

1629909

BOOK 1574 PAGE 546

Indenture

BETWEEN

AMERICAN SMELTING AND REFINING COMPANY

AND

KENNECOTT COPPER CORPORATION

Dated January 2, 1959

Recorded JAN 5 1959 at 3:09 P.M.
Request of E. E. LAKIN, Trustee
Fee Paid, No. M. Jack,
Recorder, Salt Lake County, Utah
§ 48.2.2 By [Signature] Deputy
Ref. _____

1574 PAGE 547

THIS INDENTURE, made this 2nd day of January, 1959, by and between AMERICAN SMELTING AND REFINING COMPANY, a corporation of the State of New Jersey, GRANTOR, and KENNECOTT COPPER CORPORATION, a corporation of the State of New York, GRANTEE, WITNESSETH That:

American Smelting and Refining Company, Grantor, in consideration of the sum of One Thousand Dollars (\$1,000.00) and other good and valuable consideration to Grantor paid by Grantee, the receipt whereof by Grantor is hereby acknowledged, does hereby grant, bargain, sell, convey and confirm, assign and set over unto Kennecott Copper Corporation, Grantee, its successors and assigns, all the following described property, lands and premises, real, personal and mixed, more particularly described in the following Sections I to IV inclusive, to wit:

SECTION I

All those certain lots, tracts, pieces and parcels of land situate in Salt Lake and Tooele Counties, in the State of Utah, bounded and described as follows:

SUBSECTION A

All the following described real estate situated in Township 1 South, Range 2 West of the Salt Lake Base and Meridian:

- (1) That portion of Section 20 described as follows:

BEGINNING at a point North 32°24' West 385.6 feet from the Quarter Corner common to said Section 20 and Section 29, and running thence North 19°30' East 1439.53 feet; thence North 11°25' East 203.01 feet;



thence West 118.08 feet; thence South 11°25' West 171.49 feet; thence South 19°30' West 1422.6 feet; thence South 66°10' East 118.03 feet to the place of beginning; ~~being~~ the premises conveyed by Arthur Keeler to American Smelting and Refining Company by a deed dated March 21, 1942 and recorded in Book 306, at page 73, of the records of Salt Lake County; ~~excepting, however,~~ that portion thereof conveyed by American Smelting and Refining Company to State Road Commission of Utah by a deed dated May 12, 1955 and recorded in Book 1213 at page 270 of the records of Salt Lake County.

(2) Those portions of Section 28 described as follows:

1st. Beginning at the Northwest Corner of the Northeast Quarter of said Section 28, and running thence South 379.5 feet; thence East 82.5 feet; thence North 66 feet; thence East 66 feet; thence South 330 feet; thence East 39.5 feet; thence South 330 feet; thence West 66 feet; thence South 74.25 feet; thence West 110 feet; thence North 404.25 feet; thence West 12 feet; thence South 1006.5 feet to a point 60 rods North of the Southwest Corner of the Northeast Quarter of said Section 28, thence East 1320 feet; thence North 957 feet; thence West 336.46 feet; thence North 693 feet; thence West 983.54 feet to the place of beginning; ~~being~~ the premises conveyed by Mary E. Doran to American Smelting and Refining Company by a deed dated March 25, 1942 and recorded in Book 305 of Deeds, at page 91 of the records of Salt Lake County; ~~excepting, however,~~ a tract of land containing 4.14 acres described in, and conveyed by American Smelting and Refining Company to James Hardman by, a deed dated November 28, 1944, and recorded in Book 426, at page 79, of the records of Salt Lake County.

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2ND. BEGINNING 72 rods North and 207.9 feet West from the Southeast Corner of the Northwest Quarter of Said Section 28, thence North 49 rods; thence West 224.4 feet; thence South 49 rods; thence East 224.4 feet to beginning; BEING the premises conveyed by Tom Angelos and Marie Angelos to American Smelting and Refining Company by a deed dated May 10, 1943, and recorded in Book 360 of Deeds, at page 199, of the records of Salt Lake County; EXCEPTING, HOWEVER, a tract of land containing approximately 0.39 acres, described in, and conveyed by American Smelting and Refining Company to Frank E. Worthen and Barbara Worthen, by a deed dated December 2, 1952, and recorded in Book 972, at page 181, of the records of Salt Lake County.

3RD. BEGINNING 50 rods North from the Southwest Corner of the Northwest Quarter of said Section 28, running thence North 50 rods; thence East 79 rods; thence South 50 rods; thence West 79 rods to place of beginning; BEING a part of the premises conveyed by Walter F. Reid, Administrator, to American Smelting and Refining Company by a deed dated September 30, 1940 and recorded in Book 256 of Deeds, at page 141, of the records of Salt Lake County.

4TH. BEGINNING at the Southwest Corner of the Northwest Quarter of said Section 28, and running thence North 50 rods; thence East 79 rods; thence South 50 rods; thence West 79 rods to the place of beginning; EXCEPTING, HOWEVER, that portion thereof formerly owned by Salt Lake & Utah Railroad Company; BEING a portion of the premises conveyed by C. E. Sorenson and Martha D. Sorenson to American Smelting and Refining Company by a deed dated April 16, 1940 and recorded in Book 246 of Deeds, at pages 528-529, of the records of Salt Lake County.

5TH. BEGINNING at a point which bears South

89°47' East 540.6 feet from the Southwest Corner of the Northwest Quarter of said Section 28, thence North 68°11' West 582.8 feet; thence North 71 feet; thence South 68°11' East 775.6 feet, thence West 179.3 feet to point of beginning, containing an area of 1.03 acres, more or less; being a section of the Old Salt Lake & Utah Railroad right of way and a part of the premises conveyed by Clem Toone and Elmina S. Toone to American Smelting and Refining Company by a deed dated April 28, 1947 and recorded in Book 537 of Deeds, at page 287, of the records of Salt Lake County.

6TH. BEGINNING 20 rods West from East Quarter Corner of said Section 28, running thence West 20 rods; thence South 36 rods; thence East 40 rods; thence North 20 rods; thence West 20 rods; thence North 18 rods to the place of beginning; being the premises conveyed by Salt Lake County, Utah, to American Smelting and Refining Company by a tax deed dated December 30, 1943 and recorded in Book 368 at page 47, of the records of Salt Lake County.

(3) Those portions of Section 29 described as follows:

1ST. BEGINNING 810 feet South of the Northeast Corner of the Southwest Quarter of said Section 29, South 510 feet; West 80 rods; North 40 rods; East 1067 feet; South 150 feet; East 253 feet to beginning; being the premises conveyed by Isaac E. Coon and Arthur Coon, Executors, to American Smelting and Refining Company by a deed dated August 30th, 1939 and recorded in Book 244 of Deeds, at pages 184-185;

EXCEPTING, HOWEVER, the following lots or parcels of land:

(a) BEGINNING at a point 810 feet South and 33 feet West of the Northeast Corner of the Southwest

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Quarter of said Section 29, thence South 292 feet; thence West 128 feet; thence North 292 feet; thence East 128 feet to the point of beginning;

(b) BEGINNING 1191 feet South of the Northeast Corner of the Southwest Quarter of said Section 29, South 129 feet; West 253 feet; North 129 feet; East 253 feet to beginning;

(c) A strip 1 rod wide being a portion of the strip of land described in, and conveyed by American Smelting and Refining Company to Thomas L. Thomas by, a deed dated February 4, 1948, and recorded in Book 590, page 229, of the records of Salt Lake County.

2ND. The Southwest Quarter of the Southwest Quarter of said Section 29; BEING premises conveyed by Alida Coon and James D. Coon to American Smelting and Refining Company by a deed dated March 16, 1939 and recorded in Book 207 of Deeds at page 582, of the records of Salt Lake County, and by Luigi Nicoletti and Rosa Nicoletti to American Smelting and Refining Company by a deed dated November 20, 1940 and recorded in Book 257 of Deeds, at page 420, of the records of Salt Lake County, ~~EXCEPTING~~, ~~HOWEVER~~, a parcel of land described as BEGINNING at a point marked by an iron stake which is 411 feet more or less East and 38 feet more or less North of the Southwest corner of said Section 29, and running thence North 254 feet; thence West 89 feet; thence South 254 feet; thence East 89 feet to the place of beginning, containing approximately 0.52 acres, conveyed by American Smelting and Refining Company to Sydney I. Lester and Myrtle S. Lester by deed dated February 26, 1953, and recorded in Book 989, page 355 of the records of Salt Lake County.

3RD. BEGINNING 80 rods North from the Southeast Corner of the Southwest Quarter of said Section 29,

running thence West 1320 feet; thence South 313.5 feet; thence East 1287 feet; thence North 292 feet; thence East 33 feet; thence North 21.5 feet to place of beginning; being the premises conveyed to American Smelting and Refining Company by Eliza A. Coon and Isaac W. Coon, Inez Coon Lindsay and Edwin R. Lindsay, and Effe Coon Foremaster and J. LaMar Foremaster by a deed dated November 19, 1940 and by Ernest A. and Bernetta Devine Croxford by a deed dated October 20, 1954, and recorded in Book 256 of Deeds at pages 505-506, and in Book 1136, at page 460, respectively, of the records of Salt Lake County.

4TH. BEGINNING at a point East 15 feet from the Northwest Corner of Lot 606, Oquirrh HILLS No. 6, a subdivision located in the Southwest Quarter of said Section 29, and running thence South 120.03 feet; thence North 89°42'10" West 90 feet; thence North 119.56 feet; thence East 90 feet to the point of beginning; being the premises conveyed to American Smelting and Refining Company by Cannon-Papanikolas Construction Company by deed dated December 24, 1957 and recorded in Book 1470, page 458, of the records of Salt Lake County.

(4) Those portions of Section 30 described as follows:

1ST. North 148 feet of South 1793 feet of West 13 feet of East 2540 feet, and North 148 feet of South 1946 feet of West 23 feet of East 2550 feet of said Section 30; being the premises conveyed by Salt Lake County to American Smelting and Refining Company by a deed dated August 26, 1949 and recorded in Book 703 at page 349 of the records of Salt Lake County.

2ND. BEGINNING at a point 1338 feet West and 243 feet North from the Southeast Corner of said Section 30, and running thence North 1077 feet; thence West 1303 feet; thence South 12°14' West 78 feet; thence

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South 58°31' East 928 feet; thence following the arc of a 5° curve, the chord of which bears South 50°16' East, 426 feet; thence South 40° East 315 feet more or less to the point of beginning; ~~EXCEPTING, HOWEVER,~~ (a) the portion of the above described property conveyed to Utah Copper Company by the following deeds, to-wit: Deed in Book 11-K, page 541, Deed in Book 79, page 188, and Deed in Book 80, page 298, Records of Salt Lake County, Utah, and (b) that portion conveyed to Salt Lake County for Road; ~~AND~~ the premises conveyed by Wilma Klekas and John Klekas to American Smelting and Refining Company by a deed dated March 1, 1945 and recorded in Book 415 at page 477 of the records of Salt Lake County.

3RD. BEGINNING at a point 1338 feet West and 243 feet North of the Southeast Corner of said Section 30, and running thence North 1,077 feet; thence East 18 feet; thence South 1,098.5 feet to county road; thence North 40° West 28 feet, more or less, to point of beginning; ~~AND~~ the premises conveyed by Wilma Klekas and John Klekas to American Smelting and Refining Company by a deed dated March 1st, 1945 and recorded in Book 419 at page 79 of the records of Salt Lake County.

4TH. BEGINNING at the Southwest Corner of the Southeast Quarter of the Southeast Quarter of said Section 30, and running thence North 90 rods; thence East 23.07 rods; thence South 68.64 rods to canal; thence Northwesterly on canal 23.9 rods; thence South 37 rods to section line; thence West to the place of beginning; ~~EXCEPTING, HOWEVER,~~ that portion conveyed to The Rio Grande Western Railway Company; ~~AND~~ the premises conveyed by Amelia H. Sadler to American Smelting and Refining Company by a deed dated December 5, 1940 and recorded in Book 256 of Deeds at pages 555-556.

5TH. BEGINNING 693 feet West and 33 feet North from the Southeast Corner of said Section 30; North 115.5 feet, East 120.45 feet; North 47°45' West 53.62 feet; North 250 feet; West 136.865 feet; North 200 feet; East 136.865 feet; North 150 feet; West 136.865 feet; North 100 feet; East 136.865 feet; North 100 feet; West 136.865 feet; North 500 feet; West 25 feet; South 344.11 feet; West 161.865 feet; South 788.45 feet; North 58°45'45" West 387.39 feet; South 369 feet; South 39°47'34" East 196.33 feet; East 468.1 feet to beginning; being the premises conveyed by Ruth M. Larson Vaughn to American Smelting and Refining Company by a deed dated May, 1943 and recorded in Book 347 at page 211 of the records of Salt Lake County, and conveyed by Salt Lake County to American Smelting and Refining Company by deed dated July 7, 1943 and recorded in Book 349, page 451 of the records of Salt Lake County;

EXCEPTING, HOWEVER, the following lots or parcels of land:

(a) BEGINNING 753.14 feet West and 885 feet North from the Southeast Corner of said Section 30, thence North 100 feet; thence East 136.865 feet; thence South 100 feet; thence West 136.865 feet to point of beginning.

(b) BEGINNING 753.14 feet West and 635 feet North from the Southeast Corner of said Section 30, thence North 150 feet; thence East 136.865 feet; thence South 150 feet; thence West 136.865 feet to point of beginning.

(c) BEGINNING 693 feet West and 33 feet North from the Southeast Corner of said Section 30, thence North 115.5 feet, East 120.45 feet, North 47°45' West 53.62 feet North 250 feet West 136.865 feet, South 402 feet, East 50.14 feet more or less to point of beginning.

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6th. BEGINNING 49.7 rods North of the Southeast Corner of Section 30, running thence North 40.3 rods; thence West 19.85 rods; thence South 40.3 rods; thence East 19.85 rods to beginning, containing 5 acres more or less, EXCEPTING, HOWEVER, a strip of land 8 feet by 165 feet conveyed by American Smelting and Refining Company to Cannon-Papanikolas Construction Company by deed acknowledged June 29, 1956 and recorded in Book 1366, page 207, of the records of Salt Lake County; TOGETHER WITH a perpetual right of way over the following described ground, to-wit: COMMENCING at the Southeast corner of said Section 30, thence North 49.7 rods; thence West 1 rod; thence South 49.7 rods; thence East 1 rod to beginning; BEING part of the premises conveyed by Hiram D. Nielson and Augusta E. Nielson to American Smelting and Refining Company by a deed dated April 26, 1939 and recorded in Book 207 of Deeds at page 586 of the records of Salt Lake County.

(5) Those portions of Section 31 described as follows:

1st. BEGINNING at a point 6.82 chains West from the Northeast Corner of the Northwest Quarter of said Section 31; thence West 4.62 chains; thence South $17^{\circ}30'$ West 7.13 chains; thence South 60° West 16.80 chains; thence North 15° West 4.50 chains; thence West 5 chains; thence North 35° West 9.50 chains to the West line of Lot 1 of said Section 31; thence South 17 chains to the Southwest corner of said Lot 1; thence East 30 chains; thence Northerly 81 rods to the place of beginning.

Also, the Southeast Quarter of the Northwest Quarter and Lot 2 of said Section 31;

Also, Lot 3 and the Northeast Quarter of the Southwest Quarter of said Section 31;

EXCEPTING, HOWEVER, from the foregoing parcels described in this subparagraph "1st", such parts thereof as were conveyed by American Smelting and Refining Company to Kennecott Copper Corporation by deed dated April 5, 1957 and recorded in Book 1405, page 190, of the records of Salt Lake County, and as the same are particularly described therein.

2ND. The West Half of the Southeast Quarter; the Southeast Quarter of the Southwest Quarter; Lot 4; and the Southwest Quarter of the Northeast Quarter of said Section 31.

