

BOOK 382 PAGE 6-15
OFFICIAL RECORDS
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2004 MAY 21 PM 4:03

EUREKA COUNTY, NEVADA
M.N. REBALEATI, RECORDER
FILE NO. FEES 60⁰⁰

187874

UCC FINANCING STATEMENT AMENDMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional]
B. SEND ACKNOWLEDGMENT TO: (Name and Address) LexisNexis Document Solutions 801 Adlai Stevenson Drive Springfield, IL 62703 8972710-6

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1a. INITIAL FINANCING STATEMENT FILE # 155363 Date: 09/30/1994	1b. This FINANCING STATEMENT AMENDMENT is to be filed [for record] (or recorded) in the REAL ESTATE RECORDS. <input checked="" type="checkbox"/>
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. <input checked="" type="checkbox"/> ASSIGNMENT (full or partial): Give name of 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 <input type="checkbox"/> Debtor or <input type="checkbox"/> Secured Party of record. Check only one of these two boxes. Also check one of the following three boxes and provide appropriate information in items 6 and/or 7. <input type="checkbox"/> CHANGE name and/or address: Please refer to the detailed instructions in regards to changing the name/address of a party. <input type="checkbox"/> DELETE name: Give record name to be deleted in item 6a or 6b. <input type="checkbox"/> ADD name: Complete item 7a or 7b, and also item 7c, also complete items 7e-7g (if applicable).	
6. CURRENT RECORD INFORMATION:	
6a. ORGANIZATION'S NAME	
OR	6b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX
7. CHANGED (NEW) OR ADDED INFORMATION:	
7a. ORGANIZATION'S NAME J.P.Morgan Trust Company, N.A.	
OR	7b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX
7c. MAILING ADDRESS 6525 West Campus Oval, Suite 200, attn: UCC Division CITY New Albany STATE OH POSTAL CODE 43054 COUNTRY USA	
7d. SEE INSTRUCTIONS	7e. TYPE OF ORGANIZATION NA
7f. JURISDICTION OF ORGANIZATION OH	7g. ORGANIZATIONAL ID #, if any <input checked="" type="checkbox"/> NONE
8. AMENDMENT (COLLATERAL CHANGE): check only one box. Describe collateral <input type="checkbox"/> deleted or <input type="checkbox"/> added, or give entire <input type="checkbox"/> restated collateral description, or describe collateral <input type="checkbox"/> assigned.	

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, or if this is a Termination authorized by a Debtor, check here <input type="checkbox"/> and enter name of DEBTOR authorizing this Amendment.			
9a. ORGANIZATION'S NAME Bank One, National Association f/d/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 10211251

NV-Eureka County Debtor: State Street Bank and Trust Company, as successor to Shawmut Bank Conn

FILING OFFICE COPY — UCC FINANCING STATEMENT AMENDMENT (FORM UCC3) (REV. 05/22/02)

LexisNexis Document Solutions
801 Adlai Stevenson Drive
Springfield, IL 62703-4261

BOOK 382 PAGE 006

UCC FINANCING STATEMENT AMENDMENT ADDENDUM

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

11. INITIAL FINANCING STATEMENT FILE # (same as item 1a on Amendment form)

155363 Date: 09/30/1994

12. NAME OF PARTY AUTHORIZING THIS AMENDMENT (same as item 9 on Amendment form)

12a. ORGANIZATION'S NAME

Bank One, National Association f/d/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

NV-Eureka County

RECORD OWNER(S)
Newmont Gold Company

EXHIBIT C
to
GROUND LEASE

SITE INTEREST PROPERTY DESCRIPTION

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 PRAXAIR, INC., AS LESSEE, DATED THE 23RD DAY OF NOVEMBER, 1992, 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, AND 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;

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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 87°26'12" WEST, 192.16 FEET;
THENCE NORTH 33°52'32" WEST, 203.42 FEET;
THENCE SOUTH 81°41'37" WEST, 171.61 FEET;
THENCE SOUTH 57°11'05" WEST, 103.37 FEET;
THENCE NORTH 39°50'14" WEST, 74.74 FEET;
THENCE SOUTH 50°41'48" WEST, 95.22 FEET;
THENCE SOUTH 41°31'00" EAST, 38.92 FEET;
THENCE SOUTH 51°49'09" WEST, 55.80 FEET;

