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Hazel Taggart Chase, Recorder Salt Lake County, Utah

1139815 by RR Taggart, Dep. Book 51 Page 15 - Ref D-33-246-158
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D-33-244-256
D-34-268-1963
D-34-271-2677
See inside for further references
D-44-246-1514
D-44-246-14-22

INDENTURE

By and Between

BINGHAM AND GARFIELD RAILWAY COMPANY,

A Railroad Corporation of the State of Utah,

GRANTOR,

and

KENNECOTT COPPER CORPORATION,

A Mining Corporation of the State of New York,

GRANTEE.

Dated September 8, 1948.

ooo

3722
X

37-51-11

13/10

THIS INDENTURE made the 8th day of September, 1948, by and between BINGHAM AND GARFIELD RAILWAY COMPANY, a railroad corporation of the State of Utah, GRANTOR, and KENNECOTT COPPER CORPORATION, a mining corporation of the State of New York, GRANTEE, WITNESSETH That:

The Interstate Commerce Commission, under date of June 24, 1948, in its Finance Docket Nos. 16093, 16094, issued a certificate that public convenience and necessity permitted the abandonment by Grantor, as to interstate and foreign commerce, of its entire line of railroad; and the Public Service Commission of Utah, under date of July 28, 1948, in its Case No. 3293, issued a similar certificate permitting, as to all intrastate movements and operations, the abandonment by Grantor of its entire line of railroad and the termination of the operation thereof. Each of said certificates, by order of said commissions respectively, took effect and has been in force from and after July 31, 1948.

Grantor ceased all operations at 11:59 P. M., April 30, 1948, both Interstate Commerce Commission and the Public Service Commission of Utah concurring. Operation has not been resumed by Grantor, and, it being deemed advisable and in the best interest of Grantor that Grantor be liquidated and in due course dissolved, an orderly plan of liquidation and dissolution has been approved by the unanimous vote of Grantor's outstanding stock. Grantee is the owner and holder of all Grantor's outstanding stock, with the exception of seven (7) shares only, which seven shares constitute the qualifying shares of Grantor's Directors. It is proposed, pursu-

ant to said plan of liquidation and dissolution, to make at this time the first of a series of distributions of Grantor's assets. The said first distribution is made hereby to Grantee in the orderly course of Grantor's liquidation according to said plan of liquidation and dissolution.

NOW, THEREFORE, in consideration of the premises and in due course of liquidation and dissolution as aforesaid, Grantor has granted, bargained, sold, assigned and conveyed and by these presents does grant, bargain, sell, assign and convey unto Grantee, its successors and assigns, all the following described property, rights, easements and privileges, lands and premises, in the West Mountain Mining District, in Salt Lake County, State of Utah, to wit:

I.

The following described tracts of land:

Tract No. 1.

A tract of land situated in the Northeast quarter of the Northwest quarter of Section 31, Township 1 South, Range 2 West, Salt Lake Base and Meridian, described as follows: Beginning at a point in the North line of said Section 31, 1650.0 feet East of the Northwest corner of said Section 31; running thence South $9^{\circ} 28'$ East 41.7 feet; thence on a curve to the left with radius of 905.4 feet, tangent to course South $9^{\circ} 28'$ East, distance 346.5 feet; thence North $17^{\circ} 30'$ East 370.2 feet, more or less, to the North line of said Section 31; thence West 249.9 feet, more or less, to the place of beginning, containing 1.19 acres, more or less.

Tract No. 2.

A tract of land situated in the Southwest quarter of Section 30, Township 1 South, Range 2 West, S.L.B. & M., described as follows: Be-

ginning at a point on the South line of said Section 30, 1851.7 feet East of the Southwest corner of said Section 30; running thence North $10^{\circ} 22'$ West 1740.0 feet; thence North 832.6 feet, more or less, to a point in the North line of the Southwest quarter of said Section 30; thence East 125.0 feet; thence South $6^{\circ} 14'$ East, 745.0 feet; thence on a curve to the left, tangent to course South $6^{\circ} 14'$ East with radius of 5730.0 feet, distance 508.0 feet; thence South $11^{\circ} 19'$ East, 1335.0 feet, more or less, to the South boundary of said Section 30; thence West 228.3 feet to the place of beginning, containing 11.69 acres, more or less.

Tract No. 3.

Part of the Northeast quarter of the Northwest quarter and part of the Northwest quarter of the Northeast quarter of Section 31, Township 1 South, Range 2 West, S.L.B. & M., more particularly described as follows: Beginning at a point on the East boundary of said Northeast quarter of the Northwest quarter of said Section 31, 1008 feet South from the quarter section corner on the North boundary of said section, and running thence South $56^{\circ} 40'$ East 550 feet, more or less, to the South boundary of said Northwest quarter of the Northeast quarter of said Section 31; thence West along said South boundary 1165 feet, more or less, to the East boundary line of the land conveyed by Nathan Gedge Estate to Garfield Smelting Company by deed recorded March 5, 1910, in Book 6-C, page 547 of Deeds, known as filing No. 262412, in the records of Salt Lake County, Utah; thence Northerly along said East boundary 805 feet; thence South $50^{\circ} 18'$ East 736 feet, more or less, to the place of beginning, saving and excepting from this conveyance that part of the above described tract which is included within the boundaries of the Pleasant Green cemetery, and containing 10.1 acres, more or less.

Tract No. 4.

Part of the Southeast quarter of the Northeast quarter of Section 31, Township 1 South, Range 2 West, S.L.B. & M., more particularly described as follows, to wit: Beginning at the Southwest corner of said Southeast quarter of the Northeast quarter of said Section 31, and running thence North 740 feet; thence on a curve to the right with radius of 1246 feet, tangent to course South $45^{\circ} 04'$ East, 820 feet to the South line of said quarter section; thence West along said South line, 320 feet to the point of beginning, containing 3.4 acres, more or less.

Tract No. 5.