3RD. The East Half of the Southeast Quarter of said Section 31; more part of the premises conveyed by Hannah H. Soule, Albert Reid and Florence Reid to American Smelting and Refining Company by a deed dated November 22, 1940 and recorded in Book 256 of Deeds, at page 505, of the records of Salt Lake County, and the premises conveyed by Kennecott Copper Corporation to American Smelting and Refining Company by a deed dated December 3, 1952 and recorded in Book 973, at page 87, of the records of Salt Lake County.

4TH. The Southeast Quarter of the Northeast Quarter of said Section 31, EXCEPTING, HOWEVER, the following:

(a) A strip of land 100 feet wide being 50 feet wide on each side of the center line of the Garfield Beach Extension of the Rio Grande Western Railway as now located and surveyed, through, over and across the Southeast Quarter of the Northeast Quarter of said Section 31, containing 45/100 of an acre. The said center line is more particularly described as follows: Commencing at a point on the East boundary of said Southeast Quarter of the Northeast Quarter, 1175 feet North from the East Quarter Corner of said Section 31; thence Northwesterly on a 1°20' curve to the

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right, 197 feet to a point on North boundary of said Southeast Quarter of the Northeast Quarter, 1320 feet North and 130 feet West from said East Quarter Corner of said Section 31.

(b) BEGINNING at a point of intersection of present Northeasterly boundary of right of way of Garfield Beach Extension of the Denver and Rio Grande Railroad Company with the East line of said Section 31, said point being 1485 feet, more or less, South of the Northeast Corner of said Section 31; thence Northwesterly along said present right of way boundary parallel with and 50 feet distant from center line of main track of said Garfield Beach Extension 130 feet, more or less, to North line of said Southeast Quarter of the Northeast Quarter of said Section 31; thence East 88 feet, more or less, to East line of said Section 31; thence South 97 feet, more or less, to the place of beginning, containing 1/10 of an acre.

(c) BEGINNING at the Southwest Corner of said Southeast Quarter of the Northeast Quarter of said Section 31, and running thence North 740 feet; thence Southerly on a curve to the right with a radius of 1246 feet, being East of, parallel to and 100 feet distant from the center line of Bingham and Garfield Railway as located on said Quarter Section; 820 feet to South line of said Quarter Section; thence West along said South line 320 feet to the place of beginning, containing 3-4/10 acres, more or less.

(d) A strip of land 2 rods wide extending 24 feet to the right of the center line of canal and 9 feet to the left of the center line of the canal; said center line being described as follows: Commencing 2330 feet North of the Southeast Corner of Section 31, Township 1 South, Range 2 West, Salt Lake Base and Meridian, thence North 60°08' West 584 feet; thence North 28°51' West 228 feet, containing 0.51 acres;

BEING the premises conveyed by John W. Jenkins and Harriet D. Jenkins, his wife, to American Smelting and Refining Company by a deed dated September 30, 1943 and recorded in Book 359, at page 280, of the records of Salt Lake County, and part of the premises conveyed by Garfield Smelting Company to American Smelting and Refining Company by a deed dated May 31, 1923 and recorded in Book 11-Q of Deeds, pages 580-583 of the records of Salt Lake County.

5TH. BEGINNING 462.8 feet West of the Northeast Corner of said Section 31, and running thence East 2.65 rods; thence South $33\frac{3}{4}^{\circ}$ East 17 rods; thence South 50 rods, more or less, to the Rio Grande Western Railway Company's lands; thence North $39^{\circ}22'$ West 300 feet, along said railway Company's lands; thence North 835 feet, more or less, to the place of beginning, containing 3.50 acres more or less; together with all the appurtenances, rights and privileges thereunto belonging, subject to deed of Levi Reed to Salt Lake County dated September 10, 1887 recorded September 10, 1887 in Book 2-F of Deeds, pages 558-9, and a part of the premises conveyed by Theodore Elk to American Smelting and Refining Company by a deed dated April 27, 1939 and recorded in Book 236 of Deeds, at page 247, of the records of Salt Lake County.

(6) The following parcel of land situate in Sections 31 and 32, described as follows:

BEGINNING in center of an open street running East and West at a point 11.96 rods East of Northeast corner of said Section 31, running thence West 11.96 rods to said corner; thence onward along said street West 25.4 rods to center of Utah & Salt Lake Canal; thence along center of said canal, South $33^{\circ}15'$ East 17 rods; thence South 50 rods to land heretofore con-

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veyed by Isaac Coon and wife to the Rio Grande Western Railway Company; thence along said railroad lands, first along a line which runs South 39°29' East to a curve to the left in said Railroad Company's lands, and thence along said curve to intersection with South line of Northeast Quarter of Northeast Quarter of said Section 31; thence East to Southeast corner of said Northeast Quarter of Northeast Quarter of said Section 31; thence North 41.2 rods to center of Utah & Salt Lake Canal; thence South 31¼° East 8 rods; thence South 46° East 10.8 rods along canal; thence North 53.27 rods, to beginning; ~~thence~~ the premises conveyed by Luigi Nicoletti and Rosa Nicoletti, his wife, to American Smelting and Refining Company by a deed dated November 20, 1940 and recorded in Book 257 of Deeds, at page 419, of the records of Salt Lake County; ~~except, however,~~ that portion thereof conveyed by American Smelting and Refining Company to Clements T. Toone and Elmina S. Toone by a deed dated December 22, 1954 and recorded in Book 1155, at page 616, of the records of Salt Lake County.

(7) Those portions of Section 32 described as follows:

1st. BEGINNING at a point 264 feet West and 304.8 feet South of the Northeast Corner of said Section 32, thence South 1345.2 feet; thence West 523 feet; thence North 1650 feet; thence East 396.7 feet; thence South 1°13' East 306.7 feet; thence North 89°10' East 124.8 feet to beginning.

Also, BEGINNING at a point 100 rods South of the Northeast Corner of said Section 32, thence South 60 rods; thence West 13-1/3 rods; thence North 60 rods; thence East 13-1/3 rods to the place of beginning;

Also, BEGINNING at a point 13-1/3 rods West of the Southeast Corner of the Northeast Quarter of said

Section 32, thence North 60 rods; thence West 13-1/3 rods; thence South 60 rods; thence East 13-1/3 rods to the place of beginning;

Also, BEGINNING at a point 378.5 feet South of the Northeast Corner of said Section 32, thence South 446.5 feet; thence West 264 feet; thence North 520.2 feet; thence South 74°24' East 274.1 feet to the place of beginning;

Also, BEGINNING at a point 26-2/3 rods West of the Southeast Corner of the Northeast Quarter of said Section 32, and running thence North 0°14' East 936.0 feet to the South side of the Utah and Salt Lake Canal; thence along said Canal North 76°18' West 366.0 feet; thence North 82°16' West 350 feet; thence North 65°56' West 300.0 feet; thence North 60°08' West 350 feet; thence North 81°31' West 400.00 feet; thence South 68°03' West 75.0 feet; thence South 49°55' West 40.0 feet; thence South 143.25 feet; thence North 82°30' East 499.0 feet to the North side of snow fence running parallel with and 66 feet South of the South side of said Canal; thence along said snow fence South 60°06' East 350.0 feet; thence South 65°56' East 300.0 feet; thence South 82°16' East 350.00 feet; thence South 76°16' East 338.0 feet to a fence; thence along a fence South 0°06' West 370.0 feet; thence East 26.0 feet to the place of beginning;

BEING the premises conveyed by Joseph Coon and Mand D. Coon to American Smelting and Refining Company by a deed dated November 6, 1939 and recorded in Book 244 of Deeds, at page 383, of the records of Salt Lake County.

2ND. BEGINNING at a point 50 rods South from the Northeast Corner of said Section 32, and running thence West 16 rods; thence South 50 rods; thence East 16 rods; thence North 50 rods to the place of beginning; BEING the premises conveyed by Charlotte

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Coon to American Smelting and Refining Company by a deed dated February 29, 1940 and recorded in Book 245 of Deeds, at page 423.

3rd. That portion of the Northwest Quarter of said Section 32, BEGINNING at the Northeast Corner of the Northwest Quarter aforesaid and running thence West 110.7 rods; thence South 30 rods; thence East 110.7 rods; thence North 30 rods to the place of beginning, containing 20 $\frac{1}{4}$ acres, more or less;

ALSO, BEGINNING 30 rods South of the Northeast Corner of the Northwest Quarter of said Section 32, and running thence South 12 rods; thence West 66 rods and 10 feet; thence North 12 rods; thence East 66 rods and 10 feet, to the place of beginning; EXCEPTING, HOWEVER, the following described parcel of land: Commencing at a point marked by an iron stake, said point being South 557.2 feet and West 35.6 feet from the North Quarter Corner of said Section 32; thence West 200 feet; thence South 104 feet; thence East 200 feet to a point marked by an iron stake; thence North 104 feet to point of beginning; containing .45 acres;

ALSO, BEGINNING 42 rods South of the Northeast Corner of the Northwest Quarter of said Section 32, and running thence South 16 rods; thence West 66 rods and 10 feet; thence North 16 rods; thence East 66 rods and 10 feet, to the place of beginning;

ALSO, BEGINNING 30 rods South and 1-1/10 rods West from the Northeast Corner of the Northwest Quarter of the Northwest Quarter of said Section 32, and running thence South 54 rods; thence East 14.81 rods; thence North 54 rods; thence West 14.81 rods to point of beginning;

ALSO, BEGINNING at a point 58 rods South from the Northeast Corner of the Northwest Quarter of said Section 32, and running thence South 20 rods; thence

West 220 feet; thence South 99 feet; thence West 377.25 feet; thence North 20 rods; thence West 1.75 feet; thence North 6 rods; thence East 66 rods and 10 feet to the place of beginning; EXCEPTING, HOWEVER, that portion thereof described as BEGINNING at a point 957 feet South of the North Quarter Corner of said Section 32; thence South 128 feet; thence West 416 feet; thence North 18 feet; thence West 40 feet; thence North 110 feet; thence East 456 feet to beginning, containing 1.32 acres;

BEING the premises conveyed by Gottlieb Guggisberg to American Smelting and Refining Company by a deed dated January 9, 1939 and recorded in Book 217 of Deeds, at pages 573-574, and a part of the premises conveyed by John W. Jenkins and Harriet D. Jenkins to American Smelting and Refining Company by a deed dated September 9, 1940 and recorded in Book 252 of Deeds, at page 477, and a part of the premises conveyed by James H. Jenkins and Helma M. Jenkins to American Smelting and Refining Company by a deed dated September 9, 1940 and recorded in Book 252 of Deeds at page 478, all of such recordations being in the records of Salt Lake County.

4TH. BEGINNING at a point 38.7 rods East of the Northwest Corner of said Section 32, running thence South 57.63 rods; thence East 40.2 rods; thence North 27.03 rods; thence West 29.6 rods; thence North 30 rods; thence West 10.6 rods to beginning, containing 8.78 acres more or less, together with all the appurtenances, rights and privileges thereunto belonging, subject to deed of Levi Reed to Salt Lake County dated September 10, 1887 recorded September 10, 1887 in Book 2-F of Deeds, pages 558-9;

ALSO, BEGINNING at a point 34.1 rods East and 2 rods South of the Northwest Corner of said Section 32, and running thence East 4.6 rods; thence South

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55.03 rods; thence East 40.2 rods; thence South 26.97 rods; thence West 29.6 rods; thence South 7/10 rods to the North line of the Utah & Salt Lake Canal; thence Northerly along the North line of said canal 13.4 rods; thence North 72.63 rods, to the place of beginning;

Also, BEGINNING 11.96 rods East from the Northwest Corner of said Section 32, and running thence South 53.27 rods to the center of the Utah and Salt Lake Canal; thence Southerly along the center of said canal 30.8 rods; thence North 74.63 rods; thence West 22.14 rods, to the place of beginning;

BEING a part of the premises conveyed by Theodore Ek to American Smelting and Refining Company by a deed dated April 27, 1939 and recorded in Book 235 of Deeds, at page 247, and also in part the premises conveyed by Luigi Nicoletti and Rosa Nicoletti to American Smelting and Refining Company by deeds dated November 20, 1940 and recorded in Book 257 of Deeds, at page 419, and at pages 419-420, of the records of Salt Lake County.

EXCEPTING, HOWEVER, from the foregoing parcels in this subparagraph "4th", those portions thereof conveyed by American Smelting and Refining Company to Clements T. Toone and Elmina S. Toone by deeds dated December 23, 1953 and December 22, 1954 and recorded in Book 1055, at page 619, and Book 1155, at page 616, respectively, of the records of Salt Lake County, and which portions so conveyed are described as follows:

BEGINNING at a point in the fence line of the County Road right of way which is 33 feet, more or less, South from the Northwest corner of said Section 32; thence East 813.45 feet; thence South 455 feet; thence West 166.95 feet; thence South 457.6 feet; thence West 350.3 feet to a point on the East edge of the Utah

and Salt Lake Canal roadway; thence in a Northwesterly direction following the East edge of said canal roadway 1135 feet, more or less, to a point on the County Road right of way marked by an iron stake which is 360 feet West, more or less, and 33 feet South, more or less, from the Northeast corner of said Section 31; thence East along said right of way 360 feet, more or less, to beginning.

5TH. BEGINNING 38.8 rods South of the Northwest Corner of said Section 32, and running thence South 121.2 rods; thence East 100 rods; thence North 76 rods; thence West 50.90 rods to the West bank of the Utah & Salt Lake Canal; thence Northwesterly along said canal to the place of beginning; EXCEPTING, HOWEVER, a strip of land deeded to the Rio Grande Western Railway Company; being the premises conveyed by James H. Jenkins and Helma M. Jenkins to American Smelting and Refining Company by a deed dated July 31, 1945 and recorded in Book 440 of Deeds, at page 485, and by Federal Land Bank of Berkeley to American Smelting and Refining Company by a deed dated May 17, 1945 and recorded in Book 440 of Deeds, page 483, all in the records of Salt Lake County.

6TH. BEGINNING at the Southwest Corner of said Section 32, and running thence East 133 rods and 1 1/2 feet; thence North 43 rods; thence East 26 rods and 15 feet; thence North 47 rods; thence West 70 rods; thence North 70 rods; thence West 90 rods; thence South 160 rods to the place of beginning, being a portion of the premises conveyed by Hannah H. Soule, Albert Reid and Florence Reid to American Smelting and Refining Company by a deed dated November 22, 1940 and recorded in Book 256 of Deeds, at page 505, of the records of Salt Lake County.

7TH. BEGINNING at the center of said Section 32,

Handwritten calculations:
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27.52
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and running thence South 70 rods; thence West 70 rods; thence North 70 rods; thence East 70 rods to the place of beginning.

ALSO, BEGINNING at the Southeast Corner of said Section 32, and running thence North 100 rods; thence West 160 rods; thence South 100 rods; thence East 160 rods to the place of beginning;

EXCEPTING, HOWEVER, a 0.15 acre tract conveyed by American Smelting and Refining Company to Daughters of Utah Pioneers, by a deed dated March 22, 1954 and recorded in Book 1079, at page 92 of the records of Salt Lake County;

BEING part of the premises conveyed by Isaac W. Coon and Eliza A. Coon to American Smelting and Refining Company by a deed dated March 20, 1940 and recorded in Book 245 of Deeds, at pages 542-543 of the records of Salt Lake County.

(8) Those portions of Section 33 described as follows:

1st. BEGINNING at a point 20 rods East and 427.06 feet South from the Northwest Corner of the Northeast Quarter of said Section 33, and running East 20 rods; thence South 892.94 feet; thence West 20 rods; thence North 892.94 feet; to the place of beginning, together with a perpetual right of way and easement for any and all purposes over, upon and across the following described tract of land: BEGINNING 20 rods East of the Northwest Corner of the Northeast Quarter of said Section 33, and running thence South 427.06 feet; thence East .5 rods; thence North 427.06 feet; thence West .5 rods, to the place of beginning; BEING the premises conveyed by Frank L. Pehrson and Edith W. Pehrson to American Smelting and Refining Company by a deed dated July 31, 1941 and recorded in Book 282, at page 419, of the records of Salt Lake County.

