

179402

FULL RECONVEYANCE

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, Stephen Marich, TRUSTEE under Deed of Trust executed by Samuel R. Washa and Christine A. Washa, Husband and wife as joint tenants, GRANTOR, to The First National Bank Ely, as BENEFICIARY, dated June 25, 2001 recorded as document No. 176688 in book 342 pages 31-37 of Real Estate Records, in the office of the County Recorder of White Pine County, State of Nevada, has been duly requested to quitclaim and reconvey the property hereinafter mentioned, by reason of the payment of indebtedness secured by said Deed of Trust:

NOW THEREFORE, in compliance with said request and in consideration of the sum of One Dollar, receipt of which is hereby acknowledged, and the payment of said indebtedness, said trustee DOES HEREBY QUITCLAIM AND RECONVEY TO Samuel R. Washa and Christine A. Washa, husband and wife as joint tenants, their heirs, assigns or legal representatives, but without warranty, all of the property covered by said Deed of Trust now held by said Trustee under the terms of said Deed of Trust.

IN WITNESS WHEREOF said Stephen Marich, as Trustee, has affixed his signature this 6th day of November 2002.

Stephen Marich  
Stephen Marich, Trustee

STATE OF NEVADA  
COUNTY OF WHITE PINE

On this 6th day of November 2002, personally appeared before me, a Notary Public in and for White Pine County, Nevada, Stephen Marich, known to me to be the trustee who executed the foregoing instrument, upon oath, did depose that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.

Witness my hand and official seal,

Cris Durbin  
Notary Public

BOOK 353 PAGE 409  
OFFICIAL RECORD  
RECORDED AT THE REQUEST OF  
First National Bank, Ely  
02 NOV -8 PM 12  
CLARENCE COUNTY NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO. ES 1400

CRIS DURBIN  
Notary Public - State of Nevada  
Appointment Recorded in White Pine County  
No: 99-50320-17 - Expires September 23, 2006

179402  
BOOK 353 PAGE 409

179403

When recorded, please refer to:  
William G. Waldeck  
744 Horizon Court, Ste 300  
Grand Junction, CO 506

**ASSIGNMENT AND CONVEYANCE OF RIGHTS, TITLES  
AND INTERESTS IN OVERRIDING ROYALTY**

This Assignment and Conveyance of Rights and Interests In Overriding Royalty (this "Conveyance") is made effective as of the 5<sup>th</sup> day of November, 2002 from **WILLIAM G. WALDECK** ("Waldeck") and **ELLEN JO WALDECK**, his wife, whose address is 2538 Falls View Cle, Grand Junction, CO 81505 (the "Grantors") to **WILLIAM G. WALDECK, LLC**, a limited Liability Company organized under the laws of Colorado, whose address is 744 Horizon Court, Suite 300, Grand Junction, Colorado 81506 (the "Grantee").

**I.**

**RECITALS AND DEFINED TERMS**

1.1 Grantor Waldeck, and others, being the successors in interest to Idaho Mining Corporation, a dissolved corporation, (the "Idaho Successors") were parties to the following conveyances and agreements under which certain net profit interests in mining ventures in Lander and Eureka Counties, Nevada were converted into overriding royalty interests: (The places of recording of documents cited below, are the Offices of the County Recorders, of the specified counties in the State of Nevada).

A. Special Warranty Deed Conveying Overriding Royalty Interest dated June 30, 1993, from Plac Dome U.S., Inc. ("PDUS"), Cortez Joint Venture and Cortez Gold Mines, each being a joint venture composed of PDUS and Kennecott Exploration (Australia) Ltd., as grantors to Waldeck et al, grantees, recorded in Book 396, commencing at Page 23 in Lander County and Book 248, commencing at Page 284 in Eureka County, as corrected by Correction Special Warranty Deed Conveying Overriding Royalty Interest dated August 9, 1993, recorded Book 400, commencing at Page 328 in Lander County, and in Book 253, commencing at page 405 in Eureka County (referred to herein as the "Royalty Deed").