Part of Lot 4, in Section 5, Township 2 South, Range 2 West, S.L.B. & M., bounded and described as follows: Beginning at a point on the West boundary of said Section 5, 1000 feet South from the Northwest corner thereof, and running thence South 320 feet, to the South boundary of said Lot 4; thence East 210 feet; thence North $33^{\circ} 16'$ West 383 feet to the point of beginning, containing 0.77 acres, more or less.

Also that certain part of the East half of the Southeast quarter of Section 31, Township 1 South, Range 2 West of said meridian described as follows: Beginning at a point on the South boundary of said Section 31, 752 feet West from the Southeast corner of said section, and running thence North $21^{\circ} 3'$ West, 1076 feet; thence on a curve to the right with a radius of 1096 feet, distance 564 feet; thence North $8^{\circ} 27'$ East 410 feet; thence East 50.6 feet; thence North $8^{\circ} 27'$ East 310 feet; thence on a curve to the left with a radius of 1246 feet, distance 350 feet, more or less, to the North boundary of said Southeast quarter of said Section 31 at a point 1000 feet West from the quarter section corner on the East boundary of said section; thence West 320 feet, more or less, to the West boundary of the East half of the said Southeast quarter of said section; thence South along said West boundary 1650 feet; thence East 100 feet, more or less; thence South $21^{\circ} 3'$ East 1061 feet, more or less, to the South boundary of said Section 31; thence East 110 feet, more or less, to the point of beginning, containing 11 acres, more or less.

Tract No. 6.

That certain part of Lot 1, in Section 6, Township 2 South, Range 2 West, S.L.B. & M., said part being a strip of land 100 feet wide on, over and across said Lot 1, said strip being 50 feet wide on each side of a line on said Lot 1, said line being more particularly described as follows: Beginning at a point on the North boundary of said Section 6, 805.5 feet West from the Northeast corner thereof, and running thence South $21^{\circ} 03'$ East 421 feet; thence on a curve to the left with a radius of 955.4 feet, distance 525 feet; thence South $52^{\circ} 53'$ East 258.2 feet; thence on a curve to the right with a radius of 955.4 feet, distance 200 feet to the East boundary of said Section 6 at a point 1108 feet South from the Northeast corner thereof, containing 3.23 acres, more or less.

NW 1/4 NW 1/4 S
25-2W

E 1/2 SE 1/4 S
15-2W

D24-25-20

NE 1/4 NE 1/4 S
25-2W

Tract No. 7.

A strip of land 100 feet in width, being 50 feet on each side of a line extending over and across the Southwest quarter of the Northwest quarter and extending over and across part of the Northwest quarter of the Southwest quarter of Section 5, Township 2 South, Range 2 West, S.L.B. & M., said line being more particularly described as follows: Beginning at a point 220 feet East from the quarter section corner of the West boundary of said Section 5, and running thence North 1° 07' West 934 feet; thence on a curve to the left, tangent to the course next preceding and with a radius of 955 feet, distance 420 feet, more or less, to the North boundary of said Southwest quarter of the Northwest quarter of said Section 5. Also from said point of beginning said line runs South 1° 07' East 675 feet, more or less, to the North boundary of the land heretofore conveyed to John A. Coon by deed recorded September 26, 1896, in Book 4-Y, page 501, of Deeds, in the records of Salt Lake County, Utah, saving and excepting from this conveyance the said land heretofore conveyed to said John A. Coon and containing herein 4.6 acres, more or less.

SW 1/4 NW 1/4 S
NW 1/4 SW 1/4 S
25-2 W

Tract No. 8.

Beginning at a point 319.7 feet East and 540 feet South of the West quarter corner of Section 5, Township 2 South, Range 2 West, S.L.B. & M.; thence South 0° 03' East 380 feet; thence on a curve to the left radius 905.36 feet, distance 320 feet; thence North 71° 00' East 25 feet; thence returning on a curve to the right radius 880.36 feet distance 310 feet; thence North 0° 03' West 380 feet; thence West 25 feet to place of beginning, containing 0.599 acre.

NW 1/4 SW 1/4 S
25-2 W

Also beginning at a point 219.7 feet East and 590 feet South of the West quarter corner of Section 5, Township 2 South, Range 2 West, S.L.B. & M.; thence South 0° 03' East 330 feet; thence on a curve to the left radius 1005.3 feet distance 345 feet; thence South 70° 30' West 25 feet; thence returning on a curve to the right radius 1030.36 feet distance 355 feet; thence North 0° 03' West 300 feet; thence North 50° 00' East 32.7 feet, more or less, to the point of beginning, containing 0.384 acre.

NW 1/4 SW 1/4 S
25-2 W

Tract No. 9.

A strip of land 150 feet in width, being 50 feet on the Westerly side and 100 feet on the Easterly

side of a line extending over and across Lot 1 in Section 8 and the South half of Lot 5 in Section 5 and the Southeast quarter of the Southwest quarter of said Section 8, Township 2 South, Range 2 West, S.L.B. & M. Also a strip of land 100 feet in width, being 50 feet on each side of said line extending over and across the North half of said Lot 5 in said Section 5 and part of the Northwest quarter of the Southwest quarter of said Section 8, in said township and range. Said line running North 40° 17' West crosses the East boundary of said Lot 1 in said Section 8 at a point 80 feet, more or less, South from the North boundary of said Section 8 and runs thence on same course North 40° 17' West 100 feet, more or less, to a point on the North boundary of said Section 8, 1246 feet East from the Northwest corner of said Section 8; thence on same course North 40° 17' West 1277 feet; thence on a curve to the right, tangent to the course next preceding and with a radius of 955 feet, distance 652.8 feet; thence North 1° 07' West 360 feet, more or less, to the North boundary of the land heretofore conveyed by James D. Coon and Mary Coon to John A. Coon by deed recorded September 26, 1896, in Book 4-Y of Deeds, page 801, in the records of Salt Lake County, Utah; thence said line continues on said course North 1° 07' West. Containing 0.25 acres, more or less, in said Lot 1 of said Section 8, and containing 0.06 acres, more or less, in said Southeast quarter of the Southwest quarter of said Section 5, and containing 4.77 acres, more or less, in said Lot 5 in said Section 5, and containing 1.47 acres, more or less, in said part of the Northwest quarter of said Southwest quarter of said Section 5.