Also, BEGINNING at a point 40 rods South of the Northwest Corner of the Northeast Quarter of said Section 33, and running thence East 6 rods; thence North 232.94 feet; thence East 14 rods; thence South 892.94 feet; thence West 20 rods; thence North 40 rods to beginning, together with a perpetual right of way and easement for any and all purposes over, upon and across the following described tract of land: BEGINNING at a point 20 rods East of the Northwest Corner of the Northeast Quarter of said Section 33, and running thence South 427.06 feet; thence West .5 rod; thence North 427.06 feet; thence East .5 rod to beginning; BEING the premises conveyed by George A. Little and Fannie Paul Little to American Smelting and Refining Company by a deed dated July 31, 1941 and recorded in Book 282 at page 418 of the records of Salt Lake County.

2ND. The Northeast Quarter of the Northwest Quarter and the North Half of the Southeast Quarter of the Northwest Quarter of said Section 33, containing sixty (60) acres of land;

Also, BEGINNING 60 rods East of the Northwest Corner of said Section 33, and running thence East 20 rods; thence South 80 rods; thence West 20 rods; thence North 80 rods to beginning;

Also, BEGINNING at a point 40 rods East and 284 feet South of the Northwest corner of said Section 33, and running thence South 1036 feet; thence East 20 rods; thence North 1036 feet; thence West 20 rods to beginning; TOGETHER WITH a right of way over the following parcel of land: Commencing at a point 60 rods East of the Northwest Corner of said Section 33, and running thence South 284 feet; thence West 1 rod; thence North 284 feet; thence East 1 rod to beginning;

Also, the Southwest Quarter of the Northwest

2652
 145
 305
 248.5
 3

Quarter, and the South Half of the Southeast Quarter of the Northwest Quarter of said Section 33;

Bevno the premises conveyed by Miller & Viele, a corporation, to American Smelting and Refining Company by a deed dated April 23, 1940 and recorded in Book 249 of Deeds, at page 485, and by Walker Bank & Trust Company to American Smelting and Refining Company by a deed dated April 18, 1944 and recorded in Book 379, at page 46, and part of the premises conveyed by Samuel P. Texas to American Smelting and Refining Company by a deed dated July 18, 1941 and recorded in Book 282, at page 247, and the premises conveyed by Ira H. Rasmussen and Elva M. Rasmussen to American Smelting and Refining Company by a deed dated March 25, 1941 and recorded in Book 265, at pages 95-96, all of such recordations being in the records of Salt Lake County.

SUBSECTION B

All the following described real estate situated in Township 2 South, Range 2 West of the Salt Lake Base and Meridian:

(1) Those portions of Section 5 and Section 8 described as follows:

1st. BEGINNING at the North Quarter Corner of said Section 5, and running thence West 38.6 rods; thence South $2^{\circ}45'$ East 6 rods; thence North 81° East 39 rods to the place of beginning; EXCEPTING, HOWEVER, a parcel of land particularly described as follows: Commencing at the North Quarter Corner of said Section 5 and running thence West 444 feet; thence South 70.31 feet; thence North 81° East 449.53 feet, less road right of way; BEING part of the premises conveyed by Isaac W. Coon and Eliza A. Coon to American Smelting and Refining Company by a

deed dated March 20, 1940 and recorded in Book 245 of Deeds, at pages 542-543, of the records of Salt Lake County.

2ND. BEGINNING at the Northwest Corner of Lot 4 of said Section 5 and running thence South 1000 feet; thence South 33°16' East 383 feet; thence East 1040 feet; thence North 70 feet; thence East 70 feet; thence North 1250 feet; thence West 1320 feet to beginning;

Also, BEGINNING at the Northwest Corner of Lot 3 of said Section 5 and running thence South 22.4 rods; thence East 27.2 rods; thence North 10.5 rods; thence North 81°41' East 14.2 rods; thence North 5° West 9.5 rods, more or less to the North line of said Lot 3, thence West 39.4 rods, more or less to the place of beginning;

Also, BEGINNING 369.6 feet South of the Northwest Corner of Lot 3, said Section 5, and running thence South 416 feet; thence East 696.3 feet; thence North 416 feet; thence West 696.3 feet to beginning; EXCEPTING, HOWEVER, a parcel of land commencing at a point on the existing fence line West 650.2 feet and South 3°18' East 647.1 feet more or less from North Quarter Corner of said Section 5; thence along existing fence line South 85°44' West 224.5 feet; thence along existing fence line South 2°47' West 93.2 feet; thence North 88°08' East 234.5 feet; thence North 3°18' West 102.32 feet to point of beginning, containing .51 acres and conveyed by American Smelting and Refining Company to Erick H. Broadhead and wife by deed dated May 24, 1956;

Also, BEGINNING 40.8 rods West and 9.5 rods South from the Northeast Corner of the Northwest Quarter of said Section 5, thence South 5° East 12.9 rods; thence West 15 rods; thence North 10.5 rods; thence North 81°40' East 14.2 rods to beginning;

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2652
12
304
2640
12
2652

Being part of the premises conveyed by Albert Heid and Florence Heid to American Smelting and Refining Company by a deed dated November 22, 1940, and recorded in Book 256 of Deeds, at page 505, and all of the premises conveyed by Lewis S. Davis and Ollie Davis to American Smelting and Refining Company by a deed dated May 31, 1940 and recorded in Book 249 of Deeds, at page 484, both of such recordations being in the records of Salt Lake County.

3rd. BEGINNING at a point 765 feet East of the Southwest Corner of Lot 3, said Section 5; thence South 2°45' East along center of a County Road known as Bacchus Highway 390 feet; thence West 304 feet; thence North 2°45' West 396 feet; thence East 304 feet, more or less, to beginning; being the premises conveyed by Wilford Coon and Zula Coon to American Smelting and Refining Company by a deed dated October 19, 1938, and recorded in Book 230 of Deeds, at pages 94-95, of the records of Salt Lake County.

4th. BEGINNING at the Southwest Corner of the Northwest Quarter of said Section 5, and running thence North 80 rods; thence East 80 rods; thence South 80 rods; thence East 21 rods; thence South 57½° West 22.3 rods; thence South 52¼° West 24 rods; thence South 63°40' West 32 rods; thence North 6° West 8 rods; thence South 76°20' West 34.9 rods more or less to the West line of said Section 5; thence North to point of beginning;

Also, BEGINNING at a point in center of a small ravine, 59 rods West from the Southeast Corner of the Northwest Quarter of said Section 5, and running thence West 21 rods; thence North 72 rods; thence East 12 rods; thence North 8 rods; thence East 243.8 feet; thence South 2°45' East 390 feet; thence East 304 feet; thence South 534 feet; thence South 49½°

West 36.8 rods to beginning, containing 19.78 acres more or less;

BEING the premises conveyed by James D. Coon, administrator, to American Smelting and Refining Company by a deed dated October 13, 1938, and recorded in Book 235 of Deeds, at pages 11-12, of the records of Salt Lake County.

5th. BEGINNING at a point 31.35 rods West from the Northeast Corner of the Southwest Quarter of said Section 5, and running thence North 2°45' West 24.2 rods; thence South 49°30' West 36.8 rods; thence South 57°15' West 22.3 rods; thence South 52°15' West 24 rods; thence South 63°40' West 32 rods; thence North 6° West 5 rods; thence South 76°20' West 300 feet, more or less, to the East line of the Bingham and Garfield Railroad right of way; thence following said East line Southerly South 00°23' East about 390 feet, more or less, to the beginning of a 6°20' curve to left; thence following said curve of 905.4 feet radius Southerly and Easterly a distance of 619 feet; thence running South 39°34' East about 351.5 feet to North line of the South half of Lot 5 said Section 5; thence East 64.9 feet; thence South 39°34' East about 628.55 feet; thence East 144.5 feet; thence South 125 feet; thence West 40.45 feet; thence South 39°34' East about 65 feet to the South line of said Section 5; thence East about 861 feet to center of County Road; thence North 2°30' West 87.8 rods; thence North 86°30' West 10.5 rods; thence North 19°30' East 10.5 rods; thence North 60°30' East 7.4 rods; thence North 2°30' West 57.68 rods to the place of beginning; BEING the premises conveyed by Rudger Y. Coon and Vilate M. Coon to American Smelting and Refining Company by a deed dated October 17, 1938, and recorded in Book 235 of Deeds, at page 10, of the records of Salt Lake County.

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12

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37

6TH. Part of Lot 4, in said Section 5, 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, a strip of land 150 feet in width, being 50 feet on the Westerly side and 100 feet on the Easterly side of a center line extending over and across Lot 1 in said Section 8, and the South half of Lot 5 in said Section 5, and the Southeast Quarter of the Southwest Quarter of said Section 5;

Also, a strip of land 100 feet in width, being 50 feet on each side of said center line situate in and 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 5; said line running North $40^{\circ}17'$ 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 $40^{\circ}17'$ 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 $40^{\circ}17'$ 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 $1^{\circ}07'$ 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 501, in the records of Salt Lake County, Utah; thence said line continues on said course North $1^{\circ}07'$ West; containing 0.23 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 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;

BEING a part of the premises conveyed by Kennecott Copper Corporation to American Smelting and Refining Company by a deed dated December 3, 1952, and recorded in Book 973, at page 87, of the records of Salt Lake County.

7TH. BEGINNING at the Southwest Corner of said Section 5, and running thence East along the Section line, 1190.14 feet to the West line of Bingham and Garfield right of way; thence North 39°19' West 1277 feet, more or less, to the point of curve in said right of way; thence following said curve to right, with radius of 1005.4 feet, a distance of about 687 feet to a point of tangent in said right of way; thence North along the West line of said right of way; about 366 feet to the Southern boundary line of the parcel of land described in subparagraph "4th" above of this paragraph "(1)"; thence leaving said railroad right of way and running along said boundary line South 76° West about 150 feet to the West line of said Section 5; thence South along the said West line of said Section 5, about 1937 feet to the Southwest Corner thereof, and the place of beginning; BEING a part of the premises conveyed by Roswell H. Coon and Eldruna W. Coon to American Smelting and Refining Company by a deed dated October 17, 1938, and recorded in Book 235 of Deeds, at pages 10-11 of the records of Salt Lake County.

(2) The following:

1st. All of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12,

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3.00
28.19
3

the South Half of the Northeast Quarter and the North Half of the Southeast Quarter of Section 6.

2ND. All of Section 7 except the Northwest Quarter of the Northwest Quarter thereof.

3RD. The Southwest Quarter of the Northwest Quarter, and the South Half of Section 8; EXCEPTING, HOWEVER, that portion thereof described as beginning at a point 1275 feet West of the Northeast Corner of the Southeast Quarter of said Section 8; thence West 75 feet, South 175 feet, East 75 feet and North 175 feet to the place of beginning;

ALSO, BEGINNING at the Northeast Corner of Lot 1, said Section 8, and running thence South 620 feet; thence South $32^{\circ}27'$ West 128.5 feet; thence South $6^{\circ}58'$ West 101.3 feet; thence South $88^{\circ}16'$ West 10 feet; thence Southwesterly about 160 feet to a point 213 feet West and 927 feet South of beginning; thence South 100 feet; thence West 165 feet; thence South 252.5 feet, more or less, to South line of said Lot; thence West 942 feet, more or less, to the Southwest corner of said Lot 1; thence North 1320 feet, more or less, to Northwest corner of said Lot 1; thence East 1320 feet, more or less, to the place of beginning;

ALSO, BEGINNING at a point 827 feet South of the Northeast Corner of Lot 1, said Section 8, running thence South 493 feet, more or less, to Southeast Corner of said Lot 1, thence West 33 feet; thence North 493 feet, more or less, to a point South $88^{\circ}16'$ West of beginning; thence North $88^{\circ}16'$ East 33 feet, more or less, to beginning.

- ✓ 4TH. All of the Southwest Quarter of Section 16.
- ✓ 5TH. All of the Northwest Quarter and the South Half of Section 17.
- ✓ 6TH. All of Section 18.

7TH. All of the North Half of Section 20, including that portion of Special Section 37 lying within the North Half of Section 20, and that portion of said Special Section 37 lying in the South Half of Section 20.

8TH. All of Lots 2, 3, 6 and 7 of Section 19, and all that portion of Special Section 37 lying in the East Half of Section 19.

9TH. All of the Northwest Quarter of Section 21.

TOGETHER with the springs known as Harker Springs, and all right, title and interest of American Smelting and Refining Company to all water rights and other appurtenances to said premisses.

BEING part of the premises conveyed by Garfield Smelting Company to American Smelting and Refining Company by a deed dated May 31, 1923, and recorded in Book 11-Q of Deeds, at pages 580-583, of the records of Salt Lake County, and recorded in Book 3-O of Deeds, at pages 14-18, of the records of Tooele County; and also the premises conveyed to American Smelting and Refining Company by a deed dated December 23, 1929, from Saverio Granato and wife and recorded in Book 70 of Deeds, at page 54; by a deed dated June 1, 1931, from Salt Lake County, Utah, and recorded in Book 94 of Deeds, at page 28; by a deed dated May 25, 1934, from Isaac W. Coon and others and recorded in Book 120 of Deeds, at page 515; by a deed dated February 2, 1934, from Isaac E. Coon and Arthur Coon as Executors, and recorded in Book 120 of Deeds, at page 516; by a deed dated May 25, 1934, from James D. Coon, Jr. as Administrator, and recorded in Book 120 of Deeds, at page 516; by a deed dated April 4, 1934, from Theodore Ek and others and recorded in Book 120 of Deeds, at pages 461-462; and by a deed dated April 2, 1934, from Theodore Bergstrom as Guardian, and

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53.54
245.04
37.28

BOOK 1574 PAGE 575

29

recorded in Book 120 of Deeds, at pages 462-463; and a part of the premises conveyed to American Smelting and Refining Company by a deed dated October 17, 1938, from Roswell H. Coon and Eldruna W. Coon, recorded in Book 235 of Deeds at pages 10-11; and by a deed dated December 3, 1952, from Kennecott Copper Corporation, recorded in Book 973, at page 87; all the aforesaid recordations being in the records of Salt Lake County.

SECTION C

All the following described real estate situated in Township 1 South, Range 3 West of the Salt Lake Base and Meridian:

(1) That portion of Section 9 described as BEGINNING at a point 838.6 feet West of the East Quarter Corner of said Section 9; thence South 37° West 1055 feet, more or less, to the North boundary line of the Garfield Cut-off right of way; thence South $40^{\circ}20'$ East along said right of way 2300 feet more or less; thence South $0^{\circ}20'$ East 44.2 feet to the Southeast Corner of said Section 9; thence West to the official meander line of Great Salt Lake; thence Northerly and Easterly along and following said meander line to a point due West of the East Quarter Corner of said Section 9; thence East to the point of beginning;

EXCEPTING, HOWEVER, the following parcels of land:

(a) A tract of land described in, and conveyed by American Smelting and Refining Company to Salt Lake County for a right of way for a highway known as W.P.G.S. Project No. 201, by a deed dated January 27, 1937.

(b) A strip of land 100 feet wide, 50 feet on each

side of the grantee's spur from its Sand Spur track across the Southwest Quarter of the Southeast Quarter of said Section 9, conveyed by American Smelting and Refining Company to Bingham and Garfield Railway Company, by a deed dated November 7, 1935, and recorded in Book 169, at page 133, of the records of Salt Lake County.

(2) Those portions of Section 16, described as follows:

1st. All of the West Half and the West Half of the East Half of Section 16.

