 2.45 FEET;

THENCE DEPARTING AID EXTERIOR MILL 2 BUILDING LINE, NORTH  
59°05' 56" EAST, 67.69 FEET, TO A POINT ON THE AFOREMENTIONED  
SITE INTEREST PEEL 1 PERIMETER LINE;

THENCE COINCIDE WITH SITE INTEREST PARCEL 1 PERIMETER LINE, THE  
FOLLOWING TWO CRSES, SOUTH 39°24' 28" EAST, 7.88 FEET;

THENCE SOUTH 483' 57" WEST, 20.00 FEET TO THE POINT OF  
BEGINNING.

EXCEPTING FROM TS 3 AND 4; PARCEL "A"; W½NE¼SW¼; AND SE¼NE¼SW¼  
OF SECTION 31, 34 N., R. 52 E., AN UNDIVIDED 14.25% INTEREST  
TO COAL, OIL, G AND OTHER MINERALS OF EVERY KIND AND NATURE AS  
CONVEYED TO DOLD W. UNRUH AND DARLENE I. UNRUH BY MESNE  
DOCUMENTS OF RORD.

FURTHER EXCEPTS FROM LOTS 3 AND 4; PARCEL "A"; W½NE¼SW¼ AND  
SE¼NE¼SW¼ OF STION 31, T. 34 N., R. 52 E., AN UNDIVIDED 80.75%  
INTEREST TO OI GAS AND OTHER HYDROCARBONS AS RESERVED BY JOHN  
M. MCKINLEY, FAL IN DEED RECORDED JULY 2, 1982 IN BOOK 103,  
PAGE 63, OFFICL RECORDS, EUREKA COUNTY, NEVADA.

EXCEPTING FROMHE SE¼ OF SECTION 36, T. 34 N., R. 51 E., ALL THE  
OIL, GAS AND OTHERMAL RESOURCE MINERAL DEPOSITS LYING IN AND  
UNDER SAID LAMAS RESERVED BY THE UNITED STATES OF AMERICA, IN  
PATENT RECORD AUGUST 1, 1984, IN BOOK 124, PAGE 356, OFFICIAL  
RECORDS, EURE COUNTY, NEVADA.

EXCEPTING PROPORTIONS OF THE N¼ OF SECTION 1, T. 33 N., R. 51  
E., ALL COAL, YDROCARBON, GEOTHERMAL RESOURCES, PRECIOUS METALS  
ORES, BASE MELS ORES, INDUSTRIAL-GRADE SILICATES AND  
CARBONATES, FSIONABLE MINERALS AND ALL OTHER MINERALS OF EVERY  
KIND AND CHAFTER, METALLIC OR OTHERWISE, WHETHER OR NOT  
PRESENTLY KNW TO SCIENCE OR INDUSTRY, NOW KNOWN TO EXIST OR  
HEREAFTER DISCOVERED UPON, LYING IN AND UNDER SAID LAND RESERVED  
BY SOUTHERN CIFIC LAND COMPANY, A CALIFORNIA CORPORATION, BY  
INSTRUMENT RORDED JULY 21, 1987, IN BOOK 160, PAGE 382,  
OFFICIAL RECDS, EUREKA COUNTY, NEVADA.

BOOK 351 PAGE 134  
OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
*Nexus Nexus*  
02 OCT 18 PM 2:16

EUREKA COUNTY NEVADA  
M.N. REBALEATI RECORDER  
FILE NO. FEES 40<sup>00</sup>

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BOOK 351 PAGE 150