N 1/2 SW 1/4 5
SE 1/4 SW 1/4 5
NWA 1/4 8
25-2W

Tract No. 10.

A part of the Southeast quarter of the Northwest quarter of Section 8, Township 2 South, Range 2 West, S.L.B. & M. Beginning at the Southeast corner of the Northwest quarter of said Section 8; thence West 298 feet; thence on a curve to right, radius 1055.36 feet, distance 360 feet; thence tangent to said curve North 20° 46' West 145 feet; thence on curve to left, radius 1055.36 feet, tangent to course South 31° 20' East, distance 712 feet to point of beginning, containing 1.11 acres.

SE 1/4 NW 1/4 8
25-2W

Also a tract of land situated in the East half of the Northwest quarter of Section 8, Township 2 South, Range 2 West, S.L.B. & M. Beginning at the Southeast corner of the Northwest quarter of said Section 8, and running thence on a curve to the right with radius of 1055.36 feet, tangent to course North 70° 00' West, distance 898.2 feet;

E 1/2 NWA 1/4 8
25-2W

thence North $21^{\circ} 12'$ West, 755.0 feet; thence East 53.6 feet; thence North $21^{\circ} 12'$ West, 842.0 feet; thence on a curve to the left with radius of 1383.0 feet, tangent to course North $21^{\circ} 12'$ West, distance 428.6 feet, more or less, to a point in the East line of Lot 1 of said Section 8; thence North along said East line 150.0 feet, more or less, to a point in the North line of Section 8; thence East along said North line 65.0 feet; thence South $39^{\circ} 17'$ East, 68.0 feet; thence on a curve to the right with radius of 1533.0 feet, tangent to course South $39^{\circ} 17'$ East, distance 483.6 feet; thence South $21^{\circ} 12'$ East 1900.0 feet; thence on a curve to the left radius 855.36 feet, tangent to course South $21^{\circ} 12'$ East, distance 495.0 feet, more or less, to place of beginning, containing 10.30 acres.

Tract No. 11.

A strip of land in the North half of the Southeast quarter and in the Northeast quarter of the Southwest quarter of Section 8, Township 2 South, Range 2 West, S.L.B. & M., more particularly described as follows, to wit:

Beginning at a point 438 feet South of the Northeast corner of the Southeast quarter of said Section 8; thence South from said point 115 feet; thence on curve to left, tangent to course North $56^{\circ} 50'$ West, radius 905.36 feet, distance 455 feet; thence North $85^{\circ} 38'$ West 1225 feet; thence South $4^{\circ} 22'$ West 50 feet; thence North $85^{\circ} 38'$ West 552 feet; thence on curve to right, radius 1055.36 feet, distance 830 feet, more or less, to a point on the North side line of the Southwest quarter of said Section 8; thence East 298 feet; thence on curve to left, tangent to course South $53^{\circ} 37'$ East, radius 855.36 feet, distance 478 feet; thence South $85^{\circ} 38'$ East 872 feet; thence South 50 feet; thence South $85^{\circ} 38'$ East 902 feet; thence on curve to right, radius 1005.36 feet, distance 440 feet, more or less, to place of beginning, containing 9.75 acres.

*N $\frac{1}{2}$ SE $\frac{1}{4}$ -8
NE $\frac{1}{4}$ SW $\frac{1}{4}$ -8
25-2W.*

Tract No. 12.

A strip of land 50 feet in width over and across the North one-half of the Southeast quarter of Section 8, Township 2 South, Range 2 West, S.L.B. & M., and being more particularly described as follows:

Beginning at a point in the Section line between Sections 8 and 9, Township 2 South, Range 2 West, S.L.B. & M., which is South 553 feet from the quarter corner stone between the aforesaid Sections 8 and 9;

thence on a curve to the left, tangent to course North 56° 50' West, radius 905.36 feet distant 465 feet; thence North 35° 38' West 1225 feet; thence South 4° 22' West 50 feet; thence South 85° 38' East 1225 feet; thence on a curve to the right, radius 855.36 feet distance 465 feet, more or less, to a point in the aforesaid section line between Sections 8 and 9; thence North 61.5 feet, more or less, to place of beginning, containing 1.95 acres.

N 25° 50' E
25 2 W

Tract No. 13.

A strip of land 100 feet in width, being 50 feet on each side of a line extending over and across the Northwest quarter of the Southwest quarter of Section 9, Township 2 South, Range 2 West, S.L.B. & M. Said line, running North 16° 24' West crosses the South boundary of said Northwest quarter of the Southwest quarter of said Section 9 at a point 495 feet, more or less, East from the West boundary of said section and runs thence on same course North 16° 24' West 270 feet; thence on a curve to the left, tangent to the course next preceding and with a radius of 955 feet, distance 715 feet, more or less, to the West boundary of said Northwest quarter of the Southwest quarter of said Section 9 at a point 480 feet, more or less, South from the quarter section corner on the West boundary of said Section; thence continues on said curve, containing 2.26 acres, more or less.

N 16° 24' W
25 2 W

D 24-254-27631

Tract No. 14.

A strip of land 100 feet in width, being 50 feet on each side of a line extending over and across the Southwest quarter of the Southwest quarter of Section 9, Township 2 South, Range 2 West, S.L.B. & M., said line running North 16° 24' West crosses the South boundary of said Section 9 at a point 868 feet East from the Southwest corner of said section and runs thence on same course North 16° 24' West 1350 feet, more or less, to the North boundary of said Southwest quarter of the Southwest quarter of said Section 9 at a point 495 feet, more or less, East from the West boundary of said section; thence continues on said course North 16° 24' West, containing 3.1 acres, more or less.