2nd. A parcel of land located in the East Half of the East Half of Section 16, more particularly described as follows:

BEGINNING at a point in the East Section line of said Section 16, said point being situate South 43.6 feet from the Northeast Corner of said Section 16; thence along said East Section line South 2590.21 feet, more or less, to a point in the Northwesterly line of the Western Pacific Railroad Company's right of way; thence along said right of way line South 54°12' West, 1627.5 feet to the West line of said East One-Half of the East One-Half of said Section 16; thence North 3585.82 feet, more or less, to the North line of said Section 16; thence along said North line East 1283.1 feet, more or less, to a point in the Southwest-erly right of way line of the Garfield Out-off Highway; thence along said right of way line, South 40°20' East, 57.1 feet, more or less, to the point of beginning, containing 94.22 acres, more or less.

3rd. A parcel of land located in the East Half of the Southeast Quarter of Section 16, more particularly described as follows:

BEGINNING at the Section Corner common to Sections 15, 16, 21 and 22, said Township and Range;

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- 1.2

25.32
25.32

2718.54

thence along the South Section line of said Section 16 West 1320.0 feet, more or less, to the West line of the East One-Half of the Southeast Quarter of said Section 16; thence North 1447.59 feet, more or less, to a point on the Southeasterly line of the Los Angeles and Salt Lake Railroad Company's right of way; thence along said right of way line North 54°12' East, 1627.5 feet, more or less, to the East line of said Section 16; thence along said East line South 2399.6 feet, more or less, to the point of beginning, containing 58.29 acres, more or less;

EXCEPTING, HOWEVER, the following lots and parcels of land:

(a) A strip of land 100 feet in width, 50 feet on each side of the center line of the Grantee's main line, running from the East line of said Section 16, across the North Half of the Southeast Quarter, part of the Southwest Quarter of the Southeast Quarter, the Southeast Quarter of the Southwest Quarter and part of the Southwest Quarter of the Southwest Quarter, of said Section 16, and conveyed by American Smelting and Refining Company to Western Pacific Railway Company, by a deed dated May 26, 1906, and recorded in Book 7-P, at page 178, of the records of Salt Lake County; said strip to revert to the grantor if not used for railroad purposes;

(b) A strip of land 20 feet in width, curving across a part of the Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter of said Section 16, conveyed by American Smelting and Refining Company to Western Pacific Railway Company, by a deed dated May 26, 1906, and recorded in Book 7-P, at page 176, of the records of Salt Lake County; said strip to revert to grantor, according to the terms of said deed, if not used as a right of way for a railroad;

(c) The following described triangular parcel situated in the Northwest Quarter of the Southeast Quarter of said Section 16, and conveyed by Garfield Smelting Company to Los Angeles & Salt Lake Railroad Company by a deed dated June 11, 1918, and recorded in Book 10-T, at page 1, of the records of Salt Lake County:

BEGINNING at a point in the present right of way line of Western Pacific Railroad, said point being 1342.1 feet Easterly measured along the center line of said railroad and 50 feet Northerly and at right angles to said center line of railroad from the Bingham & Garfield Railway Company's Sand Spur Crossing with the Western Pacific Railroad main line, said point being also on the Southeasterly side of and 50 feet distant, measured at right angles to the center line of the Western Pacific Railroad line change; thence parallel to and 50 feet distant from said center line of railroad on a curve to the left tangent to a course North 42°54' East, radius 2914.9 feet, distance 375 feet, more or less, to a point in the East line of the Northwest Quarter of the Southeast Quarter of said Section 16; thence, along said East line, South 125 feet, more or less, to a point in the Northerly boundary of the Western Pacific Railroad right of way; thence, along said right of way, South 79°42' West 335 feet, more or less, to the place of beginning; containing 0.46 acres.

(d) The following described parcel granted by Garfield Smelting Company to Utah Copper Company, by a deed dated June 11, 1918, and recorded in Book 10-T, at page 4, of the records of Salt Lake County:

BEGINNING at a point in the present right of way line of Western Pacific Railroad, said point being 632.1 feet Easterly measured along the center line of

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1.40

28.12
28.12

3.00

said railroad and 50 feet Northerly and at right angles to said center line of the railroad from the Bingham & Garfield Railway Company's Sand Spur Crossing with the Western Pacific Railroad main line; thence parallel to and 50 feet distant measured at right angles to the center line of the Western Pacific Railroad line change as then located and being constructed, on a curve to the left, radius 2814.9 feet, distance 1116.1 feet, more or less, to a point in the East line of the West Half of the Southeast Quarter of said Section 16; thence, along said East line, South 120 feet, more or less, to a point on the Southeasterly side of and 50 feet distant measured at right angles to the aforesaid center line of railroad; thence parallel to and 50 feet distant from said center line of railroad on a curve to the right tangent to a course South 56°16' West, radius 2914.9 feet, distance 375 feet, more or less, to a point on the Northerly boundary of said Western Pacific Railroad right of way; thence, along said right of way, South 79°42' West 710 feet, more or less, to the place of beginning; containing 1.5 acres.

(e) A strip of land 100 feet wide, 50 feet on each side of the center line of the grantee's spur from its Sand Spur track across the westerly three-fourths of said Section 16, described in, and conveyed by American Smelting and Refining Company to Bingham & Garfield Railway Company by, a deed dated November 7, 1935, and recorded in Book 159, at page 133, of the records of Salt Lake County; said strip to revert to the grantor if use for railroad purposes should be discontinued for a period of six consecutive months.

(f) A strip of land in the Southwest Quarter of said Section 16, lying along the North side of a strip of land conveyed by American Smelting and Refining Company to Western Pacific Railroad Company by deed dated May 26, 1906, described in, and conveyed

by said grantor to said grantee by, a deed dated September 26, 1951 and recorded in Book 889, at page 72, of the records of Salt Lake County; said strip to revert to the grantor if not used for railroad purposes.

(3) All of Section 17 to the shore of Great Salt Lake, EXCEPTING, HOWEVER, the following parcels:

(a) A parcel 400 feet square, lying in the South Half of the Southeast Quarter of said Section 17, and conveyed by Garfield Smelting Company to Garfield Water Company, by a deed dated August 11, 1908, and recorded in Book 7-T, at page 155, of the records of Salt Lake County.

(b) The following described property constituting the present main line of Los Angeles & Salt Lake Railroad Company and Western Pacific Railroad Company, viz.: BEGINNING at the South Quarter-corner of Section 17; thence East, along the South line of Section 17, 260 feet to the Easterly right of way line of the wye track of Los Angeles & Salt Lake Railroad; thence Northeasterly, on a curve parallel to and 50 feet from said wye track, 400 feet, more or less, to a point which is also 50 feet from the center line of the Los Angeles & Salt Lake Railroad main line on the Southerly side thereof; thence Easterly parallel to and 50 feet from the center line of said main line to a point on the East line of said Section 17; thence North 200 feet, more or less, to a point 50 feet Northerly from the center line of the present Western Pacific Railroad Company main line; thence, in a Westerly direction, parallel to and 50 feet from the center line of said Western Pacific Railroad to a point on the West boundary line of said Section 17; thence South 60 feet to the Southwest corner of Section 17; thence East along the South line of Section 17 to the place of beginning; AND THE SAME PROPERTY

26.52
1.00
3.00
24.52
24.52
3.00

excepted and reserved to the grantor in a deed of a portion of said Section 17 from San Pedro, Los Angeles & Salt Lake Railroad Company and The Equitable Trust Company of New York to American Smelting and Refining Company, dated November 7, 1906, and recorded in Book 7-N, at page 233, of the records of Salt Lake County, and in a deed of another portion of said Section 17 from Los Angeles & Salt Lake Railroad Company to Garfield Smelting Company, dated March 20, 1918, and recorded in Book 10-Q, at page 114, of the records of Salt Lake County.

(c) A strip or parcel of land 25 feet wide in the Northwest Quarter of the Southeast Quarter of said Section 17 conveyed by American Smelting and Refining Company to State Road Commission of Utah as a right of way for highway known as F. A. Project No. 120-B by an instrument dated July 15, 1941 and recorded in Book 292, at page 151, of the records of Salt Lake County.

(d) A strip of land in the Southeast Quarter of said Section 17, lying along the North side of a strip of land conveyed by American Smelting and Refining Company to Western Pacific Railroad Company by deed dated May 26, 1906, described in, and conveyed by said grantor to said grantee by, a deed dated September 26, 1951, and recorded in Book 889, at page 72, of the records of Salt Lake County; said strip to revert to the grantor if not used for railroad purposes.

(4) All of the Southeast Quarter of the Southeast Quarter of Section 18 to the shore of the Great Salt Lake; EXCEPTING, HOWEVER, that portion of the right of way of Western Pacific Railway which was excepted from a conveyance of said parcel by Los Angeles & Salt Lake Railroad Company to Garfield Smelting Company, by a deed dated August 23, 1917,

and recorded in Book 10-Q, at page 114, of the records of Salt Lake County.

(5) Those portions of Section 19 described as follows:

1st. The Southeast Quarter, and the Southeast Quarter of the Northeast Quarter; ~~excepting, however,~~ a strip of land 100 feet in width lying 50 feet on each side of the center line of the "Smelter Track" formerly of San Pedro, Los Angeles & Salt Lake Railroad Company, across said Southeast Quarter of the Northeast Quarter of Section 19, and a triangular piece of land in the Northwest Quarter of said Southeast Quarter of Section 19, conveyed to San Pedro, Los Angeles & Salt Lake Railroad Company by American Smelting and Refining Company by a deed dated May 9, 1907; ~~excepting, however,~~ a strip of land in said Southeast Quarter of the Northeast Quarter, described in, and conveyed by American Smelting and Refining Company to State Road Commission of Utah for a right of way for a highway known as F.A. Project No. 39 by, a deed dated June 3, 1946 and recorded in Book 491, at page 18, of the records of Salt Lake County.

2nd. The Southeast Quarter of the Southwest Quarter of said Section 19.

3rd. From the Northeast Corner of said Section 19, running thence West 475 feet, more or less, to place of ~~beginning~~, said place of beginning being also 50 feet Northerly from the center line of the Western Pacific Railroad Company's main track; thence Southwesterly, parallel to and 50 feet from said center line, 850 feet, more or less, to a point on the West boundary of said Northeast Quarter of the Northeast Quarter of Section 19; thence North along said West boundary 25 feet, more or less, to a point; thence Northeasterly 280 feet to a point on the North bound-

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ary of said Northeast Quarter of the Northeast Quarter, being 245 feet, more or less, East of the Northwest corner thereof; thence East, along said North boundary, 600 feet, more or less, to the place of beginning.

4TH. From the Northeast Corner of said Section 19, running thence South 40 feet, more or less, to a point on the East boundary of the Northeast Quarter of the Northeast Quarter of Section 19, 50 feet Southerly from the center line of the Western Pacific Railroad Company, the place of beginning; thence Southwesterly 50 feet from and paralleling the center line of 1°14' curve, 1330 feet to a point on the West boundary line of said Northeast Quarter of the Northeast Quarter of Section 19, 300 feet, more or less, South of the Northwest corner thereof; thence South 450 feet, more or less, to a point 100 feet Northerly from and normal to center line of the Los Angeles & Salt Lake Railroad Company's main track; thence Northeasterly, paralleling and 100 feet from the center line of a 1° curve, 1400 feet to a point on the East boundary of the Northeast Quarter of the Northeast Quarter of Section 19; thence North 250 feet, more or less, to the place of beginning; EXCEPTING, HOWEVER, a strip of land within the right of way boundary lines of highway known as U. S. 40.

5TH. From the Northeast Corner of said Section 19, running thence South 500 feet, more or less, to a point 100 feet Southerly and normal to the center line of said Los Angeles & Salt Lake Railroad Company's main track, to the place of beginning; thence Southwesterly, paralleling and 100 feet from the center line of a 1° curve, 1400 feet, more or less, to a point on the West boundary of said Northeast Quarter of the Northeast Quarter of Section 19; thence South 300 feet, more or less, to the Southwest corner thereof, thence East 1320 feet, more or less, to the Southeast corner thereof; thence North 800 feet, more

or less, to the place of beginning; EXCEPTING, HOWEVER, a strip of land described in, and conveyed by American Smelting and Refining Company to State Road Commission of Utah for a right of way for a highway known as F. A. Project No. 39 by a deed dated June 3, 1946 and recorded in Book 491, at page 18, of the records of Salt Lake County.

6TH. BEGINNING at the Southeast Corner of said Northwest Quarter of the Northeast Quarter of Section 19; thence North 300 feet, more or less, to a point 100 feet Southeasterly from and normal to the center line of the Los Angeles & Salt Lake Railroad Company's main track; thence Southwesterly, 100 feet from and paralleling the center line of a 1° curve, 550 feet, more or less, to the Southerly boundary of said subdivision; thence East along said Southerly boundary line 480 feet, more or less, to the place of beginning; EXCEPTING, HOWEVER, a piece of land within the right of way of the highway known as U. S. 50.

7TH. BEGINNING at the Northeast Corner of the Southwest Quarter of the Northeast Quarter of said Section 19; thence West 480 feet, more or less, to the East boundary of the main line right of way 100 feet at right angles Southerly from the center line of track; thence Southwesterly 100 feet from and parallel to the main track, 1050 feet, more or less, to the West boundary of said subdivision; thence South 660 feet, more or less, to a point on the right of way of the Smelter Branch 50 feet Northerly from and normal to the center line of said Branch; thence Northeasterly, parallel to and 50 feet from said center line, 1680 feet, more or less, to the East boundary of said subdivision; thence North 320 feet, more or less, to the place of beginning.

8TH. BEGINNING at the Southeast Corner of said Southwest Quarter of the Northeast Quarter of Sec-

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tion 19; thence North 900 feet, more or less, to a point on the Southeasterly right of way limit of said Smelter Spur, normal to and 50 feet from its center line; thence Southwesterly, parallel to and 50 feet from said center line, 1550 feet, more or less, to a point on the South boundary of said subdivision; thence East 1200 feet, more or less, to the place of beginning.

9TH. BEGINNING at the Southeast Corner of the Northeast Quarter of the Southwest Quarter of Section 19; thence North 1250 feet, more or less, to a point on the Southeasterly right of way limits of said Smelter Spur, normal to and 50 feet from its center line; thence Southwesterly parallel to and 50 feet from said center line, 1350 feet, more or less, to the West line of said subdivision; thence South, along the West line of said subdivision, 800 feet, more or less, to the Southwest corner thereof; thence East 1320 feet, more or less, to the place of beginning; .

ALSO, BEGINNING at the Southeast Corner of the Northwest Quarter of the Southwest Quarter of Section 19; thence North 800 feet, more or less, to a point on the Southeasterly right of way limit of said Smelter Spur, normal to and 50 feet from its center line; thence Southwesterly, parallel to and 50 feet from said center line, 200 feet, more or less, to a point; thence on a curve gradually changing from a 50 feet right of way limit of the Smelter Spur, 450 feet, more or less, to a point on the Southeasterly right of way limit of the main track of Los Angeles & Salt Lake Railroad Company, normal to and 100 feet from its center line; thence Southwesterly, parallel to and 100 feet from said center line, 900 feet, more or less, to the West boundary of said subdivision; thence South 60 feet, more or less, to the Southwest corner of said subdivision; thence East 1320 feet to the place of beginning;

EXCEPTING, HOWEVER, an irregular tract of land in the Southwest Quarter of said Section 19 conveyed by American Smelting and Refining Company to Calera Mining Company by a deed dated June 30, 1950, lying Southeasterly from the Southeasterly right of way limits of the main track and Smelter Spur of the Los Angeles and Salt Lake Railroad Company, and more particularly described as follows:

Beginning at a point 1320.0 feet North of the Southwest Corner of said Section 19, and running thence East 1249.39 feet; thence North 56°04' East 1676.07 feet; thence North 340.65 feet to a point on the Southeasterly right of way limits of said Smelter Spur normal to and 50 feet from its center line; thence Southwesterly parallel to and 50 feet from said center line 1550.0 feet, more or less to a point; thence Southwesterly on a curve gradually changing from a 50 foot right of way limit on said Smelter Spur 450.0 feet more or less to a point on the Southeasterly right of way limit of the main track of said Los Angeles and Salt Lake Railroad Company normal to and 100 feet from its center line; thence South 53°13' West parallel to and 100 feet from said center line 300 feet more or less to the West line of said Section 19; thence South 97.0 feet more or less to the point of beginning.