THENCE NORTH 40°35'04" WEST, 169.95 FEET, TO A POINT COINCIDENT WITH THE "CONVEYOR PLOT AREA EASEMENT" PERIMETER LINE, AS DESCRIBED WITHIN THIS LEGAL DESCRIPTION FOR DEFINITION OF A LEASE UNDER THE HEADING OF "CONVEYOR PLOT AREA EASEMENT";

THENCE COINCIDENT WITH SAID "CONVEYOR PLOT AREA EASEMENT" PERIMETER LINE THROUGH THE FOLLOWING THREE COURSES, CONTINUING NORTH 40°35'04" WEST, 8.50 FEET, TO A POINT KNOWN AS POINT "A";

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

THENCE NORTH 39°24'28" WEST, 7.88 FEET;

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

THENCE NORTH 49°55'58" EAST, 219.88 FEET;

THENCE SOUTH 40°03'39" EAST, 224.41 FEET;

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THENCE NORTH 58°55'30" EAST, 547.94 FEET;

THENCE NORTH 34°22'52" WEST, 363.22 FEET;

THENCE NORTH 64°34'35" EAST, 506.09 FEET;

THENCE NORTH 69°41'40" EAST, 225.46 FEET;

THENCE NORTH 63°24'23" EAST, 285.70 FEET;

THENCE NORTH 57°06'34" EAST, 195.70 FEET;

THENCE NORTH 72°24'44" EAST, 237.36 FEET;

THENCE NORTH 67°59'38" EAST, 188.43 FEET;

THENCE NORTH 78°31'52" EAST, 257.54 FEET;

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

THENCE NORTH 65°30'30" EAST, 239.04 FEET;

THENCE NORTH 56°22'52" EAST, 938.04 FEET;

THENCE NORTH 67°58'58" EAST, 372.63 FEET;

THENCE NORTH 66°46'21" EAST, 290.51 FEET;

THENCE NORTH 12°7'24" WEST, 153.64 FEET;

THENCE NORTH 34°30'49" EAST, 301.06 FEET, TO A POINT ON A CURVE ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 766, AS RECORDED IN BOOK 76, PAGES 144-148 OF DEEDS, IN THE OFFICE OF THE RECORDER OF EUREKA COUNTY, NEVADA;

THENCE ALONG SAID CURVE, WHICH IS NON-TANGENT AND CONCAVE TO THE SOUTHWEST, DEPARTING A TANGENT WHICH BEARS SOUTH 59°18'00" EAST, COINCIDENT WITH THE AFOREMENTIONED SOUTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 766, SAID CURVE HAVING A RADIUS OF 9900.00 FEET, PASSING THROUGH A CENTRAL ANGLE OF 2°09'27", AN ARC DISTANCE OF 372.79 FEET;

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

THENCE NORTH 89°32'34" WEST, 383.38 FEET;

THENCE SOUTH 12°07'24" EAST, 154.01 FEET;

THENCE SOUTH 66°46'21" WEST, 319.68 FEET;

THENCE SOUTH 67°58'58" WEST, 369.44 FEET;

THENCE SOUTH 56°22'52" WEST, 937.28 FEET;

THENCE SOUTH 65°30'30" WEST, 240.85 FEET;

THENCE SOUTH 62°17'00" WEST, 286.32 FEET;

THENCE SOUTH 78°31'52" WEST, 259.31 FEET;

THENCE SOUTH 67°59'38" WEST, 186.55 FEET;

THENCE SOUTH 72°24'44" WEST, 234.01 FEET;

THENCE SOUTH 57°06'34" WEST, 192.93 FEET;

THENCE SOUTH 63°24'23" WEST, 145.17 FEET;

THENCE SOUTH 34°22'52" EAST, 3.18 FEET;

THENCE NORTH 73°03'21" EAST, 638.50 FEET;

THENCE SOUTH 23°58'36" EAST, 333.36 FEET;

THENCE NORTH 62°51'52" EAST, 1053.72 FEET;

THENCE SOUTH 27°08'08" EAST, 292.71 FEET;

THENCE SOUTH 62°51'52" 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

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LESSEE, DATED THE 23RD DAY OF NOVEMBER, 1992 ENCOMPASSING THAT STRUCTURE KNOWN AS THE OXYGEN 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 16°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 24°48'00" WEST, 296.03 FEET;

THENCE NORTH 65°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 24°48'00" EAST, 228.11 FEET;

THENCE SOUTH 50°00'00" WEST, 10.36 FEET TO THE POINT OF BEGINNING.