N 16° 24' W
25 2 W

Tract No. 15

A strip of land 88 feet wide and 495 feet long in the Northwest quarter of the Northwest quarter of Section 16, Township 2 South, Range 2 West,

S.L.B. & M., more particularly described as follows, to wit:

Beginning at a point which is situate South $89^{\circ} 57'$ East 804.4 feet from the Northwest corner of said Section 16, and running thence South $15^{\circ} 40'$ East, 495 feet; thence West 91.3 feet; thence North $15^{\circ} 40'$ West, 495 feet, more or less, to the North line of said section; thence South $89^{\circ} 57'$ East 91.3 feet to the place of beginning, containing one acre.

Tract No. 16.

Part of the East half of the Northwest quarter of Section 16, Township 2 South, Range 2 West, S.L.B. & M., said part being a strip of land 100 feet wide, to wit: 50 feet wide on each side of and contiguous to a line over and across said East half of the Northwest quarter of said Section 16; said line being more particularly described as follows: Beginning at a point on the East boundary of said Northwest quarter of said Section 16, 1686.3 feet South from the quarter section corner on the North boundary of said section and running thence North $82^{\circ} 42'$ West 728.2 feet; thence on a curve to the right, with a radius of 955 feet, distance 745 feet, more or less, to the West boundary of said East half of the Northwest quarter of said Section 16 at a point 1392 feet, more or less, South from the North boundary of said Section 16, containing 3.4 acres, more or less.

Tract No. 17.

A tract of land 60 feet in width and 726 feet, more or less, in length lying in the Southeast quarter of the Northwest quarter of Section 16, Township 2 South, Range 2 West, S. L. B. & M.

Beginning at a point situated South 1736.3 feet and North $83^{\circ} 20\text{-}1/2'$ West 703.0 feet from the North quarter corner of said Section 16; and running thence North $83^{\circ} 20\text{-}1/2'$ West, 46.0 feet; thence on a curve to the right with radius of 1005.36 feet, tangent to course North $83^{\circ} 20\text{-}1/2'$ West, distance 680.0 feet, more or less, to a point in the East line of the Southwest quarter of the Northwest quarter of said Section 16; thence along said East line South 85.0 feet; thence on a curve to the left with radius of 1065.36 feet, tangent to a course South $46^{\circ} 38'$ East, distance 680.0 feet, more or less; thence South $83^{\circ} 20\text{-}1/2'$ East 53.0

feet; thence North 60.4 feet to the place of beginning, containing 1.0 acre.

Tract No. 18.

A part of the Southwest quarter of the Northeast quarter and of the Northwest quarter of the Southeast quarter of Section 16, Township 2 South, Range 2 West, S.L.B. & M., being a strip of land 200 feet wide, to wit: 100 feet on each side of a line described as follows:

Beginning at a point on the West boundary of the Southwest quarter of the Northeast quarter of said Section 16, 1686.3 feet South of the North quarter corner of said section; thence South $83^{\circ} 20'$ East 298 feet; thence on a spiral curve to the right, with 11-15 foot chords, tangent to course South $80^{\circ} 23'$ East; thence continuing on a curve to right, tangent to course South $78^{\circ} 23'$ East, radius 955 feet, distance 1604.9 feet; thence on spiral curve to the right, with 11-15 foot chords, tangent to course South $17^{\circ} 54'$ West; thence South $22^{\circ} 51'$ West 740 feet, more or less, to the South boundary of said Northwest quarter of the Southeast quarter of said Section 16, containing 13.6 acres.

SWA-NEQ 1/4
NWQ-SEQ 1/4
35' 2" W

Tract No. 19.

Part of the Southwest quarter of the Southeast quarter of Section 16 and part of the Northwest quarter of the Northeast quarter of Section 21, and part of the Southwest quarter of the Northeast quarter of Section 21, and part of the Northwest quarter of the Southeast quarter of Section 21, and part of the Northeast quarter of the Southwest quarter of Section 21, all in Township 2 South, Range 2 West, S.L.B. & M. Said part of said Section 16 being a strip of land 100 feet wide on, over and across said Southwest quarter of the Southeast quarter of said Section 16, said strip of land being 50 feet wide on each side of and contiguous to a line more particularly described as follows:

Beginning at a point on the South boundary of said Section 16, 348 feet East from the quarter section corner on said South boundary, and running thence North $14^{\circ} 34'$ East 3.7 feet; thence on a curve to the right with a radius of 2865 feet, distance 378.3 feet; thence North $22^{\circ} 08'$ East 1035 feet, more or less, to the North boundary of said Southwest quarter of the Southeast quarter of said Section 16, containing 3.25 acres, more or less. Also all of the aforesaid parts of said Section 21 being a strip of land 200 feet wide, on over and across the said Northwest quarter of the Northeast quarter and said Southwest quarter of the Northeast quarter and said Northwest quarter of the Southeast

SWA-SEQ 1/4
NWQ-NEQ 1/4
22' 7" W

quarter, and the said Northeast quarter of the Southwest quarter of said Section 21, said strip of land being 100 feet wide on each side of and contiguous to a line more particularly described as follows:

Beginning at a point on the North boundary of said Section 21, 348 feet East from the quarter section corner on said North boundary, and running thence South 14° 34' West 1520 feet; thence on a curve to the left with a radius of 955 feet, distance 580.3 feet; thence South 18° 27' East 411 feet; thence on a curve to the right with a radius of 955 feet, distance 604.9 feet; thence South 17° 53' West 243.8 feet, more or less, to a point on the West boundary of the Southeast quarter of said Section 21, 2040 feet North from the quarter section corner on the South boundary of said Section 21; thence on same course South 17° 53' West 760 feet, more or less, to the South boundary of the aforesaid Northeast quarter of the Southwest quarter of said Section 21 - saving and excepting from this conveyance so much of said last named strip of land 200 feet wide as is situated on and lies within the Northwest quarter of said Section 21 and herein including and containing 5.76 acres, more or less, in said Northwest quarter of the Northeast quarter of said Section 21 and containing 2.85 acres, more or less, in said Southwest quarter of the Northeast quarter of said Section 21, and containing 2.80 acres, more or less, in said Northwest quarter of the Southeast quarter of said Section 21, and containing 3.50 acres, more or less, in said Northeast quarter of the Southwest quarter of said Section 21.