(6) All of Section 20, EXCEPTING, HOWEVER, the following parcels:

(a) That certain parcel, constituting part of the line of Los Angeles & Salt Lake Railroad Company, reserved to the grantor in a deed of a portion of said Section 20 from Los Angeles & Salt Lake Railroad Company to Garfield Smelting Company, dated August 23, 1917, and recorded in Book 10-Q, at page 114, of the records of Salt Lake County, bounded and described as follows:

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BEGINNING at the North Quarter-Corner of Section 20; thence East, along the North line of Section 20, 260 feet to a point on the East right of way line of the wye track of Los Angeles & Salt Lake Railroad Company and 50 feet distant from the center line of said track; thence Southerly, along a curve to the left 50 feet from and parallel to the center line of said wye track, 350 feet; thence, continuing Southerly tangent to said curve and 50 feet from the center line of said wye track, 500 feet to a point; thence at right angles Southwesterly 100 feet to a point; thence Northwesterly, parallel to and 50 feet from the center line of said wye track, 500 feet to a point; thence Northerly, on a curve to the left parallel to and 50 feet from the center line of said wye track, 500 feet to a point on the North line of Section 20; thence West, along said North line, 200 feet to a point 100 feet from the center line of the Los Angeles & Salt Lake Railroad Company's main line, measured at right angles; thence Southwesterly, parallel to and 100 feet from the center line of said Los Angeles & Salt Lake Railroad Company's main line, 2860 feet to a point on the West boundary line of Section 20; thence North to the Northwest Corner of Section 20; thence East along the Northern boundary line to the place of beginning.

(b) A strip of land 100 feet in width lying 50 feet on each side of the center line of the "Smelter Track" formerly of San Pedro, Los Angeles & Salt Lake Railroad Company, across the South Half of the Northwest Quarter of said Section 20; a part thereof having been conveyed by American Smelting and Refining Company to San Pedro, Los Angeles & Salt Lake Railroad Company by a deed dated May 9, 1907, and a part thereof having been reserved to the grantor in a deed of a portion of said Section 20 from Los Angeles & Salt Lake Railroad Company to Garfield Smelting Company, dated August 23, 1917,

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and recorded in Book 10-Q, at page 114, of the records of Salt Lake County.

(c) A strip of land in the Northwest Quarter of said Section 20 described in, and conveyed by American Smelting and Refining Company to State Road Commission of Utah for a right of way for a highway known as F. A. Project No. 39 by, a deed dated June 3, 1946 and recorded in Book 491, at page 118, of the records of Salt Lake County and Book 4-B, at pages 190-191, of the records of Tooele County.

(d) A strip of land within the right of way boundary lines of highway known as U. S. 50.

(7) All of Section 21; the West Half of the Northwest Quarter of Section 22; the South Half, the South Half of the Northeast Quarter, and the South Half of the North Half of the Northeast Quarter of Section 25; the South Half, the Northwest Quarter, the West Half of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 26; all of Sections 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36; EXCEPTING, HOWEVER, a parcel of land situate in said Section 36 conveyed by American Smelting and Refining Company to Kennecott Copper Corporation by deed dated April 5, 1957 and recorded in Book 1405, at page 190, of the records of Salt Lake County, and particularly described therein.

TOGETHER with the following appurtenances to the foregoing parcels numbered "(1)" to "(7)", inclusive:

(a) All the water rights of American Smelting and Refining Company with respect to the waters flowing from Jap Spring in the Northwest Quarter of the Northeast Quarter of said Section 20, and from Kesler Spring in the Southwest Quarter of Section 15 in Township 1 South, Range 3 West, on the terms and

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subject to the conditions of an agreement dated September 26, 1906, confirmed by deed dated November 23, 1907, between Inland Crystal Salt Company, Saltair Beach Company and American Smelting and Refining Company.

(b) All the right, title and interest of American Smelting and Refining Company in and to the land lying between the meander line of the Great Salt Lake and the water line thereof from a point on said water line due West of the Southwest Corner of Lot 2 of said Section 9 to a point on said water line due West of the East Quarter Corner of said Section 9, conveyed by American Smelting and Refining Company to Garfield Smelting Company by a deed dated September 3, 1913, and recorded in Book 8-G, at page 570, of the records of Salt Lake County.

AND ALSO, TOGETHER WITH all right, title and interest of American Smelting and Refining Company in and to the land lying between the meander line of Great Salt Lake and the water line thereof and adjoining the lands hereinabove conveyed but not otherwise included therein.

BEING part of the premises conveyed by Garfield Smelting Company to American Smelting and Refining Company by a deed dated May 31, 1923, and recorded in Book 11-Q of Deeds, at pages 580-583, of the records of Salt Lake County, and recorded in Book 3-O of Deeds, at pages 14-18, of the records of Tooele County; and also the premises conveyed to American Smelting and Refining Company by a deed dated December 22, 1937, from Zion's Savings Bank and Trust Company, and recorded in Book 207 of Deeds, at page 136, of the records of Salt Lake County.

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SUBSECTION D

All the following described real estate situate in Township 2 South, Range 3 West of Salt Lake Base and Meridian:

(1) All of Section 1, EXCEPTING, HOWEVER, the Southeast Quarter of the Southeast Quarter.

(2) All of Section 2.

(3) All of Section 3.

(4) All of Section 4.

(5) Lots 1 and 2, the South Half of the Northeast Quarter, all of the Southeast Quarter of the Southwest Quarter and all of the Southeast Quarter of Section 5.

(6) The Northeast Quarter of Section 7 and all of the East Half, the Northwest Quarter, and the South Half of the Southwest Quarter of Section 8; EXCEPTING, HOWEVER, that portion thereof conveyed by American Smelting and Refining Company to Radio Service Corporation of Utah by a deed dated December 22, 1953, and recorded in Book 1065, at page 131, of the records of Salt Lake County and in Book 4-F of Deeds, at page 204, of the records of Tooele County, as corrected by a correction grant from said grantee to said grantor, dated March 30, 1954, and recorded in Book 1080, at page 128 of the records of Salt Lake County and in Book 4-F of Deeds, at page 255, of the records of Tooele County.

(7) All of Section 9.

(8) All of Section 10.

(9) All of Section 11.

(10) All of the West Half of Section 12.

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- (11) All of the East Half and the Southwest Quarter of Section 13.
- (12) All of Section 14.
- (13) All of Section 15.
- (14) All of Section 16.
- (15) All of the North Half of the Southeast Quarter, the Southeast Quarter of the Southeast Quarter, the East Half of the Northwest Quarter, and the Northeast Quarter of the Southwest Quarter of Section 17.
- (16) All of the North Half of the North Half of Section 20.
- (17) All of the Northwest Quarter, the Southeast Quarter of the Northeast Quarter, and the Northeast Quarter of the Southeast Quarter of Section 21.
- (18) All of the North Half, the North Half of the Southeast Quarter, and the North Half of the Southwest Quarter of Section 22.
- (19) All of the North Half, and the Northwest Quarter of the Southwest Quarter of Section 23.
- (20) All of the Northeast Quarter and the North Half of the Northwest Quarter of Section 24.

Bears part of the premises conveyed by Garfield Smelting Company to American Smelting and Refining Company by a deed dated May 31, 1923, and recorded in Book 11-Q of Deeds, at pages 580-583, of the records of Salt Lake County, and recorded in Book 3-O of Deeds, at pages 14-18, of the records of Tooele County; the premises conveyed to American Smelting and Refining Company by Glenn W. Reid and Vanice Reid, by deeds dated December 20, 1937 and May 19, 1954 and recorded in Book 207 of Deeds, at page 136 and Book 1090, at page 62, respectively,

of the records of Salt Lake County, and in Book 3-Y of Deeds, at page 121, and Book 4-F of Deeds, at pages 308-309, respectively, of the records of Tooele County; and also the premises conveyed to American Smelting and Refining Company by Luis Fratto by a deed dated December 15, 1925, and recorded in Book 12-N of Deeds, at page 352, and by Saverio Granato by a deed dated December 23, 1929, and recorded in Book 70 of Deeds, at page 54, and by Luigi Nicoletti by a deed dated December 17, 1929, and recorded in Book 63 of Deeds, at pages 322-323, and by Wilford Coon and Zula Coon by a deed dated May 12, 1941, and recorded in Book 271 of Deeds, at page 167, and by Alonzo Coon by a deed dated July 6, 1944, and recorded in Book 392 of Deeds, at page 539, the recordings of the last five deeds being in the records of Salt Lake County.

SUBSECTION E

All the following described real estate situate in Township 1 South, Range 4 West, of the Salt Lake Base and Meridian:

(1) That portion of Section 35 described as follows:

BEGINNING 12.60 chains West of the Southeast Corner of the Northeast Quarter of said Section 35, and running thence South two chains; thence West five chains; thence North 10.31 chains; thence East five chains; thence South 8.31 chains to the place of beginning, containing 5.15 acres of land, more or less.

(2) That portion of Section 36 described as follows:

The East Half, and the East Half of the Northeast Quarter of the Northwest Quarter of said Section 36.

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BEING part of the premises conveyed by Almon J. Williams to American Smelting and Refining Company by a deed dated March 25, 1941 and recorded in Book 3-Z of Deeds, at page 79, of the records of Tooele County.

SUBSECTION F

All the following described real estate situate in Township 2 South, Range 4 West of the Salt Lake Base and Meridian:

- (1) All of the Southwest Quarter and Lots 8 and 9 of Section 1.

EXCEPTING, HOWEVER, the following lots and parcels of land:

- (a) An undivided two-thirds of a strip of land 150 feet in width, of which the center line is the center line of the grantee's railroad line, conveyed by A. E. Sawyer to Oregon Short Line Railroad Company by Quitclaim Deed dated April 10, 1902, and recorded in Book ZZ of Deeds, at page 57, of the records of Tooele County; and

- (b) That parcel of land containing .7 of an acre, more or less, described in, and conveyed by Joseph Mayne, unmarried, and John H. Yates and Frances Yates, his wife, to San Pedro, Los Angeles & Salt Lake Railroad Company by deed dated August 3, 1912, and recorded in Book 3-H of Deeds, at page 215, of the records of Tooele County:

- (2) That portion of Section 2 described as follows:

BEGINNING at a point 27.23 chains North and 2.75 chains West from the Southeast Corner of the Northeast Quarter of said Section 2, and running thence West 19.65 chains; thence North 2.39 chains; thence East 3.12 chains, thence North 1.43 chains, thence

East 17.86 chains; thence South 19°24' West 4.05 chains to the place of beginning, containing 7.79 acres, more or less; EXCEPTING, HOWEVER, that parcel of land containing approximately .47 of an acre, described in, and conveyed by American Smelting and Refining Company to Alvin P. Vorwaller and LaVon Vorwaller by, a deed dated December 2, 1952 and recorded in Book 4-E of Deeds, at page 547, of the records of Tooele County; and that parcel of land containing approximately .09 of an acre; described in, and conveyed by American Smelting and Refining Company to Kenneth J. Garrard and Eudean T. Garrard by, a deed dated May 21, 1963 and not yet recorded in the records of Tooele County.

(3) That portion of Section 11 described as follows: BEGINNING at the Northwest Corner of the Northeast Quarter of said Section 11, and running thence South 40 chains; thence East 5 chains; thence North 40 chains; thence West 5 chains to the place of beginning, containing 20 acres of land, more or less.

(4) Those portions of Section 15 described as follows:

1st. All of the Northeast Quarter, EXCEPTING, HOWEVER, a strip of land 100 feet in width of which the center line is the center of the railroad line of the grantee, conveyed by William B. Clark to Oregon Short Line Railroad Company by deed dated March 13, 1902 and recorded in Book ZZ of Deeds, at page 10 of the records of Tooele County.

2ND. BEGINNING at a point about four chains West of the North Quarter Corner of said Section 15, thence West 16 chains, more or less; thence South 40 chains, thence East 13 chains, more or less, to the West boundary of the State Highway; thence North-easterly along the West boundary of said State Highway about 40 chains, more or less, to point of

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beginning, containing 65 acres, more or less, and being a part of the East Half of the Northwest Quarter of said Section 15; EXCEPTING, HOWEVER, (a) two parcels of land containing 6.30 acres, more or less, described in, and conveyed by Almon J. Williams and Mary Williams, his wife, to Tooele County by, a deed dated September 6, 1928, and recorded in Book 3-Q of Deeds at pages 446-7 of the records of Tooele County, and (b) a tract of land described in, and conveyed by American Smelting and Refining Company to J. Reuben Clark, Jr., by a deed dated November 25, 1942 and recorded in Book 4-A, at pages 158-9, of the records of Tooele County.

Also, commencing at the North Quarter Corner of said Section 15, thence South 40 chains; thence West four chains; thence Northeasterly forty chains, more or less, thence East one chain to the place of beginning, containing 12 acres.

3rd. All of that part of the Southwest Quarter of said Section 15, which lies East of State Highway No. 36 described as follows: BEGINNING at a point on the South line of the Northwest Quarter of said Section 15, and East 1662.0 feet along section line and South 5°40' East 2681.0 feet along center line of concrete road and East 50.3 feet from the Northwest Corner of said Section 15, thence South 5° 40' East along a line 50.0 feet Easterly and parallel from the center line of a concrete road 981.0 feet, thence around a curve with a radius of 1960.0 feet to the right 50.0 feet Easterly and parallel to center line of said road 591.2 feet; thence South 11°37' West parallel to and 50.0 feet Easterly from the center line of concrete road 1127.5 feet to the South line of said Section 15; thence East along the South line of said Section 15, 926.0 feet to the South Quarter Corner of said Section 15; thence North along the Quarter section line 2668.0 feet to the center of said Section 15; thence West

along the Quarter section line 710.0 feet to the point of beginning;

Also, that certain strip of land 94 rods long by 4 rods wide situate in the East half of the Southwest Quarter of said Section 15, and conveyed by Francis Clark to Tooele County as a permanent right of way for a County road by a warranty deed dated November 4, 1911, said deed being recorded in the office of the Tooele County Recorder on the 11th day of December, 1911, in Book 3-H of Deeds, page 88, as instrument #141075 and conveyed by said Tooele County to American Smelting and Refining Company by deed dated April 19, 1943 and recorded in the office of the Tooele County Recorder in Book 3-Z of Deeds, page 518.

(5) That portion of Section 16 described as follows: BEGINNING at the Northeast Corner of the Northwest Quarter of said Section 16, and running thence West 20 rods; thence South 160 rods; thence East 20 rods; thence North 160 rods to the place of beginning, containing 20 acres; EXCEPTING, HOWEVER, a tract of land containing .85 of an acre which is described in, and conveyed by A. J. Williams and Mary Williams, his wife, to Tooele County by, a deed dated January 3, 1938 and recorded in Book 3-Y of Deeds, at page 105, of the records of Tooele County.

BEING part of the premises conveyed to American Smelting and Refining Company by Almon J. Williams by a deed dated March 25, 1941 and recorded in Book 3-Z of Deeds, at page 79; by Mary K. Griffith by a deed dated October 22, 1941, and recorded in Book 3-Z of Deeds at page 196; by Phoebe Rodeback Young by a deed dated November 23, 1942, and recorded in Book 3-Z of Deeds, at page 415; and the premises so conveyed by J. Reuben Clark, Jr.; and Luacine S. Clark by a deed dated Decem-

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ber 15, 1942, and recorded in Book 3-Z of Deeds, at page 414; and by Tooele County by a deed dated April 19, 1943, and recorded in Book 3-Z, at page 518; all of such recordations being in the records of Tooele County.