B. Special Warranty Deed and Bill of Sale dated June 30, 1993, recorded in Book 396, commencing at Page 160 in Lander County, and in Book, 248, commencing at Page 422 in Eureka County, as corrected by Correction Special Warranty Deed and Bill of Sale dated August 9, 1993, recorded in Book 400, commencing at Page 599 in Lander County, and in Book 254, commencing at Page 142 in Eureka County.

C. Special Warranty Deed Conveying Interest in Overriding Royalty from Grantor Waldeck and other of the Idaho Successors as grantors, to Placer Dome U.S. Inc. and Kennecott Exploration (Australia) Ltd., as grantees, dated June 30, 1993, recorded in Book 396, commencing at Page 276 in Lander County, and in Book 249, commencing at Page 1 in Eureka County, as corrected by Correction Special Warranty Deed Conveying Interest in Overriding Royalty dated August 9, 1993, recorded in Book 400, commencing at Page 458 in Lander County, and in Book 254, commencing at Page 001 of the Official Records of Eureka County (referred to herein as the "Placer-Kennecott Deed").

D. Memorandum of Surviving Provisions of the Exchange Agreement dated June 30, 1993, recorded in Book 396, commencing at Page 151 in Lander County, and in Book 248, commencing at Page 412 in Eureka County, as corrected by Corrected Memorandum of Surviving Provisions of Exchange Agreement dated August 9, 1993, recorded in Book 400, commencing at Page 589 in Lander County, and in Book 254, commencing at Page 132 in Eureka County.

E. Exchange Agreement dated June 30, 1993 as amended by First Amendment of Exchange Agreement dated August 9, 1993, memoranda of which are recorded as set forth in subparagraph above.

F. Certification Agreement between the Cortez Joint Venture, Cortez Gold Mines, Placer Dome U.S. Inc., Kennecott Exploration (Australia), Ltd., Idaho Resources Corporation and the Idaho Successors. This document is dated August 11, 1995 and is recorded in Book 421, commencing at Page 205 in Lander County, and in Book 287, commencing at Page 552, in Eureka County.

The instruments listed above in 1.1 A. through F. are incorporated herein by reference and, hereinafter, referred to collectively as the "Idaho Conversion Documents."

G. On September 1, 1999, Grantors executed and delivered a Special Warranty Deed Conveying An Interest Overriding Royalty to Royal Gold, Inc. (referred to herein as the "Royal Gold Deed") whereunder a portion of Grantors' rights and interests under the Royalty Deed which pertain to certain properties designated in the Royal Gold Deed were conveyed to Royal Gold, Inc., a Delaware corporation. The Royal Gold Deed is duly recorded in the Official Records of Lander County commencing at Page 041 of Book 468, which Deed is incorporated herein by this reference.

1.2 The rights and interests acquired by Waldeck from and under the Idaho Conversion Documents, as diminished by the portion of those rights and interests conveyed by the Placer-Kennecott Deed and the Royal Gold Deed, are referred to below as "Grantors' Remaining Royalty Interests."

1.3 Grantors wish to transfer, assign and convey all of Grantors' Remaining Royalty Interests to Grantee.

**II.**  
**CONVEYANCE**

2.1 For and consideration of Ten and more dollars and other good and valuable consideration received in Grantee, the receipt and sufficiency of which is acknowledged by Grantors, Grantors here bargain, sell, deed and convey to Grantee, its successors and assigns, all of Grantors' Remaining Royalty Interests.

**III.**  
**MISCELLANEOUS**

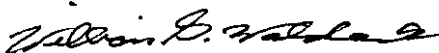
3.1 This Conveyance is subject to the restraints and obligations imposed upon Grantor by the provisions of the two Conversion Documents, and Grantee takes title to the rights, titles and interests hereby convey subject to those restraints and obligations.

3.2 Grantor warrant title to the rights, titles and interests conveyed to Grantee by this Conveyance against, bonly against, any person or entity lawfully claiming the whole or any part thereof by, through or per Grantors, but not otherwise.