Tract No. 20.

Part of Lot 6 in Section 21 and part of Lot 3 in Section 28, all in Township 2 South, Range 2 West, S.L.B. & M., said parts being a strip of land 200 feet wide, being 100 feet wide on each side of and contiguous to a line over and across said Lots 6 and 3 in said sections; said line being more particularly described as follows: Beginning at a point on the boundary line between said Sections 21 and 28, Township 2-South, Range 2 West, S.L.B. & M., 508 feet West from the quarter section corner common to said sections on said boundary line and running thence Northerly through said Lot 6 in said Section 21 as follows: From said point of beginning North 6° 40' West 249.7 feet; thence on a curve to the right, with a radius of 955.4 feet, distance 409.2 feet; thence North 17° 53' East 725 feet, more or less, to the North boundary of said Lot 6.

D34-285-19628
E. J. King 21
N. W. 1/4 Sec 21
S. E. 1/4 Sec 21
S. 5-2 W

D44-258-37
D34-285-24

SE 1/4 SW 1/4 21
25-2 W

Also said line runs Southerly through said Lot 3 in said Section 28 as follows: From said point of beginning South 6° 40' East 349.7 feet; thence on a curve to the right with a radius of 1432.7 feet, distance 1000 feet, more or less, to the South boundary of said Lot 3, containing 6.35 acres, more or less, in said Lot 6, and containing 6.2 acres, more or less, in said Lot 3.

Tract No. 21.

Part of the Southeast quarter of Section 6, Township 3 South, Range 2 West, S.L.B. & M., bounded as follows:

D25-197-21623
E 1/4 SE 1/4 6
SW 1/4 SE 1/4 6
35-2 W

Beginning at a point on the South line of said Section 6, 1529.2 feet West of the Southeast corner of said section, and running thence North 6° 57' East 80.73 feet; thence North 43° 49' East 125.0 feet; thence North 6° 57' East 1486.0 feet; thence North 41° 15' West 134.13 feet; thence North 6° 57' East 90.0 feet; thence North 40° 15' East 290.53 feet; thence North 22° 32' East 166.03 feet; thence North 28° 45' East 462.17 feet, more or less, to a point on the North boundary of the Southeast quarter of said Section 6; thence South 89° 19' East on said North boundary line 110.40 feet; thence South 25° 45' West 508.95 feet; thence South 22° 32' West 154.93 feet; thence South 29° 12' East 189.88 feet; thence South 18° 00' West 100.0 feet; thence South 6° 57' West 1785.0 feet to a point in the South boundary of the aforesaid Section 6; thence North 88° 19' West on said South boundary 326.38 feet, more or less, to place of beginning, containing 13.82 acres.

Tract No. 22.

NW 1/4 NW 1/4 18
35-2 W
D35B-211-21

Beginning at a point South 89° 51' East 466.68 feet from the Northwest corner of Section 18, Township 3 South, Range 2 West, S.L.B. & M.; thence along the North line of said Section 18, South 89° 51' East 224 feet; thence South 58° 09' West, 265 feet; thence North 143.47 feet to point of beginning and containing .37 acre.

Tract No. 23.

NW 1/4 NW 1/4 18
35-2 W

Commencing at the Northwest corner of Lot 1, Section 18, Township 3 South, Range 2 West, S.L.B. & M., and running thence East 466.68 feet; thence South 466.68 feet; thence West 466.68 feet; thence North 466.68 feet to place of beginning and containing 5.0 acres of land.

Tract No. 24.

A tract of land in the Southwest quarter of Section 23 and the Northwest quarter of Section 26, all in Township 3 South, Range 3 West, S.L.B. & M., being a portion of the Dean Fraction Lode Mining Claim, U. S. Survey No. 6112, more particularly described as follows, to wit:

Beginning at a point on the Westerly side line of the Tough Nut Lode Mining Claim, U. S. Lot No. 432, said point being South 15° 31' West 65 feet from Corner No. 3 of the Dean Fraction Lode Mining Claim, U. S. Survey No. 6112; thence South 15° 31' West along the Westerly side line of the Tough Nut Lode Mining Claim 55 feet, more or less, to a point on the Northerly end line of the Argonaut No. 2 Lode Mining Claim, U. S. Survey No. 5414; thence South 86° 35' West along the Northerly end line of the said Argonaut No. 2 Lode Mining Claim 111 feet; thence North 14° 26' West 113 feet, more or less, to the Southeasterly side line of the Rustler Lode Mining Claim, U. S. Survey No. 3209; thence along the Southeasterly side line of said Rustler Lode Mining Claim North 85° 42' East 117 feet, more or less, to a point situate 3 feet Westerly from the center line of the Knight Tunnel; thence South 32° 06' East 69.5 feet, more or less, to the place of beginning and containing .28 acre.

71205-10

Pt Dean Fraction
6112

Tract No. 25.

Beginning at a point 1320 feet East and 1560 feet South of the Northwest corner of Section 26, Township 3 South, Range 3 West, S.L.B. & M.; thence North 32° 30' East 80 feet; thence North 77° East 58 feet; thence North 28° 10' East 62 feet; thence South 100 feet; thence South 43° 37' West 186.7 feet; thence North 00° 05' East 100 feet to beginning, containing .31 acre.

Pt Argonaut No 1

71276

71276-8

Tract No. 26.