SUBSECTION G

All right, title and interest of American Smelting and Refining Company in and to any and all lands and all rights and interests in lands, other than those particularly described and conveyed above in and under Subsections "A" to "F" hereof, which are located in the six Townships 1 and 2 South, Ranges 2, 3 and 4 West, Salt Lake Base & Meridian, Salt Lake and Tooele Counties, Utah, ~~EXCEPTING, HOWEVER,~~ the following described lands and all water rights and other rights appurtenant thereto:

- (1) All lands situate in the East Half of Section 29, Township 1 South, Range 2 West, S.L.B. & M.;
- (2) A parcel of land situate in Section 32, Township 1 South, Range 2 West, S.L.B. & M., commencing at a point marked by an iron stake, said point being South 557.2 feet and West 35.6 feet from the North Quarter Corner of said Section 32; thence West 200 feet; thence South 104 feet, thence East 200 feet to a point marked by an iron stake; thence North 104 feet to point of beginning; containing .45 acres;
- (3) A parcel of land situate in Section 32, Township 1 South, Range 2 West, S.L.B. & M., commencing at the South Quarter corner of said Section 32 and running thence West 444 feet; thence North 709.5 feet; thence East 444 feet; thence South 709.5 feet to the place of beginning; together with the well appurtenant to said land;

(4) A parcel of land situate in Section 5, Township 2 South, Range 2 West, commencing at the North Quarter corner of said Section 5 and running thence West 444 feet; thence South 70.31 feet; thence North 81° East 449.53 feet, less road right of way;

(5) All lands situate in the Northeast Quarter of Section 35 and the Northwest Quarter of Section 36, Township 1 South, Range 4 West, S.L.B. & M., other than the lands therein particularly described and conveyed above in and under "Subsection E" hereof.

Together with the copper smelter and plant (hereinafter sometimes referred to as the "Garfield Smelter") of Grantor, American Smelting and Refining Company at Garfield, in Salt Lake County, State of Utah, on lands hereinbefore described, and all buildings, works, structures, fixtures, erections, tracks, pipes, improvements, streets, ways, alleys, passages, sewer rights, waters, water courses, water rights, including underground waters and rights thereto, rights of way, licenses, easements, including smoke easements, estates, rights, franchises, interests, privileges, liberties, hereditaments and appurtenances whatsoever now upon or belonging or appertaining to each, any and every, part, portion and parcel of the lands hereinbefore described and hereby conveyed, and to the said smelting and reduction works or plant situated thereon; and all reversion and reversions, remainder and remainders, reverters, rights and possibilities of reverter, rents, issues and profits thereof; and also together with all options of Grantor to purchase lands (other than mining properties) in the six (6) townships in Salt Lake and Tooele Counties, numbered 1 and 2 South, in Ranges 2, 3 and 4 West, S.L.B. & M.

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THERE ARE EXPRESSLY EXCEPTED AND RESERVED by American Smelting and Refining Company, Grantor herein, from all and each of the parcels of land hereinbefore in "Subsection A" to and including "Subsection G" described and hereby conveyed (except the lands hereinafter mentioned), all the minerals, mineral and mining rights thereof and therein, including oil and gas but excluding sand, gravel, limesand and water; and Grantor, its successors and assigns, reserve and shall have the right of ingress and egress to and from and the use of, so much of the surface of said lands in which Grantor reserves said mineral and mining rights, as may be necessary for exploration for, the mining of, concentrating and carrying away any and all such minerals; but in the event of the exercise of such reserved mineral rights said Grantor, its successors and assigns shall pay Grantee, its successors and assigns the fair value of the use of so much of such surface as Grantor may require as a millsite or otherwise for the concentration of such minerals and compensate Grantee, its successors and assigns for any damage or injury caused to any improvements and installations of the latter on such surface by such use thereof as a millsite or otherwise for concentration of minerals. The minerals, mineral and mining rights, including oil and gas, of and in the following mentioned lands are not excepted and reserved but are hereby conveyed with said lands, namely: the lands hereinabove described and hereby conveyed which are located in Section 9, the West Half and the West Half of the East Half of Section 16, the East Half of Section 17 to the shore of Great Salt Lake, the Northeast Quarter of Section 20, and the Northwest Quarter of Section 21, Township 1 South, Range 3 West, S.L.B. & M., Salt Lake County, Utah.

SUBJECT, in the case of all of the foregoing lands described and conveyed in the foregoing Subsections "A" to "G", to streets, roads and highways on and over the same.

SECTION II

All smoke easements, rights of way and all other easements and rights, licenses, permits, franchises and privileges, whether or not appurtenant to the aforesaid lands hereby conveyed but owned by Grantor and used or held for use or the benefit of or in connection with the operation of the said Garfield Smelter and plant site or other of said lands, and all leases and leaseholds owned by Grantor and similarly used or held for use, subject in each instance to the same being validly transferable and to the consent of third parties where required; together with all improvements, appurtenances and property thereon or belonging thereto; excepting from the foregoing Grantor's lease on its Salt Lake City office.

Without limiting the generality of the foregoing language in this "Section II" or in the foregoing "Section I," there is expressly included and assigned, transferred and conveyed hereby all those certain rights, including water rights, licenses, privileges and easements, including smoke easements, leases to Grantor, and rights and options of Grantor to purchase lands of others, acquired or reserved by Grantor, as stated in the following Subsections "A" to "D" inclusive:

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24.5
3.0
27.5

SUBSECTION A

a. Instruments recorded in the office of the County Recorder of Salt Lake County, State of Utah, and pertaining to lands in said County, to wit:

<u>Dated</u>	<u>Party from whom acquired</u>	<u>Recorded</u>
1. Oct. 22, 1954	Los Angeles & Salt Lake RR. Co. and Union Pacific RR. Co.	Book 1150, p. 346
2. Nov. 7, 1906	San Pedro, Los Angeles & Salt Lake RR. Co. & Equitable Trust Co.	Book 7-N, p. 233
3. Sept. 13, 1950	Los Angeles & Salt Lake RR. Co.	Book 815, p. 334
4. Dec. 7, 1945	Los Angeles & Salt Lake RR. Co. and Union Pacific RR. Co.	Book 457, p. 513
5. Aug. 25, 1958	State of Utah (Certificate of Appropriation of Water, #5525)	Book 1535, p. 292

b. Instruments recorded in the office of the County Recorder of Tooele County, State of Utah, and pertaining to lands in said County, to wit:

<u>Dated</u>	<u>Party from whom acquired</u>	<u>Recorded</u>
Nov. 7, 1906	San Pedro, Los Angeles & Salt Lake RR. Co. & Equitable Trust Co.	Book 3-C, p. 325

SUBSECTION B

Options granted to American Smelting and Refining Company to purchase lands, as follows:

<u>Dated</u>	<u>Party from whom acquired</u>	<u>Recorded (All Salt Lake County)</u>	<u>Location of Lands Acquired (All Salt Lake Base & Meridian)</u>
1. Dec. 14, 1952	Clarence Hardman Wilma Hardman	Book 973, p. 318	Sec. 28, T. 1 S., R. 2 W.
2. June 22, 1953	Ural A. Major Bessie E. Major	Book 1018, p. 577	Sec. 28, T. 1 S., R. 2 W.

SUBSECTION B (Continued)

<u>Dated</u>	<u>Party from whom acquired</u>	<u>Recorded (All Salt Lake County)</u>	<u>Location of Lands Affected (All Salt Lake Base & Meridian)</u>
3. Jan. 13, 1953	Oquirrh Stake of Church of Jesus Christ of Latter Day Saints	Book 983, p. 350	Sec. 20, 21, 29, T. 1 S., R. 2 W.
4. Dec. 18, 1952	Frank R. Worthen Barbara Worthen	Book 989, p. 595	Sec. 28, T. 1 S., R. 2 W.
5. June 11, 1956	Erick H. Broadhead Eldora D. Broadhead	Book 1319, p. 256	Sec. 5, T. 2 S., R. 2 W.
6. Jan. 4, 1955	Elmina S. Toone Clements T. Toone (Option to repurchase 10 shares of Utah & Salt Lake Canal Co. stock)	(Not recorded)	Sec. 32, T. 1 S., R. 2 W.
7. Apr. 27, 1954	Mack R. Irving Roxana Lee Irving	(Unrecorded contract of sale)	Sec. 35, 36, T. 1 S., R. 4 W.
8. May 21, 1954	James D. Buck Cleo D. Buck	(Unrecorded contract of sale)	Sec. 32, T. 1 S., R. 2 W.; Sec. 5, T. 2 S., R. 2 W.
9. June 17, 1954	Malcolm F. Orr Hazel S. Orr	(Unrecorded contract of sale)	Sec. 32, T. 1 S., R. 2 W.

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SUBSECTION C

Instruments not recorded, to wit:

a. Water rights processed through office of State Engineer:

	<u>Application or Claim Number</u>	<u>Certificate Number</u>	<u>Location (All Salt Lake Base & Meridian)</u>
1.	26531	5625	Well, Sec. 17, T. 1 S., R. 3 W.
2.	593	48-B	Springs, Sec. 20, T. 1 S., R. 3 W.
3.	594	145-B	Jap Springs, NE 1/4 Sec. 20, T. 1 S., R. 3 W.
4.	20990	.	Sec. 32, T. 1 S., R. 2 W.

SUBSECTION C (Continued)

	<u>Application or Claim Number</u>	<u>Certificate Number</u>	<u>Location (All Salt Lake Base & Meridian)</u>
5.	20988	*	Sec. 28, T. 1 S., R. 2 W.
6.	20984	*	Sec. 5, T. 2 S., R. 2 W.
7.	20985	*	Sec. 5, T. 2 S., R. 2 W.
8.	20988	*	Sec. 5, T. 2 S., R. 2 W.
9.	3087	*	Sec. 5, T. 2 S., R. 2 W.
10.	3693	*	Sec. 32, T. 1 S., R. 3 W.

* Automatically approved in accordance with original filing under Underground Water Statutes.

b. Leases, licenses, easements and miscellaneous rights:

<u>Dated</u>	<u>Lessor, Grantor or Licensor</u>	<u>Description</u>	<u>Location (All Salt Lake Base & Meridian)</u>
1. Jan. 30, 1957	Homer H. Pitts & wife	Lease for doctor's office	9008 West 2700 South, Magna
2. Feb. 16, 1951	State Land Board of State of Utah	Public land grazing lease—160 acres	NW 1/4, Sec. 13, T. 2 S., R. 3 W.
3. Feb. 18, 1948	George Feulner	Lease 150' x 25' for SO ₂ recorder	NE 1/4, Sec. 34, T. 1 S., R. 2 W.
4. Feb. 18, 1948	Orson Lewis	Lease 25' square for SO ₂ recorder	Sec. 35, T. 1 S., R. 2 W.
5. Feb. 18, 1958	Newton Rolfe	Lease 25' square for SO ₂ recorder	Sec. 36, T. 1 S., R. 2 W.
6. Jan. 14, 1957	Hereules Powder Co.	Lease 62.5 acre tract for reservoir	Sec. 5, T. 2 S., R. 2 W.
7. Nov. 17, 1950	State Road Commission of Utah	Water & power lines	Sec. 20, T. 1 S., R. 3 W.
8. Nov. 17, 1950	State Road Commission of Utah	Acid waste water line	Sec. 20, T. 1 S., R. 3 W.
9. Mar. 15, 1926	Los Angeles & Salt Lake RR. Co.	Spur track	Sec. 20, T. 1 S., R. 3 W.

SUBSECTION C (Continued)

<u>Dated</u>	<u>Lessor, Grantor or Licensor</u>	<u>Description</u>	<u>Location (All Salt Lake Base & Meridian)</u>
10. May 10, 1928	Los Angeles & Salt Lake RR. Co.	Power line	Sec. 17, T. 1 S., R. 3 W.
11. May 1, 1929	Los Angeles & Salt Lake RR. Co.	Water line	Sec. 17, T. 1 S., R. 3 W.
12. Sept. 12, 1917	Western Pacific RR. Co.*	Water & sewer lines	Sec. 17, T. 1 S., R. 3 W.
13. Feb. 13, 1913	San Pedro, Los Angeles & Salt Lake RR. Co.*	Slag viaduct	Sec. 16, T. 1 S., R. 3 W.
14. May 11, 1918	Los Angeles & Salt Lake RR. Co.*	Water & sewage lines	Sec. 17, T. 1 S., R. 3 W.
15. Sept. 13, 1950	Los Angeles & Salt Lake RR. Co. and Union Pacific RR. Co.	Power line	Sec. 17, T. 1 S., R. 3 W.
16. Nov. 16, 1950	Western Pacific RR. Co.	Water & power lines	Sec. 17, T. 1 S., R. 3 W.
17. July 5, 1910	San Pedro, Los Angeles & Salt Lake RR. Co.*	Water line	Sec. 17, T. 1 S., R. 3 W.
18. July 25, 1910	Western Pacific RR. Co.*	Water line	Sec. 17, T. 1 S., R. 3 W.
19. May 11, 1954	Hercules Powder Co.	Right to use waters of Coon Canyon Creek	

* Grantee or licensee is Garfield Smelting Company.

SUBSECTION D

a. Rights to discharge over and upon lands, through the medium of the air, smoke, dust, fumes, cinders and other matter (which rights are in this indenture referred to as "smoke easements"), together with all rights of entry on such lands, reserved in favor of American Smelting and Refining Company in deeds wherein American Smelting and Refining Company or Garfield Smelting Company is grantor:

<u>Dated</u>	<u>Grantee</u>	<u>Location of Lands Affected (All Salt Lake Base & Meridian)</u>
1. Mar. 4, 1914	Bingham & Garfield Railway Company	Sec. 21, 28, 29, T. 2 S., R. 2 W.; Sec. 31, T. 1 S., R. 2 W.; Sec. 3, 9, 10, 16, T. 1 S., R. 3 W.

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SUBSECTION D (Continued)

<u>Dated</u>	<u>Grantee</u>	<u>Location of Lands Affected</u> <u>(All Salt Lake Base & Meridian)</u>
2. Sept. 14, 1939	Isaac H. Coon, Arthur Coon	SW $\frac{1}{4}$, Sec. 29, T. 1 S., R. 2 W.
3. Mar. 31, 1943	State Road Commission of Utah	NE $\frac{1}{4}$ of NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 32, T. 1 S., R. 2 W., and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 2 S., R. 2 W.
4. Dec. 30, 1942	Vinol S. Turner	Sec. 32, T. 1 S., R. 2 W.
5. June 30, 1943	Tom Angelos	1.07 acres in Sec. 33, T. 1 S., R. 2 W.
6. May 12, 1943	Ruel Unsworth	Part of Sec. 20, T. 1 S., R. 2 W.
7. Nov. 23, 1943	Ruth M. Larson Vaughn	.34, .47 and 1.05 acre tracts in Sec. 30, T. 1 S., R. 2 W.
8. Dec. 29, 1943	Oquirrh Stake of Church of Jesus Christ of Latter Day Saints	NW $\frac{1}{4}$ of Sec. 29, T. 1 S., R. 2 W.
9. May 24, 1944	William R. Holt	Parts of NE $\frac{1}{4}$ of Sec. 33, T. 1 S., R. 2 W.
10. Nov. 28, 1944	James Hardman	4.14 acres in Sec. 28, T. 1 S., R. 2 W.
11. July 27, 1948	Clem Toone	In Block 5, Reynolds Subdivi- sion, a part of NW $\frac{1}{4}$ Sec. 29, T. 1 S., R. 2 W.
12. Sept. 30, 1948	Hyrum D. Cluff & Elizabeth Lavenia Cluff	NW $\frac{1}{4}$ of Sec. 29, T. 1 S., R. 2 W.
13. July 28, 1948	Allen F. Christensen	R. 2 W. SW $\frac{1}{4}$ of Sec. 28, T. 1 S., SE $\frac{1}{4}$ Sec. 30, T. 1 S., R. 2 W.
14. Jan. 26, 1949	John M. Russon	NE $\frac{1}{4}$ Sec. 29, T. 1 S., R. 2 W.
15. Sept. 27, 1949	John H. Breeze	1.09 acres in NW $\frac{1}{4}$ Sec. 29, T. 1 S., R. 2 W.
16. Sept. 27, 1949	Leo G. Flangas	.86 acre in Sec. 29, T. 1 S., R. 2 W.
17. Sept. 27, 1949	Oquirrh Stake of Church of Jesus Christ of Latter Day Saints	.15 acre in NW $\frac{1}{4}$ Sec. 29, T. 1 S., R. 2 W.
18. Dec. 27, 1949	John Papanikolas	.15 acre in NW $\frac{1}{4}$ Sec. 29, T. 1 S., R. 2 W.