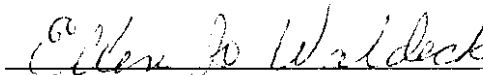
3.3 The rig and interests conveyed to Grantee by this Conveyance shall attach and pertain to all of the ming claims, mineral rights and properties described in the Royalty Deed, to any amendments or relations of the mining claims described therein by the grantees thereof or their successors or assigns. more fully specified in the Royalty Deed (the corrected version of August 9, 1993, being recorded set forth in Section 1.1 hereof), the royalty conveyed thereby attaches, or will attach, not only to the claims and properties described in Schedules I and II annexed to the Royalty Deed, but also any other mining claims or mining rights which the grantors thereof might acquire prior to June 1983 within the "Subject Property" and the "Areas of Interest" as defined and described in Part Sections 3.1, 3.2, 3.2(a), 3.3 and 3.4 of the Royalty Deed. Grantors' Remaining Royalty Irests (conveyed in this Conveyance) shall include and pertain to any properties or mining ris which come within the purview of the above designated sections of the Royalty Deed.

3.4 The proions of this Deed shall be binding upon and shall inure to the benefit of the Grantors and Grantee and their respective successors and assigns.

Made and execd this 5<sup>th</sup> day of November, 2002.



William G. Waldeck



Ellen Jo Waldeck

Grantors



# State of Nevada Declaration of Value

- Assessor Parcel Number(s)
  - \_\_\_\_\_
  - \_\_\_\_\_
  - \_\_\_\_\_
  - \_\_\_\_\_
- Type of Property:
 

a) <input type="checkbox"/> Vacant Land	b) Single Fam. Res.
c) <input type="checkbox"/> Condo/Twnhse	d) 2-4 Plex
e) <input type="checkbox"/> Apt. Bldg.	f) Comm'l/Ind'l
g) <input type="checkbox"/> Agricultural	h) Mobile Home
j) <input checked="" type="checkbox"/> Other <u>overriding royalty on mining claims</u>	

FOR RECORDERS OPTIONAL USE ONLY	
Document/Instrument #:	<u>179403</u>
Book: <u>353</u>	Page: <u>410</u>
Date of Recording:	<u>11-8-02</u>
Notes:	_____

- Total Value/Sales Price of Property: \$ \_\_\_\_\_  
 Deduct Assumed Liens and/or Encumbrances: ( \_\_\_\_\_ )  
 (Provide recording information: Doc/Instrument #: \_\_\_\_\_ Book: \_\_\_\_\_ Page: \_\_\_\_\_ )  
 Transfer Tax Value per NRS 375.0, Section 2: \$ \_\_\_\_\_  
 Real Property Transfer Tax Due: \$ \_\_\_\_\_

- If Exemption Claimed:
  - Transfer Tax Exemption, NRS 375.090, Section: 9 and 10
  - Explain Reason for Exemption: Transfer of overriding royalty on mining claims from William G. Waldeck to William G. Waldeck, LLC, which is owned 100% by William G. Waldeck for estate planning
- Partial Interest: Percentage being transferred: \_\_\_\_\_ %

The undersigned Seller (Grantor)/Buyer (Grantee), declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax, may result in a penalty of 10% of the tax due plus interest at 1 1/2% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

### SELLER (GRANTOR) INFORMATION

### BUYER (GRANTEE) INFORMATION

Seller Signature: William G. Waldeck  
 Print Name: William G. Waldeck  
 Address: 2538 Falls View Circle  
 City: Grand Junction  
 State: Colorado Zip: 81505  
 Telephone: ( 970 ) 242-6062  
 Capacity: \_\_\_\_\_

Buyer Signature: William G. Waldeck, LLC  
 Print Name: William G. Waldeck, LLC  
 Address: 744 Horizon Court, Suite 300  
 City: Grand Junction  
 State: Colorado Zip: 81506  
 Telephone: ( 970 ) 241-5500  
 Capacity: \_\_\_\_\_

### COMPANY REQUESTING RECORDING

Co. Name: \_\_\_\_\_ Esc. #: \_\_\_\_\_

(A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)