A strip of land 50 feet wide situated in the Southwest quarter of the Northeast quarter and the Northwest quarter of the Southeast quarter of Section 16, Township 2 South, Range 2 West, S.L.B. & M., more particularly described as follows:

Beginning at the Southwest corner of that certain tract of land hereinbefore described as Tract No. 18, located South 1787.0 feet from the North quarter corner of said Section 16; running thence along the Southerly boundary of said tract South 83° 20'-1/2'

SW-NE 1/4 16
NW 1/4 SE 1/4 16
25-2 W

East 236.4 feet; thence continuing along said Southerly and Westerly boundary on spiralled curve to the right with radius of 855.4 feet, 1749.8 feet; thence continuing on said Westerly boundary South 22° 51' West, 315 feet; thence North 67° 09' West 50 feet; thence returning 50 feet from and parallel to said boundary North 22° 51' East 315 feet; thence Northerly and Westerly on spiralled curve to the left with radius of 805.4 feet, 1657.0 feet; thence North 83° 20-1/2' West 280.6 feet; thence North 50.3 feet to place of beginning, containing 2.642 acres, more or less.

Tract No. 27.

A strip of land 100 feet wide situated in the Southeast quarter of the Northwest quarter of Section 16, Township 2 South, Range 2 West, S.L.B. & M., more particularly described as follows:

SE 1/4 NW 1/4 16
25-2 W

Beginning at the Southeast corner of that certain tract of land hereinbefore described as Tract No. 16, running thence North 83° 20-1/2' West 703.0 feet along Southerly boundary of said tract; thence South 100.7 feet; thence South 83° 20-1/2' East 703.0 feet, more or less, to a point in the East line of the Southeast quarter of the Northwest quarter of said Section 16; thence North 100.7 feet to the point of beginning, containing 1.614 acres, more or less.

Also a strip of land 40 feet wide situated in the Southeast quarter of the Northwest quarter of said Section 16, more particularly described as follows:

SE 1/4 NW 1/4 16
25-2 W

Beginning at the Southeast corner of that certain tract of land hereinbefore described as Tract No. 17, running thence Northwesterly along the Southerly boundary of said tract, 705.0 feet, more or less, to the West line of the Southeast quarter of the Northwest quarter of said Section 16; thence South 53.0 feet; thence Southeasterly 40 feet distant from and parallel to the Southerly boundary of said tract, 705.0 feet; thence North 40.3 feet, more or less, to point of beginning, containing 0.647 acre, more or less.

Tract No. 28.

A strip of land 50 feet wide, situated in the Northwest quarter of the Southwest quarter of

Section 9, Township 2 South, Range 2 West, S.L.B. & M., more particularly described as follows:

D24-254-31634
NW 1/4 SW 1/4 25 2 W

Beginning at the Southwest corner of that certain tract of land hereinbefore described as Tract No. 13, and running thence along the Westerly boundary of said tract on a curve to the right, with radius of 905.37 feet, tangent to course, South 56° 46' East, a distance of 214.7 feet; thence South 46° 10' West 50.0 feet; thence on a curve to the left, with radius of 855.37 feet, tangent to course, North 43° 50' West, a distance of 160.0 feet to a point in the West line of said Section 9; thence along said West line, North 0° 10'-1/2' East 60.4 feet to the place of beginning, containing 0.215 acre, more or less.

Tract No. 29.

A piece or parcel of ground lying and being in the Northeast quarter of Section 35, Township 3 South, Range 3 West, S.L.B. & M.:

D25 206
D24-254-31634
S 1/2 112 35 41
P 1/2 B124
Plat E
Bingham

Beginning at a point South 33° 29' West 495.2 feet from Corner No. 3 of the Calumet Lode Mining Claim, U. S. Survey No. 3844, said point being 10 feet Westerly of the corner of the main Byrnes Building; thence South 40° 05' East 41.5 feet; thence South 36° 40' East 19 feet; thence North 53° 30' West 54 feet, more or less, to a point in the Westerly side line of said lot; thence North 18° 01' East 15.7 feet, more or less, to place of beginning, being a portion of said Lot 6, Block 4, Plat "E" of Wilkes Official Survey of Upper Bingham.

Tract No. 30.

A piece or parcel of ground lying and being in the Northeast quarter of Section 35, Township 3 South, Range 3 West, S.L.B. & M.:

P 1/2 B124
Plat F
Bingham

Beginning at a point South 25° 47' West 7.4 feet from witness corner to Corner No. 4 of the Calumet Lode Mining Claim, U. S. Survey No. 3844; thence North 36° 21' West 60.6 feet; thence North 4° 01' East 15.4 feet; thence South 47° 56' East 49.9 feet; thence North 42° 38' East 40.7 feet; thence South 25° 47' West 67.5 feet to the place of beginning, being a portion of said

a
Lot 6, Block 4, Plat "E" of Wilkes Official Survey of Upper Bingham.

Also beginning at a point South 25° 47' West 7.4 feet from witness corner to Corner No. 4 of the Calumet Lode Mining Claim, U. S. Survey No. 3844; thence North 25° 47' East 64 feet; thence South 36° 40' East 17.7 feet; thence South 60° 12' East 71 feet, more or less, to the Easterly side line of Lot 7, Block 4, Plat "E" of Wilkes Official Survey of Upper Bingham; thence along said side line South 26° 14' West 14 feet, more or less, to post of said lot; thence South 36° 57' West 48 feet, to post of said lot; thence North 56° 21' West 77.5 feet to the place of beginning, being a portion of said Lot 7, Block 4, Plat "E" of Wilkes Official Survey of Upper Bingham.

Plat 7 Blk 4
Plot E
Bingham

Tract No. 31.

An undivided one-half interest in and to the following described tract of land lying and being in the Northeast quarter of Section 35, Township 3 South, Range 3 West, S.L.B. & M., more particularly described as follows:

Beginning at a point North 3° 02' West 24.5 feet from witness corner to Corner No. 4 of the Calumet Lode Mining Claim, U. S. Survey No. 3844; thence North 47° 56' West 49.9 feet; thence North 18° 01' East 38 feet; thence South 53° 30' East 65 feet; thence South 42° 38' West 40.7 feet to the place of beginning, containing .052 acre.

+ Collected
3844
7/14/44
P51-26

Tract No. 32.