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SUBSECTION D (Continued)

<u>Dated</u>	<u>Grantee</u>	<u>Location of Lands Affected</u> <u>(All Salt Lake Base & Meridian)</u>
19. Apr. 6, 1950	Oquirrh Stake of Church of Jesus Christ of Latter Day Saints	Two tracts of 10 and .81 acres in SE $\frac{1}{4}$ of Sec. 28, T. 1 S., R. 2 W.
20. Apr. 3, 1952	Cannon-Papanikolas Construction Co., a partnership	20 acres in SW $\frac{1}{4}$ of Sec. 29, T. 1 S., R. 2 W.
21. Oct. 25, 1950	Cannon-Papanikolas Construction Co., a partnership	20 acres in SW $\frac{1}{4}$ of Sec. 29, T. 1 S., R. 2 W.
22. Oct. 23, 1952	Oquirrh Stake of Church of Jesus Christ of Latter Day Saints	27 acres in Sec. 20 and parts of SE $\frac{1}{4}$ of Sec. 20; NE $\frac{1}{4}$ of Sec. 29; SW $\frac{1}{4}$ of Sec. 21; T. 1 S., R. 2 W.
23. Dec. 2, 1952	Frank R. Worthen, Barbara Worthen	0.39 acre in NW $\frac{1}{4}$ Sec. 28, T. 1 S., R. 2 W.
24. Dec. 2, 1952	Clarence Hardman, Wilma Hardman	1.35 acres in Sec. 28, T. 1 S., R. 2 W.
25. Feb. 26, 1953	Sidney I. Lester, Myrtle S. Lester	0.52 acre in SW $\frac{1}{4}$ of Sec. 29, T. 1 S., R. 2 W.
26. May 21, 1953	Theron D. Barron, Lydia J. Barron	2.12 acres in SW $\frac{1}{4}$ Sec. 32, T. 1 S., R. 2 W.
27. May 21, 1953	Ural A. Major, Bessie E. Major	0.47 acre in SW $\frac{1}{4}$ Sec. 28, T. 1 S., R. 2 W.
28. July 3, 1953	James E. Jones, Hazel B. Jones	0.99 acre in Sec. 28, T. 1 S., R. 2 W.
29. Dec. 23, 1953	Clements T. Toone, Elmina S. Toone	1.0 acre in NW $\frac{1}{4}$ Sec. 32, T. 1 S., R. 2 W.
30. Mar. 22, 1954	Daughters of Utah Pioneers, a corporation	.15 acre in SE $\frac{1}{4}$ Sec. 32, T. 1 S., R. 2 W.
31. July 28, 1954	Harold B. Thomas, Marie K. Thomas	0.38 acre in Sec. 29, T. 1 S., R. 2 W.
32. Sept. 9, 1954	Ernest A. Croxford, Bernetta Devine Croxford	0.66 acre in SW $\frac{1}{4}$ Sec. 29, T. 1 S., R. 2 W.
33. Dec. 22, 1954	Clements T. Toone, Elmina S. Toone	14.94 acres in Sec. 32, T. 1 S., R. 2 W.

Handwritten notes and calculations:

$$\begin{array}{r} 26.52 \\ 2.39 \\ \hline 28.91 \\ 28.91 \\ \hline 57.82 \end{array}$$

SUBSECTION D: (Continued)

<u>Dated</u>	<u>Grantee</u>	<u>Location of Lands Affected (All Salt Lake Base & Meridian)</u>
34. Jan. 6, 1955	Hansen Homes, Inc., a corporation	10.75 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28, T. 1 S., R. 2 W.
35. Mar. 3, 1955	Steven Gooras	1.09 acres in Sec. 29, T. 1 S., R. 2 W.
36. Jan. 6, 1956	Hansen Homes, Inc., a corporation	10.75 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28, T. 1 S., R. 2 W.
37. June 29, 1956	Cannon-Papanikolas Construction Co., a partnership	Part of SE $\frac{1}{4}$ of Sec. 30, T. 1 S., R. 2 W.
38. Apr. 18, 1957	Garfield Land Corporation, a corporation	9.3 acres in SW $\frac{1}{4}$ Sec. 28; 1.2 acres in SE $\frac{1}{4}$ Sec. 30; T. 1 S., R. 2 W.
39. Oct. 24, 1957	Stanley Clements Toone	0.31 acre in SE $\frac{1}{4}$ Sec. 30, T. 1 S., R. 2 W.
40. May 16, 1952	Mountain Fuel Supply Company	W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 28, T. 1 S., R. 2 W.
41. June 29, 1956	Cannon-Papanikolas Construction Co., a partnership	Sec. 29, T. 1 S., R. 2 W.
42. Aug. 5, 1958	J. Frank Peel, Frank D. Peel	Part of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 20; part of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 29; T. 1 S., R. 2 W.
43. Nov. 14, 1958	Ivan A. Andreason, as administrator of estate of Gertrude Bouck Andreason	1.03 acres in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 28, T. 1 S., R. 2 W.
44. Nov. 14, 1958	Hyrum S. Bouck, Cora Bouck	0.52 acre in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 28, T. 1 S., R. 2 W.
45. May 30, 1906 Recorded Book 62, p. 277	Garfield Improvement Company	SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; Sec. 15; E $\frac{1}{2}$ E $\frac{1}{2}$ Sec. 16; S $\frac{1}{2}$ NE $\frac{1}{4}$ E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 22; W $\frac{1}{2}$ Sec. 23; T. 1 S., R. 3 W.
46. May 26, 1906 Recorded Book 7-P of Deeds, pp. 178-84	Western Pacific Railway Company	100-ft. strip in Sec. 18, T. 1 S., R. 2 W.; Sec. 13, 14, 15, 16, 17, T. 1 S., R. 3 W.

SUBSECTION D (Continued)

<u>Dated</u>	<u>Grantee</u>	<u>Location of Lands Affected</u> <i>(All Salt Lake Base & Meridian)</i>
47. May 26, 1906 Recorded Book 7-P of Deeds, pp. 176-8	Western Pacific Railway Company	20-ft. strip in Sec. 15, 16, 22, T. 1 S., R. 3 W.
48. May , 1909	Ebner McGinley	SW 1/4 Sec. 33, T. 1 S., R. 3 W.
49. Nov. 8, 1906 Recorded Book 7-V of Deeds, pp. 76-7	Garfield Smelting Company	S 1/2 NE 1/4, NE 1/4 NE 1/4, Sec. 20; E 1/2 SE 1/4, Sec. 17; SW 1/4 Sec. 18; NW 1/4, W 1/2 NE 1/4 Sec. 21; all in T. 1 S., R. 3 W.
50. Sept. 3, 1913 Recorded Book 8-G of Deeds, pp. 570-2	Garfield Smelting Company	S 1/2, E 1/2 NW 1/4, Lots 1 and 2, Sec. 10; Lots 1 and 2, SE 1/4 SE 1/4, Sec. 9; part of Lot 2, Lots 3 and 4, part of SW 1/4, SE 1/4, Sec. 8; T. 1 S., R. 3 W.
51. Sept. 3, 1913 Recorded Book 8-Q of Deeds, pp. 433-40	Garfield Smelting Company	Parts of Sec. 17, 19, 20, 21, 25, 28 to 36, T. 1 S., R. 3 W.; parts of Sec. 1 to 5, 8 to 16, 22, 23, T. 2 S., R. 3 W.; parts of Sec. 7, 16, 17, 18, 20, 21, T. 2 S., R. 2 W.
52. Sept. 4, 1918	Mountain States Tel. & Tel. Co.	SE 1/4 Sec. 10, T. 1 S., R. 3 W.
53. Dec. 14, 1914	Bingham & Garfield Railway Company	0.35 acre in NW 1/4 SW 1/4 Sec. 10, T. 1 S., R. 3 W.
54. Oct. 27, 1916	Utah Copper Company	N 1/2 NE 1/4 NE 1/4, Sec. 25, T. 1 S., R. 3 W.
55. June 11, 1918	Utah Copper Company	S 1/2 SE 1/4 Sec. 10; W 1/2 SE 1/4 Sec. 16; T. 1 S., R. 3 W.
56. June 11, 1918	Los Angeles & Salt Lake Railroad Co.	NW 1/4 SE 1/4 Sec. 16, T. 1 S., R. 3 W.
57. May 31, 1923 Recorded in Toole Co., Book 3-O of Deeds, pp. 14- 18; Salt Lake Co., Book 11-Q of Deeds, pp. 580-3	American Smelting & Refining Co.	Sec. 29, 31, T. 1 S., R. 2 W.; Sec. 10, 16-22, 25-36, T. 1 S., R. 3 W.; Sec. 6, 7, 8, 16, 17, 18, 20, 21, Special 57, T. 2 S., R. 2 W.; Sec. 1-5, 8-16, 22, 23, T. 2 S., R. 3 W.

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SUBSECTION D (Continued)

<u>Dated</u>	<u>Grantee</u>	<u>Location of Lands Affected</u> <u>(All Salt Lake Base & Meridian)</u>
58. Mar. 27, 1938 Recorded Book 125 L & L, p. 11	Salt Lake County	Sec. 3, 9, 10, 16, 17, 19, 20, T. 1 S., R. 3 W.
59. Oct. 31, 1933	Salt Lake County	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17, T. 1 S., R. 3 W.
60. Oct. 7, 1936	Bingham & Garfield Railway Company, a corporation	Westerly $\frac{3}{4}$ of Sec. 16; SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9, T. 1 S., R. 3 W.
61. Oct. 16, 1936	Garfield Water Company, a corporation	Sec. 16, T. 1 S., R. 3 W.
62. Jan. 27, 1937	Salt Lake County	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10; SE $\frac{1}{4}$ Sec. 9; T. 1 S., R. 3 W.
63. June 16, 1937	Salt Lake Sodium Products Company	Sec. 3, 9, 10, T. 1 S., R. 3 W.
64. July 21, 1937	Garfield Water Co.	Sec. 17, T. 1 S., R. 3 W.
65. July 15, 1941	State Road Commission of Utah	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17, T. 1 S., R. 3 W.
66. Oct. 11, 1939	Mountain Fuel Supply Co., a corporation	S $\frac{1}{2}$ Sec. 10, T. 1 S., R. 3 W.
67. June 3, 1946	State Road Commission of Utah	E $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19; S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, T. 1 S., R. 3 W.
68. June 30, 1950	Calera Mining Co., a corporation	SW $\frac{1}{4}$ Sec. 19, T. 1 S., R. 3 W.
69. Sept. 26, 1951	Western Pacific Railroad Company, a corporation	Sec. 16, 17, T. 1 S., R. 3 W.
70. Feb. 5, 1953	Western Phosphates, Inc., a corporation	Sec. 9, 10, T. 1 S., R. 3 W.
71. Apr. 5, 1957	Kennecott Copper Corporation, a corporation	Sec. 31, T. 1 S., R. 2 W.; Sec. 36, T. 1 S., R. 3 W.
72. Nov. 18, 1953	Kennecott Copper Corporation, a corporation	SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 1 S., R. 3 W.
73. June 22, 1906	The Rio Grande Western Railway Company, a corporation	Sec. 19, T. 1 S., R. 2 W.; Sec. 23, 24, T. 1 S., R. 3 W.; Sec. 15, 22, T. 1 S., R. 3 W.
74. June 26, 1906	Boston Consolidated Mining Company, a corporation	Sec. 11, 14, 23, 24, 25, 26, T. 1 S., R. 3 W.

SUBSECTION D (Continued)

<u>Dated</u>	<u>Grantee</u>	<u>Location of Lands Affected</u> <u>(All Salt Lake Base & Meridian)</u>
75. May 28, 1906	The Rio Grande Western Railway Company, a corporation	SW 1/4 NE 1/4 Sec. 22, T. 1 S., R. 3 W.
76. Aug. 30, 1906	Utah Copper Company, a corporation	SW 1/4 Sec. 12; NE 1/4 Sec. 13; SE 1/4 Sec. 12; T. 1 S., R. 3 W.
77. Sept. 28, 1906	Garfield Water Company	Sec. 21, T. 1 S., R. 2 W.; Sec. 8, 8-11, T. 2 S., R. 4 W.; Sec. 11-15, 22-24, 26, 27, T. 2 S., R. 5 W.
78. Oct. 19, 1942	American Tel. & Tel. Company of Wyoming	Sec. 8, 16, 17, 19, 20, T. 1 S., R. 3 W.; NW 1/4 Sec. 16, T. 2 S., R. 4 W.
79. June 14, 1939	Hercules Powder Company, a corporation	SE 1/4 Sec. 8, T. 2 S., R. 2 W.
80. Sept. 24, 1946	Kennecott Copper Corporation, a corporation	NW 1/4 Sec. 5, T. 2 S., R. 2 W.; SW 1/4 SW 1/4 Sec. 32, T. 1 S., R. 2 W.; E 1/2 SE 1/4, S 1/2 NE 1/4, NE 1/4 NW 1/4 Sec. 31, T. 1 S., R. 2 W.; S 1/2, and SW 1/4 NW 1/4 Sec. 32; SE 1/4 NE 1/4 Sec. 31; T. 1 S., R. 2 W.
81. May 24, 1956	Erick H. Broadhead, Eldora D. Broadhead	.51 acre in Sec. 5, T. 2 S., R. 2 W.
82. Dec. 22, 1953	Radio Service Corporation of Utah, a corporation	95.07 acres in E 1/2 of Sec. 8, T. 2 S., R. 3 W.
83. May 27, 1947	Charles H. Yates, Mamie M. Yates	SE 1/4 Sec. 2, T. 2 S., R. 4 W.; W 1/2 Sec. 36 and E 1/2 Sec. 35, T. 1 S., R. 4 W.
84. Dec. 2, 1952	Alvin P. Vorwaller, LaVon Vorwaller	0.47 acre in Sec. 2, T. 2 S., R. 4 W.
85. May 21, 1953	Kenneth J. Garrard, Eudean T. Garrard	0.09 acre in Sec. 2, T. 2 S., R. 4 W.
86. Aug. 11, 1937	D. E. Greenwood	Blocks 15, 16, 17 Sandy Station Plat Salt Lake County

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SUBSECTION D (Continued)

<u>Dated</u>	<u>Grantee</u>	<u>Location of Lands Affected</u> <i>(All Salt Lake Base & Meridian)</i>
87. Sept. 12, 1921 Recorded Book 10-K, p. 546, Salt Lake Co.	Alma F. Smith Bishop	Sec. 6, T. 2 S., R. 1 E.
88. Aug. 17, 1932 Recorded Book 116, p. 497, Salt Lake Co.	F. C. Boyce	Sec. 6, T. 2 S., R. 1 E.
89. Dec. 31, 1919 Recorded Book 11-B, pp. 234-5	Mike Ballonich	Lots 13, 14, Block "D", C. L. Miller's Addition, a part of Sec. 6, T. 2 S., R. 1 E.
90. Dec. 16, 1937	Murray City Corporation	0.74 acres in Sec. 7, T. 2 S., R. 1 E.; 1.53 acres in Sec. 12, T. 2 S., R. 1 W.
91. Sept. 21, 1938	Murray City School Board	Sec. 7, T. 2 S., R. 1 E.
92. Apr. 23, 1941	A. B. Caldwell, Eliza B. Caldwell, Andrew Lundquist, Jennie Lundquist	1.43 acres in NW ¼ Sec. 7, T. 2 S., R. 1 E.
93. Oct. 25, 1946	Fred F. Jensen, Lucy A. Jensen	Sec. 12, T. 2 S., R. 1 W.
94. May 18, 1950	Walter W. Jacobson, Helen M. Jacobson	Sec. 12, T. 2 S., R. 1 W.
95. May 18, 1950	Grover E. Brown	NW ¼ Sec. 7, T. 2 S., R. 1 E.
96. July 14, 1950	C. R. Jones, Eva R. Jones	Sec. 12, T. 2 S., R. 1 W.
97. July 14, 1950	Walter W. Jacobson, Helen M. Jacobson	Sec. 12, T. 2 S., R. 1 W.
98. July 14, 1950	Charles E. Taylor, Etta Taylor	Sec. 12, T. 2 S., R. 1 W.
99. July 14, 1950	Joseph H. Lundquist, Hilda Lundquist	Sec. 12, T. 2 S., R. 1 W.
100. July 14, 1950	J. L. Meyers, Stella Meyers	Sec. 12, T. 2 S., R. 1 W.
101. July 14, 1950	Boyd J. Cortello, Echo A. Cortello	Sec. 12, T. 2 S., R. 1 W.
102. July 14, 1950	Lloyd W. Eatchel, Violet P. Eatchel	Sec. 12, T. 2 S., R. 1 W.
103. July 14, 1950	William Kay, Susan Kay	Sec. 12, T. 2 S., R. 1 W.
104. July 14, 1950	John Egnolian	Sec. 12, T. 2 S., R. 1 W.
105. Jan. 3, 1951	A. A. Sugarman, Trustee	94.831 acres in Sec. 12, T. 2 S., R. 1 W., and Sec. 7, T. 2 S., R. 1 E.

