

APN: N/A

WHEN RECORDED RETURN,  
AND SEND TAX STATEMENTS,  
IF ANY, TO:

James and Sandy Harness  
4601 East Shangri-La Road  
Phoenix, Arizona 85028

BOOK 383 PAGE 114-118  
OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
*Newmont Mining Corp*  
2004 JUN 23 AM 8:17

EUREKA COUNTY, NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO. FEES \$18.00

188128

### QUITCLAIM OF ROYALTY INTEREST

THIS QUITCLAIM OF ROYALTY INTEREST, made and entered into as of the 30 day of APRIL, 2004, by and between James L. Harness, aka James Harness, Grantor, and, James L. Harness and Sandy L. Harness, husband and wife, Grantees;

#### WITNESSETH:

That the said Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful, current money of the United States of America, to him in hand paid by the said Grantees, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever quitclaim unto the said Grantees, as community property with the right of survivorship, all Grantor's right, title, estate or interest in and to those certain royalty interests located and arising in Eureka County, Nevada, as described in Exhibit A attached hereto and incorporated herein by this reference.

**TO HAVE AND TO HOLD**, all and singular, the said premises, together with the appurtenances unto the said Grantees, and to the heirs, successors and assigns of the survivor of the Grantees, forever.

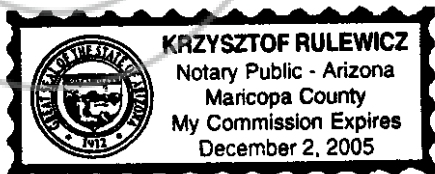
**IN WITNESS WHEREOF**, the said Grantor has caused this Quitclaim of Royalty Interests to be executed as of the day and year first hereinabove written.

GRANTOR:

*James L. Harness*  
JAMES L. HARNESS, aka JAMES HARNESS

STATE OF ARIZONA )  
 ) SS.  
COUNTY OF MARICOPA )

On this 24<sup>th</sup> day of May, 2004, personally appeared before me, a Notary Public, JAMES L. HARNESS, aka JAMES HARNESS, known or proved to me to be said person, who acknowledged that he executed the foregoing instrument.



*Krzysztof Rulewicz*  
NOTARY PUBLIC

## APPROVAL

Newmont USA Limited, a Delaware corporation, dba Newmont Mining Corporation, payor of the royalty described above and in Exhibit A, hereby approves of the foregoing Quitclaim Deed as to form and content.

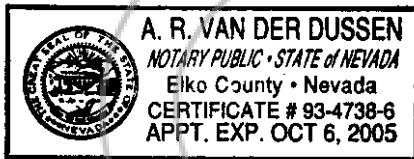
Dated this 30 day of April, 2004,

By: Leland W. Kruger

Title: Vice President

STATE OF NEVADA       )  
                                  ) SS.  
COUNTY OF EUREKA    )

On this 30 day of APRIL, 2004, personally appeared before me, a Notary Public, LELAND W. KRUGER, known or proved to me to be said person, who acknowledged that he executed the foregoing instrument as the VICE PRESIDENT of Newmont USA Limited.



A. R. Van Der Dussen  
NOTARY PUBLIC

**EXHIBIT A**  
**TO QUITCLAIM OF ROYALTY INTEREST**

Grantor's subject royalty interest is all his interest as is more particularly defined in that certain Royalty Division Agreement ("RDA") dated January 6, 1988 by and between Lynn Mychael Barstow, Kathryn Lee Barstow, James Harness, Leslie J. Harness, Ruth Harness and Euro-Nevada Mining Corporation, recorded on November 9, 1990 in Book 217, Page 278 of the Official Records, Document No. 134711, of Eureka County, Nevada, and relates to and arises from the 20 unpatented mining claims and the "Unitization Agreement" described in the RDA. Certain of the 20 unpatented mining claims were patented, certain others were relocated and/or realigned and some unpatented claims were added to further the intent of the royalty owners and royalty payor.

Grantor's subject royalty interest, therefore, relates to and arises from the following described lands:

**PART 1:      PATENTED MINING CLAIMS:**

**PARCEL 1:**

LES-1, LES-4, KL-5, KL-6, KL-8, and KL-9 Patented Lode Mining Claims, designated and described by Mineral Survey No. 4998, approved April 12, 1984, being United States Mineral Patent No. 27-86-0003 executed October 22, 1985, recorded October 28, 1985, in Book 139, Page 481, Official Records, Eureka County, Nevada, situate in the Southeast one-quarter (SE $\frac{1}{4}$ ) of Section 34 and Gov. Lot 12 of Section 35, Township 34 North, Range 51 East, Mount Diablo Meridian, Eureka County, Nevada.

**PARCEL 2:**

POINT TOO Patented Lode Mining Claim, designated and described by Mineral Survey No. 5020, approved March 22, 1988, being United States Mineral Patent No. 27-91-0011 executed December 12, 1990, recorded January 11, 1991, in Book 219, Page 429, Official Records, Eureka County, Nevada, situate in the Southeast one-quarter (SE $\frac{1}{4}$ ) of Section 34, Township 34 North, Range 51 East, Mount Diablo Meridian, Eureka County, Nevada.

**PARCEL 3:**

LORRI-1 and LORRI-2 Patented Lode Mining Claim, being a portion of Mineral Survey No. 5050, approved July 10, 1991, being United States Mineral Patent No. 27-2000-0054 executed February 29, 2000, recorded May 10, 2000, in Book 334, Page 147, Official Records, Eureka County, Nevada, and re-recorded July 7, 2000, in Book 335, Page 280, Official Records, Eureka County, Nevada, situate in Section 35, Township 34 North, Range 51 East, Mount Diablo Meridian, Eureka County, Nevada.