An irregularly shaped piece of ground lying in the Northeast quarter of Section 35, Township 3 South, Range 3 West, S.L.B. & M., and more particularly described as follows:

Beginning at a point from which County Road Stone No. 30 of Wilkes Official Survey of Upper Bingham Plat "E" bears North 15° 14' West 224.2 feet; thence South 10° 30' East 47.1 feet; thence South 27° 45' West 31.8 feet; thence South 32° 53' West 30.1 feet; thence North 57° 07' West 57.8 feet; thence North 40° 55' East 18.3 feet; thence North 51° 43' East 14.3 feet; thence North 10° 28' East 34.6 feet; thence North 74° 19' East 43.3 feet, more or less, to place of beginning.

Plat 8
Blk E
Bingham

S-20-99-9/14/33

II.

All those certain rights, rights of way, privileges and easements heretofore acquired by Grantor by instruments, dated and respectively recorded in the records of Salt Lake County, State of Utah, as herein-after stated, the parties hereinafter named being those, respectively, from whom said rights, rights of way, privileges and easements were acquired:

D23-290-2
 * 20-11-8
 D23-293-13
 9-23-243-1
 D23-239-42

<u>Party from Whom Acquired</u>	<u>Date</u>	<u>Recorded</u>
Garfield Improvement Company	March 4, 1914	Book 9-B, Deeds, pp. 199-203
Yampa Smelting Company	October 5, 1910	Book S of Mining Deeds, pp. 588-589
Tom Boy Mining Company	December 2, 1910	Book X of Mining Deeds, pp. 3-4-5 <i>427-12</i>
Tom Boy Gold and Copper Mining Company	October 27, 1914	Book W of Mining Deeds, p. 577 <i>424-11</i>
Henry Weiss, et al	May 28, 1910	Book S of Mining Deeds, pp. 523-524 <i>426-16</i>
Henry Weiss	June 18, 1910	Book S of Mining Deeds, pp. 536-537 <i>425-16</i>
John McDonald, et al	June 3, 1910	Book S of Mining Deeds, pp. 522-523 <i>423-12</i>
Jerome Bourgard, et ux	October 16, 1911	Book W of Mining Deeds, pp. 391-393
John Strickley, et al	September 26, 1911	Book W of Mining Deeds, pp. 389-390
Stephen Hays, et ux	September 24, 1910	Book 8-E of Deeds, pp. 262-263
Bartolomeo Gardella	June 15, 1910	Book S of Mining Deeds, pp. 531-532
Garfield Improvement Company	February 9, 1938	Book 217 of Deeds, p. 569
Garfield Smelting Company	March 4, 1914	Book 9-C of Deeds, pp. 190-193
Hercules Powder Company	February 11, 1915	Not recorded

D25-205-21

D23-239-43
 544-...
 D24-275-10
 ...
 333-281-8
 333-288-21
 394-285-29

(Saving and excepting from the above, .764 acre deeded back to Hercules Powder Company by Grantor, by deed dated August 10, 1934 - not recorded).

D 24-254-35

<u>Party from Whom Acquired</u>	<u>Date</u>	<u>Recorded</u>	
Hercules Powder Company	September 11, 1934	Book 142 of Deeds, pp. 101-102	
Bingham and Eastern Mines Company	June 27, 1911	Book Y of Mining Deeds, pp. 80-85	71-72-35 71-270-7 71440-4
Barney B. Quinn, et ux	June 15, 1911	Book Y of Mining Deeds, pp. 45-46	71305-32 71485-8
Utah Apex Mining Company	February 29, 1912	Book W of Mining Deeds, pp. 423-425	71486-9 P-80-23
Niagara Mining Company	December 8, 1913	Not recorded	71441-27 71305-32
United States Mining Company	December 8, 1913	Not recorded	P-8-28
Utah Consolidated Mining Company	January 11, 1923	Book 3-T of Liens & Leases, pp. 119-124	P-40-28 7184-32 K54-29 P73-1 71481-22
American Smelting and Refining Company	November 7, 1935	Book 159 of Deeds p. 133	71288-13 71298-31 P-93-24 71309-4 71460-6 7197-13 9-485-2 9-720-28 9-77-16 71418-19 71214-14 71-185-17

D 33-293-12
D 33-288-24

III.

The surface of those certain tracts of land particularly described in the following named instruments, dated and respectively recorded, in the records of Salt Lake County, Utah, as hereinafter stated. The parties hereinafter named are those, respectively, from whom said surface was acquired:

D 33-246-10

<u>Party from Whom Acquired</u>	<u>Date</u>	<u>Recorded</u>	
Otto Larsen, et ux	June 27, 1910	Book 8-R of Deeds, pp. 133-134.	
Jennie E. Hill	December 31, 1910	Book W of Mining Deeds, p. 354	K-66-13 K-53-28 71-377-9
John Strickley, et ux	June 16, 1910	Book 8 of Mining Deeds, pp. 530-531	71-266-3 71-48-13 71-11-34
John B. Stephens, et ux	September 7, 1910	Book 5-V of Deeds, p. 437	D-275-20 K-368-6
Selma Giuliani	September 3, 1910	Book 5-V of Deeds, pp. 457-458	71473-31
Thomas B. Stephens, et ux	September 7, 1910	Book 5-V of Deeds, p. 438	

80-77-23

Bingham Miss Ind

71-396-6

71-245-33

82-79-35

<u>Party from Whom Acquired</u>	<u>Date</u>	<u>Recorded</u>
Barney B. Quinn, et ux	September 4, 1912	Book W of Mining Deeds, pp. 457-459
Charles E. Adderley, et ux	July 16, 1912	Book 7-F of Deeds, pp. 231-232 <i>5953</i>
Charles E. Adderley, et ux	September 24, 1912	Book 7-F of Deeds, pp. 230-231
Guy De Ford	November 10, 1913	Book F of Deeds, pp. 257-258 <i>24673</i>
Guy De Ford, et ux	August 22, 1913	Book F of Deeds, pp. 252-253 <i>24673</i>
John McDonald, et al	July 28, 1913	Book 7-K of Deeds, pp. 385-386
N. G. Jarrard	August 13, 1917	Book 7-F of Deeds, pp. 348-349 <i>5953</i>

IV.