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SUBSECTION D (Continued)

<u>Dated</u>	<u>Grantee</u>	<u>Location of Lands Affected (All Salt Lake Base & Meridian)</u>
106. Jan. 3, 1951	A. A. Sugarman, Trustee	6.045 acres in Sec. 12, T. 2 S., R. 1 W., and Sec. 7, T. 2 S., R. 1 E.
107. Jan. 3, 1951	A. A. Sugarman, Trustee	3.85 acres in Sec. 12, T. 2 S., R. 1 W.
108. Jan. 3, 1951	A. A. Sugarman, Trustee	0.673 acres in Sec. 12, T. 2 S., R. 1 W.
109. June 28, 1956	Benjamin F. Andrus, Bertha S. Andrus, Benjamin W. Andrus, Ruth B. Andrus	Sec. 1, T. 4 S., R. 1 W.
110. Mar. 19, 1957	Darwin Y. Nessen, Barbara L. Nessen	0.19 acre in Sec. 4, T. 4 S., R. 1 E.

b. Smoke easements granted to American Smelting and Refining Company by the following and recorded in the office of the County Recorder, Salt Lake County or Tooele County where so indicated:

<u>Dated</u>	<u>Grantors</u>	<u>Recorded</u>	<u>Location of Lands Affected (All Salt Lake Base & Meridian)</u>
1. Dec. 5, 1939	Joseph Coon Maud D. Coon	Book 239, L&L p. 286	NE 1/4 NE 1/4 Sec. 32, T. 1 S., R. 2 W.
2. July 18, 1941	Samuel P. Lexas Pete Lexas Zoe P. Lexas	Book 281, p. 248	NW 1/4 Sec. 33, T. 1 S., R. 2 W.
3. Nov. 19, 1940	Eliza A. Coon Isaac W. Coon Inez Coon Lindsay Edwin R. Lindsay Effie Coon Foremaster J. LaMar Foremaster	Book 256, pp. 506-7	SW 1/4 Sec. 29, T. 1 S., R. 2 W.
4. July 31, 1941	George A. Little Fannie Paul Little	Book 282, p. 422	NE 1/4 Sec. 33, T. 1 S., R. 2 W.
5. July 31, 1941	Frank L. Pehrson Edith W. Pehrson	Book 282, p. 420	NE 1/4 Sec. 33, T. 1 S., R. 2 W.

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SUBSECTION D (Continued)

<u>Dated</u>	<u>Grantors</u>	<u>Recorded</u>	<u>Location of Lands Affected (All Salt Lake Base & Meridian)</u>
6. Aug. 23, 1948	Allen F. Christensen Grace J. Christensen	Book 682, p. 641	Sec. 28, T. 1 S., R. 2 W.
7. Nov. 25, 1949	Henry I. Llewellyn Nina Llewellyn	Book 747, p. 218	2 acres in NE 1/4 SE 1/4 Sec. 28, T. 1 S., R. 2 W.
8. Mar. 21, 1950	Oquirrh Stake of Church of Jesus Christ of Latter Day Saints, a cor- poration sole	Book 758, p. 83	W 1/2 SE 1/4 of Sec. 28, T. 1 S., R. 2 W.
9. May 12, 1950	Oquirrh Stake of Church of Jesus Christ of Latter Day Saints	Book 771, p. 276	SE 1/4 NW 1/4 Sec. 29, T. 1 S., R. 2 W.
10. July 23, 1952	Edna Newlon	Book 1011, p. 578	NE 1/4 SE 1/4 Sec. 30, T. 1 S., R. 2 W.
11. Aug. 24, 1953	James E. Jones Hazel E. Jones	Book 1031, p. 128	NW 1/4 SW 1/4 Sec. 28, T. 1 S., R. 2 W.
12. Oct. 30, 1953	Hansen Homes, Inc., a corporation	Book 1045, p. 29	Lake Ridge Subdivi- sion, a part of W 1/2 of Sec. 28, T. 1 S., R. 2 W.
13. Oct. 20, 1954	Ernest A. Croxford Bernetha Devine Croxford	Book 1136, p. 458	0.36 acre in SE 1/4 SW 1/4 Sec. 29, T. 1 S., R. 2 W.
14. Mar. 8, 1955	Steven Gooras Louis D. Goorates	Book 1175, p. 328	6.43 acres in W 1/2 NE 1/4 Sec. 29, T. 1 S., R. 2 W.
15. July 19, 1955	Hansen Homes, Inc., a corporation	Book 1220, p. 257	SE 1/4 SW 1/4 Sec. 28, T. 1 S., R. 2 W.
16. Apr. 18, 1955	Hansen Homes, Inc., a corporation	Book 1255, p. 296	Lake Ridge Sub- division No. 2, a part of W 1/2 SE 1/4, Sec. 28, T. 1 S., R. 2 W.

SUBSECTION D (Continued)

<u>Dated</u>	<u>Grantors</u>	<u>Recorded</u>	<u>Location of Lands Affected (All Salt Lake Base & Meridian)</u>
17. Oct. 9, 1958	Ivan A. Andreason, as administrator of estate of Gertrude Bouck Andreason	Book 1560, p. 508	10.37 acres in SE 1/4 of SE 1/4 of Sec. 28, T. 1 S., R. 2 W.
18. Nov. 17, 1958	Hyrum S. Bouck Cora Bouck	Book 1560, p. 505	14.46 acres in SE 1/4 of SE 1/4 of Sec. 28, T. 1 S., R. 2 W.
19. Jan. 15, 1954	Radio Service Corporation of Utah, a corporation	Book G. of Misc., pp. 7-8, Tooele County	Lots 3, 4, 5, 6, 7, 8, 10, 13, 14 and SW 1/4 SE 1/4 Sec. 6, T. 2 S., R. 3 W.
20. Mar. 25, 1941	Almon J. Williams Mary Williams	Book E of Agreements pp. 529-30, Tooele Co.	N 1/2 NE 1/4 NW 1/4, Sec. 2, T. 2 S., R. 4 W.
21. May 25, 1953	Kenneth J. Garrard Eudean T. Garrard	Book F. of Misc., p. 552, Tooele Co.	0.45 acre in Sec. 2, T. 2 S., R. 4 W.
22. May 5, 1930	Maria Berger	Book 71 of L&L, p. 264	SW 1/4 Sec. 7, T. 2 S., R. 1 E.
23. Nov. 7, 1906	San Pedro, Los Angeles & Salt Lake RR. Co. a corporation, and Equitable Trust Company of New York, a corporation	Book 7-N of Deeds, p. 233 and Tooele Co. Book 3-C, pp. 325-8	Sec. 17, 20, T. 1 S., R. 3 W.

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SUBSECTION D (Continued)

c. Smoke easements created in favor of American Smelting and Refining Company by instruments to which it was not a party:

<u>Dated</u>	<u>Grantor</u>	<u>Grantee</u>	<u>Location of Lands Affected (All Salt Lake Base & Meridian)</u>
1. Mar. 4, 1914	Garfield Improvement Co., a corporation	Bingham & Garfield Ry. Co., a corporation	100-ft. strip in SW $\frac{1}{4}$ Sec. 14; NW $\frac{1}{4}$ Sec. 23; 20-ft. strip in NW $\frac{1}{4}$ Sec. 23, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22; SW $\frac{1}{4}$ Sec. 15; NW $\frac{1}{4}$ Sec. 15; 100-ft. strip in SE $\frac{1}{4}$ of Sec. 16; NE $\frac{1}{4}$ Sec. 16; all T. 1 S., R. 3 W.
2. June 19, 1914	Garfield Improvement Co., a corporation and Garfield Smelting Company, a corporation	San Pedro, Los Angeles & Salt Lake Railroad Co., a corporation	S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 16, T. 1 S., R. 3 W.
3. July 31, 1914	Garfield Improvement Co., a corporation	The Denver and Rio Grande Railroad Company, a corporation	Sec. 22, T. 1 S., R. 3 W.

SECTION III

All Grantor's right, title and interest in and to any and all waters, water courses, water rights, including underground waters and water rights, reservoirs, flumes, pipe lines and other facilities for the diversion, storage and use of said waters, not hereinbefore particularly described, now upon or belonging or appertaining to the lands hereby conveyed, and also such of the same whether or not appurtenant to said lands but owned by Grantor and used or held for use or the benefit of or in connection with the operation of Garfield Smelter and its plant site or other of said lands, however said waters and rights thereto have been acquired and in whatever form owned or claimed, whether by ownership of or right in lands or by virtue of development, use, application to appropriate or certificate of appropriation, including all percolating waters and all waters flowing either upon or beneath the surface, in channels known or unknown, defined or undefined, together with the right to develop, take, appropriate, use and consume the same.

SECTION IV

All personal property, buildings and structures in, upon or about or pertaining to any of the property hereby conveyed or intended so to be, including but not limited to the following:

(a) All furniture, fixtures, furnaces, machinery, equipment, tools, patterns, dies, implements, apparatus, appliances, railroad cars and engines, automobiles and trucks, and all other tangible property, real, personal and mixed (other than the property particularly described in subparagraphs (b) and (c) below of this "Section IV"), on the premises hereby con-

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veyed or located elsewhere but exclusively used or held or intended for exclusive use in connection therewith or for the benefit thereof, but excluding any items of personal property such as aforesaid which may belong to others than Grantor or which may be located at the said plant site but held by Grantor for use of Grantor's Salt Lake City office or its Western Engineering Department, and excluding all furniture, equipment, automobiles and office supplies located at or held for use at Grantor's Salt Lake City office or at its Western Engineering Department.

(b) All fuel, barren flux, materials and supplies, repair and spare parts and other warehouse stocks of said Garfield Smelter on hand at said smelter or in transit thereto and title to which is in Grantor, as the same were constituted and existed on January 1, 1959, at 7:45 A.M., Mountain Standard Time.

(c) All the following property as it existed and was constituted on January 1, 1959, at 7:45 A.M., Mountain Standard Time, namely: all metal stocks at said Garfield Smelter, including crude ores, concentrates, precipitates, molten furnace contents, furnace bottoms, plant absorptions, by-products, converter Cottrell dust, anode moulds and products ready for shipment, but excluding therefrom

(i) all metal and metal-bearing materials belonging to Grantee under the agreement between the parties hereto dated November 29, 1940 and known as the New Utah Contract, as supplemented and amended, and to which Grantee shall continue to retain title.

(ii) converter Cottrell dust loaded in cars ready for shipment at the smelter, to which Grantor shall retain title.

(iii) the gold, silver and copper to be returned by Grantee to Grantor as provided in the agreement between them dated April 30, 1958.

(d) All contracts for materials, supplies, equipment, machinery, tools, electric power, natural gas and other fuel to be furnished said Garfield Smelter, construction contracts covering work in progress thereat or contracted for, entered into by Grantor and remaining unperformed in whole or in part, contracts for rentals of equipment and the like and independent contractors' service contracts for the benefit of said smelter.

(e) Originals or true copies of all the records, maps, plats and files of Grantor; all the reports of a scientific nature of metallurgists, engineers, geologists and others; and all pleadings, testimony, briefs and arguments, departmental correspondence, rulings, orders, judgments and decrees of courts in any manner related to the properties hereby conveyed or any of them, or to said smelter or to the operation or maintenance thereof.

(f) 2211 shares of stock of Garfield Water Company, a New York corporation, constituting all shares of stock now owned by Grantor in said Garfield Water Company.

(g) 342 shares of stock of Utah & Salt Lake Canal Co., subject to existing rights of various lessees of farm lands to use of water represented by such shares.

(h) All other property, tangible and intangible (including accruals, reserves and accounts) pertaining to said Garfield Smelter operations to the extent that the same have been charged into costs under said New Utah Contract.

(i) 130 shares of Coon Canyon Irrigation Company, and 8½ shares of E. T. Irrigating Canal Co., subject to existing rights of various lessees of farm lands to use of water represented by such shares.

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

Grantor covenants to warrant and defend all the personal property described in "Section IV" hereof and hereby sold and conveyed unto the Grantee, its successors and assigns against all and every person and persons whomsoever.

It is the intention of this Indenture to convey not only all Grantor's present estate, right, title and interest in and to said described properties hereby conveyed, but also such right, title and interest as Grantor, its successors or assigns may hereafter acquire therein which would in any way be adverse to or in conflict with this deed conveying and the Grantee, its successors and assigns acquiring hereby and hereunder fee simple absolute title in and to said properties; and Grantee shall have the benefit under this Indenture of any such right, title and interest which Grantor, its successors in interest or assigns, may hereafter acquire and Grantor does hereby convey the same to and the same shall forthwith vest hereunder in Grantee, its successors and assigns.

Grantor shall at any and all times hereafter, upon the request and at the cost of Grantee, make and execute such other and further deed, deeds or instruments for the more certain and effectual conveyance or sale of said lands, premises and property unto Grantee as Grantee shall require for said purpose.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in their corporate names by their respective corporate officers thereunto duly authorized and their corporate seals to be hereunto affixed, duly attested, as of the 2nd day of January, 1959.

AMERICAN SMELTING AND REFINING COMPANY

John D. ...
President



Edward J. ...
Secretary

KENNECOTT COPPER CORPORATION

By *W. K. ...*
President



Paul D. ...
Secretary

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STATE OF NEW YORK }
COUNTY OF NEW YORK } SS.:

On the 2nd day of January, 1959, personally appeared before me JOHN D. MACKENZIE, who, being by me duly sworn, did say that he is the President of AMERICAN SMELTING AND REFINING COMPANY, and that the foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors, and said JOHN D. MACKENZIE acknowledged to me that said corporation executed the same.

W. Thomas Reed
W. THOMAS REED
Notary Public, State of New York
No. 31-8819190
Qualified in New York County
Commission Expires March 31, 1960



STATE OF NEW YORK }
COUNTY OF NEW YORK } SS.:

On the 2nd day of January, 1959, personally appeared before me C. R. Cox, who, being by me duly sworn, did say that he is the President of KENNECOTT COPPER CORPORATION, and that the foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors, and said C. R. Cox acknowledged to me that said corporation executed the same.

Doris M. Luth
DORIS M. LUTH
Notary Public, State of New York
No. 31-2423875
Qualified in New York County
Commission Expires March 30, 1959