**PART 2: UNPATENTED LODE MINING CLAIMS:**

<u>CLAIM NAME</u>	<u>BLM SERIAL NO.</u>	<u>EUREKA COUNTY RECORDER</u>			
		<u>Loc. Cert.</u>		<u>Amended</u>	
		<u>Book</u>	<u>Page</u>	<u>Book</u>	<u>Page</u>
1. LORRI-3	NMC 1807	61	89	61	591
2. KL-1	NMC 10295	61	574		
3. KL-2	NMC 10296	61	575		
4. KL-3	NMC 10297	61	576		
5. KL-4	NMC 10298	61	577		
6. KL-7	NMC 10301	61	580		
7. KL-1	NMC 50978	56	453		
8. KL-2	NMC 50979	56	454		
9. KL-3	NMC 50980	56	455		
10. KL-4	NMC 50981	56	456		
11. KL-7	NMC 50984	56	459		
12. HANGFIRE	NMC 540659	193	438		
13. ICE	NMC 540660	193	439		
14. LORRIE NO. 4	NMC 546471	195	535		
15. KL-2A	NMC 593920	209	531		
16. KL-3A	NMC 593921	209	532		
17. KL-4A	NMC 593922	209	533		
18. LORRI-1A	NMC 593923	209	534		
19. LORRI-2A	NMC 593924	209	535		
20. LORRI-3A	NMC 593925	209	536		
21. SHOE 1	NMC 674374	243	494		
22. SHOE 2	NMC 674375	243	495		
23. SHOE 3	NMC 674376	243	496		
24. SHOE 4	NMC 674377	243	497		
25. SHOE 5	NMC 674378	243	498		

**PART 3: UNITIZATION AGREEMENT LANDS (in Section 3 as described in the RDA):**

That portion of Section 3, Township 33 North, Range 51 East, M.D.M., within lands defined by Exhibit A of unrecorded Agreement for Unitization of Ore Reserves, entered into January 18, 1992, by and between Carlin Gold Mining Company, a Delaware corporation, Southern Pacific Land Company, a California corporation, Lynn M. Barstow, and Kathryn Lee Barstow, to wit:

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That certain gold bearing orebody contained within those certain lands generally within Section 3, Township 33 North, Range 51 East, and Section 34, Township 34 North, Range 51 East, M.D.B.&M., Eureka County, Nevada.

Beginning at the Southeast corner of Section 34, Township 34 North, Range 51 East, M.D.B.&M.; thence bears North 48°42'36" West, 311.44 feet to P-1, which is the true point of beginning (P.O.B.); thence bears South 4°05' West, 477.00 feet to P-2; thence bears South 36°41' West, 403.00 feet to P-3; thence bears South 72°28' West, 900.00 feet to P-4; thence bears North 39°23' West, 380.00 feet to P-5; thence North 27°07' East, 588.00 feet to P-6; thence bears North 46°25' West, 242.00 feet to P-7; thence bears North 1°31'06" East, 578.17 feet to P-8; thence bears North 43°48' East, 1195.00 feet to P-9; thence bears South 57°48' East, 131.00 feet to P-10; thence bears South 21°45' East, 658 feet to P-11; thence bears South 32°19' West, 474.00 feet to P-12; thence bears South 51°04' East, 434.00 feet to P-1, which is the true point of beginning.

# STATE OF NEVADA DECLARATION OF VALUE

## 1 Assessor Parcel Number (s)

- a) N/A
- b) \_\_\_\_\_
- c) \_\_\_\_\_
- d) \_\_\_\_\_

## 2. Type of Property:

- |  |                         |                             |                 |
|--|-------------------------|-----------------------------|-----------------|
| a) <input type="checkbox"/>            | Vacant Land             | b) <input type="checkbox"/> | Single Fam Res. |
| c) <input type="checkbox"/>            | Condo-Twnhse            | d) <input type="checkbox"/> | 2-4 Plex        |
| e) <input type="checkbox"/>            | Apt. Bldg               | f) <input type="checkbox"/> | Comm'l/Ind'l    |
| g) <input type="checkbox"/>            | Agricultural            | h) <input type="checkbox"/> | Mobile Home     |
| i) <input checked="" type="checkbox"/> | Other: Royalty Interest |                             |                 |

## 3. Total Value/Sales Price of Property:

Deed in Lieu of Foreclosure Only (value of property)

Transfer Tax Value:

Real Property Transfer Tax Due:

\$	<u>-0-</u>
\$	_____
\$	<u>-0-</u>
\$	<u>-0-</u>

## 4. If Exemption Claimed:

- a. Transfer Tax Exemption, per NRS 375.090, Section: \_\_\_\_\_
- b. Explain Reason for Exemption: \_\_\_\_\_

5. \_\_\_\_\_

A transfer of title to between spouses. Also, estate being transferred is not a taxable estate under NRS 375.090

## 5. Partial Interest: Percentage being transferred: \_\_\_\_\_ %

The undersigned 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 disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature	<u>James L. Harness</u>	Capacity	<u>Grantor</u>
Signature	_____	Capacity	_____

## SELLER (GRANTOR) INFORMATION

(REQUIRED)

Print Name: James L. Harness  
Address: 4601 East Shangri-La Road  
City: Phoenix  
State: AZ Zip: 85028

## BUYER (GRANTEE) INFORMATION

(REQUIRED)

Print Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_ Zip: \_\_\_\_\_

## COMPANY/PERSON REQUESTING RECORDING

(REQUIRED IF NOT THE SELLER OR BUYER)

Print Name: \_\_\_\_\_ Escrow # \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

## FOR RECORDERS OPTIONAL USE ONLY

Document/Instruments #: 188128  
Book: 383 Page: 114-118  
Date of Recording: 6/23/04  
Notes: \_\_\_\_\_