

No. 20055.

A G R E E M E N T .

THIS AGREEMENT, Entered into in duplicate this 30th day of October, 1919, by and between the MUTUAL COAL COMPANY, a Utah corporation, party of the first part, and MORTON COAL COMPANY, a Utah corporation, party of the second part, WITNESSETH:

That whereas, the Morton Coal Company has heretofore constructed, maintained and operated over and upon the SW¹/₄ of NW¹/₄ and N¹/₂ of SW¹/₄ of Sec. 7, T. 13 S., R 9 E., S. L. M., a tramline leading from the coal mine of the second party to the coal tipple of the Carbon Fuel Company; and,

Whereas, both of the parties hereto have mutually agreed to compromise and settle the conflicting interests heretofore existing between them;

Now therefore, in part compliance with said compromise settlement, it is agreed by the parties hereto as follows, towit:

That for and in consideration of One Dollar in hand paid by second party to first party, the receipt of which is hereby acknowledged, said second party shall have and is hereby granted by said first party the right to continue to occupy, maintain and operate over and upon said land the present tramline of second party for the purpose of conveying coal from the coal mine of second party to the tipple of the Carbon Fuel Company;

Provided however, that when second party shall construct a tipple of its own, which it contemplates doing, thus dispensing with the necessity of transporting its coal to the tipple of the Carbon Fuel Company, then the first party shall be entitled to thereafter use jointly with said second party so much of the said tramline, the center line of which is described as follows:

Beginning at a point on the present Morton tramline marked on the accompanying map ⊗ and running thence N. 38° 58' W. 198 feet; thence N. 53° 08' W. 152 feet to a point marked "A";

- Thence N. 23° 28' W 85.0 feet;
- Thence N. 52° 10' W. 220.00 feet; and beginning at point "A",
- Thence S. 47° 00' E. 155.0 feet;
- Thence S. 21° 25' E. 243.0 feet;
- # > Thence S. 22° 10' W. 175 feet; * Thence S. 24° 40' E. 50 feet; *
- Thence S. 64° 00' E. 108 feet;
- Thence S. 8° 00' E. 100 Feet;
- Thence S. 28° 45' E. 62 feet;
- Thence S. 58° 40' E. 110.0 feet;
- Thence S. 67° 00' E. 356.0 feet;
- Thence S. 45° 00' E. 140.0 feet;
- Thence N. 74° 25' E. 390.0 feet.

Each party is to pay one-half of the expense of the maintenance of said part of said tramline during such joint use thereof, or said second party may at its option take up and remove said tram and trolley line.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

Witnesses:

C. M. Holderman
(Seal of Mutual Coal Co.)
(Seal of Morton Coal Co.)

MUTUAL COAL COMPANY,
By F. J. Leonard
President.

MORTON COAL COMPANY
By L. F. Raines, Manager.

Recorded Nov. 3, 1919 at 9 a. m.

50c in documentary stamps duly cancelled appears on the original.

J. A. Brockett
Recorder