SAID EXCEPTED OXYGEN PLANT LEASE AND 10 FOOT WIDE STRIP CONTAINS APPROXIMATELY 1.50 ACRES.

SAID SITE INTEREST PARCEL 1, LESS THE EXCEPTED 1.5 ACRE OXYGEN PLANT LEASE, CONTAINS A NET OF APPROXIMATELY 47.69 ACRES.

SITE INTEREST PARCEL 2

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

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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 HEADING OF "CONVEYOR PLOT AREA EASEMENT", SAID POINT BEING THE POINT OF BEGINNING;

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

THENCE SOUTH 11°37'36" WEST, 69.90 FEET;

THENCE SOUTH 45°15'32" WEST, 175.84 FEET;

THENCE NORTH 88°55'21" WEST, 81.84 FEET;

THENCE NORTH 55°20'37" WEST, 171.49 FEET;

THENCE SOUTH 26°41'22" WEST, 248.89 FEET;

THENCE SOUTH 41°41'56" WEST, 244.91 FEET;

THENCE NORTH 41°49'28" WEST, 370.66 FEET;

THENCE NORTH 49°09'31" EAST, 470.21 FEET;

THENCE SOUTH 51°48'53" EAST, 139.94 FEET;

THENCE NORTH 35°02'06" EAST, 172.49 FEET;

THENCE NORTH 63°15'27" EAST, 225.71 FEET;

THENCE SOUTH 40°19'00" EAST, 88.70 FEET, TO A POINT ON THE PERIMETER LINE OF THE AFOREMENTIONED "CONVEYOR PLOT AREA EASEMENT";

THENCE SOUTH 28°40'00" EAST, COINCIDENT WITH SAID PERIMETER LINE, 20.43 FEET TO THE POINT OF BEGINNING.

SAID SITE INTEREST PARCEL 2 CONTAINS APPROXIMATELY 6.28 ACRES.

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SITE INTEREST PARCEL 3

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, AND SECTION 6, TOWNSHIP 33 NORTH, RANGE 52 EAST;

THENCE NORTH $88^{\circ}47'13''$ WEST, 2274.60 FEET TO POINT 'D' AS DESCRIBED IN THIS 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 $50^{\circ}00'14''$ WEST, COINCIDENT WITH THE PERIMETER LINE OF SAID "CONVEYOR PLOT AREA EASEMENT", 49.92 FEET;

THENCE DEPARTING SAID PERIMETER LINE, NORTH $40^{\circ}01'34''$ WEST, 44.15 FEET;

THENCE NORTH $50^{\circ}00'14''$ EAST, 49.92 FEET;

THENCE SOUTH $40^{\circ}01'34''$ EAST, 44.15 FEET TO THE POINT OF BEGINNING.

SAID SITE INTEREST PARCEL 3 CONTAINS APPROXIMATELY 2203.84 SQUARE FEET.

SITE INTEREST PARCEL 4

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, AND SECTION 6, TOWNSHIP 33 NORTH, RANGE 52 EAST;

THENCE NORTH $89^{\circ}42'17''$ WEST, 2212.97 FEET TO POINT 'B' AS DESCRIBED IN THIS LEGAL DESCRIPTION FOR DEFINITION OF A LEASE UNDER THE HEADING OF "CONVEYOR PLOT AREA EASEMENT", SAID POINT BEING THE POINT OF BEGINNING;

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

THENCE NORTH 40°05'39" WEST, 14.50 FEET;

THENCE NORTH 49°54'21" EAST, 31.50 FEET, TO A POINT ON THE PERIMETER
LINE OF THE AFOREMENTIONED "CONVEYOR PLOT AREA EASEMENT";

THENCE SOUTH 40°05'39" EAST, COINCIDENT WITH SAID PERIMETER LINE,
14.50 FEET TO THE POINT OF BEGINNING.

SAID SITE INTEREST PARCEL 4 CONTAINS APPROXIMATELY 456.75 SQUARE
FEET.

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