All those certain rights, rights of way, privileges and easements heretofore acquired by Grantor by virtue of the Final Orders of Condemnation in the following proceedings had in the District Court of the Third Judicial District within and for Salt Lake County, Utah, dated and respectively recorded in the records of said County as hereinafter stated, the parties named being those, respectively, from whom said rights and easements were acquired:

D35B-256-31
71-218-30

71-19-31
D25-201-38

D25-206-26
82-112-42

<u>Party from Whom Acquired</u>	<u>Date</u>	<u>Recorded</u>
Alice G. Harris, et al	July 8, 1912	Book 7-F of Deeds, pp. 218-219 <i>5953</i>
Sidney H. Pritchard, et al	September 19, 1913	Book 8-V of Deeds, pp. 127-128
Samuel H. Pinkerton, et al	April 29, 1911	Book W of Mining Deeds, pp. 367-370
Verona Mining Company	February 11, 1914	Book 7-F of Deeds, pp. 266-268
E. B. Brockelbank, et al	March 25, 1914	Book 8-F of Deeds, p. 574
Massasoit Mining Company	April 19, 1916	Book 3-G of Liens & Leases, pp. 70-74 <i>#388-14</i> <i>#395-12</i>

71-285-7
7197-31

D25-245-21

<u>Party from Whom Acquired</u>	<u>Date</u>	<u>Recorded</u>
Stephen Hays, et al	September 23, 1912	Book 8-G of Deeds, p. 539
Stephen Hays, et al	July 8, 1914	Book 7-F of Deeds, p. 284
North Utah Mining Company, et al	March 17, 1915	Judgment Docket No. 10, p. 292

V.

All rights, rights of way, privileges and easements heretofore acquired by Grantor under and pursuant to the Act of March 3, 1875, c. 152, 18 Stat. 482, 43 U.S.C.A. 934. Map approved by the Secretary of the Interior August 13, 1914, Serial No. 07860.

All rights, rights of way, privileges and easements heretofore acquired by Grantor under and pursuant to the provisions of Section 439, Chapter 11, Compiled Laws of Utah 1907. Location map filed in the office of the Secretary of State of Utah, May 1, 1911.

VI.

Grantor has released, remised and quitclaimed and by these presents does release, remise and quitclaim unto Grantee, its successors and assigns, all rights, rights of way, privileges and easements heretofore acquired by Grantor from Grantee, or its predecessor in interest Utah Copper Company, by agreements dated April 19, 1913, not recorded, and January 5, 1912, not recorded.

Together with all rights, privileges and easements owned by Grantor or wherein Grantor has any right, title or interest, wherever situated and for whatever purpose used or usable; and all telephone lines, electric transmission lines and substations, railroad tracks and roadbed, all buildings, structures, superstructures, shops, plants and other improvements, works and fixtures of any and every nature and wheresoever situated, including but not limited to, those connected with or located on or attached to any of the property herein described.

And also together with all and singular each and every item of physical property, real and mixed, of every kind and nature, wherever situated not hereinbefore described, it being Grantor's intention to and Grantor does hereby transfer, sell, assign and convey unto Grantee in addition to that hereinbefore described, all other physical property, real and mixed, wherein Grantor may be interested, wherever situated and whatsoever its nature, together with all right, title and interest Grantor may hereafter acquire in or to any such property.

TO HAVE AND TO HOLD all and singular the above granted property and premises, together with the appurtenances, and every part thereof unto Grantee, its successors and assigns forever.

Grantor and its successors and assigns shall from time to time and at all times, at the request of Grantee, execute all such further assurances for the further and more perfectly and satisfactorily assuring, identifying and confirming the property hereby sold, assigned, transferred and conveyed, or intended so to be, to Grantee, its successors and assigns, as Grantee, its appointees, successors or assigns, or their counsel in the law, shall from time to time require.

Grantee acknowledges and agrees as a part of said plan of liquidation, that Grantee shall assume any and all liabilities of Grantor after such liquidation and complete distribution shall have been made; and further agrees to fulfill any and all contract obligations which may remain undischarged at that time, wherein Grantor shall be an obligor.

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IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in their corporate names and on their behalf by their officers thereunto duly authorized, and their respective corporate seals to be hereunto affixed, duly attested, pursuant to proper authority in each case, all the day and year first hereinabove written.

BINGHAM AND GARFIELD RAILWAY COMPANY

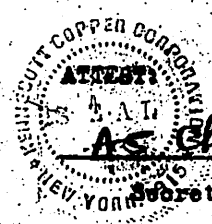
By [Signature]
President.



[Signature]
Secretary.

KENECOTT COPPER CORPORATION,

By [Signature]
President.



[Signature]
Secretary.

[Signature]

APPROVED AS TO FORM AND CONTENT
BY [Signature] ATTORNEY

STATE OF UTAH)
COUNTY OF SALT LAKE) ss.:

On this 11th day of September, 1948, personally appeared before me G. C. PARSONS, who, being by me duly sworn, did say that he is the President of BINGHAM AND GARFIELD RAILWAY COMPANY, and that said instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors, and said C. C. Parsons acknowledged to me that said corporation executed the same.



Milden B. Peterson

Notary Public, residing at
Salt Lake City, Utah.

My commission expires:
May 7th, 1949.

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:

On this 8th day of September, 1948, personally appeared before me E. T. STANNARD, who, being by me duly sworn, did say that he is the President of KENNECOTT COPPER CORPORATION, and that said instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors, and said E. T. Stannard acknowledged to me that said corporation executed the same.



Ernest W. Schwarz

Notary Public, residing at
ERNEST W. SCHWARZ
NOTARY PUBLIC in the State of New York
Residing in Nassau County
Nassau County Clerk's No. 299
N. Y. Co. Clk's No. 115, Reg. No. 369-S-9
Commission Expires March 30, 1949

My commission expires: