

023281

Entry No. \_\_\_\_\_

Indexed ✓✓

Abstracted ✓

Reg. Fee 390.00

DEED AND ASSIGNMENT

STATE OF UTAH }  
COUNTY OF CARBON } SS  
FILED AND RECORDED FOR

52

S.E. Utah Title

MAR 10 2 09 PM '89

BOOK 287 OF RECORDS

PAGE 52-95

ANN G. O'BRIEN  
COUNTY RECORDER

THIS DEED AND ASSIGNMENT (hereinafter "Deed") made and entered into as of the 9 day of March, 1989 by and between KAISER COAL CORPORATION, KAISER COAL CORPORATION OF UTAH and KAISER COAL CORPORATION OF SUNNYSIDE (collectively "Kaiser"), and KAISER FUEL CORORATION, all Delaware corporations with principal offices at P.O. Box 10, Sunnyside, Utah 84539 ("Grantor"), and SUNNYSIDE RECLAMATION & SALVAGE, INC., a Colorado corporation authorized to do business in the State of Utah ("Grantee").

RECITALS:

A. Kaiser is debtor in possession in jointly administered bankruptcy proceedings designated as Case No. 87B-01552-E pending before the United States Bankruptcy Court for the District of Colorado ("Bankruptcy Court").

B. Grantor is the owner of the Sunnyside Coal Mines 1, 2, 3, the North Lease property and associated real property, coal mining leases, gob, tailings, waste coal (whether characterized as real property or personal property), water rights, real property leases, licenses, servitudes, easements, rights-of-way and royalty interests located in Carbon and Emery Counties, Utah, more particularly described in Exhibit "A" attached hereto and made a part hereof (hereinafter referred to as the "Coal Properties"); certain real property in and around Sunnyside, Utah, including but not limited to those properties described in Exhibit "A", attached hereto and made a part hereof

(hereinafter the Town of Sunnyside Property); and environmental permits associated with the Coal Properties described on Exhibit "B", attached hereto and made a part hereof.

C. Grantee desires to purchase all right, title and interest of Grantor in and to the Coal Properties and related assets.

D. By Order dated February 27, 1989, the Bankruptcy Court approved sale of the Coal Properties and related assets to Grantor.

NOW, THEREFORE, for and in consideration of the sum of TEN DOLLARS (\$10.00), cash in hand paid to Grantor and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, Grantor hereby grants, sells, assigns, sets over, transfers, quitclaims and conveys to Grantee, its successors and assigns, without warranty, the following:

COAL PROPERTIES

All of Grantor's interest in the Sunnyside Coal Mines 1, 2 and 3; the North Lease Property and associated real property, coal mining leases, gob, tailings, waste coal (whether characterized as real property or personal property), water rights, real property leases, licenses and servitudes, easements, rights-of-way and royalty interests located in Carbon County and Emery County, Utah, more particularly described in Exhibit "A" attached hereto and made a part hereof.

TOWN OF SUNNYSIDE PROPERTY

All of Grantor's interest in real property in and around Sunnyside, Utah, including but not limited to those properties described in Exhibit "A."

PERMITS

Grantor's interest in all environmental permits associated with the Coal Properties, as more particularly described in the attached Exhibit "B", subject to approval of the local, state and federal government to transfer if such approval is required.

The officers who sign this Deed hereby certify that this Deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

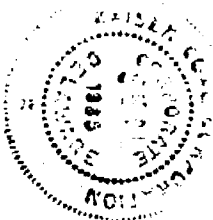
IN WITNESS WHEREOF, the Grantor has caused its corporate name and seal to be affixed by its duly authorized officers this 9 day of March, 1989.

KAISER COAL CORPORATION

BY *CA Brundage*  
ITS *President*

KAISER COAL CORPORATION OF UTAH

BY *CA Brundage*  
ITS *Vice President*





KAISER COAL CORPORATION OF SUNNYSIDE


BY C. A. Bradley  
ITS Vice President


KAISER FUEL CORPORATION

BY C. A. Bradley  
ITS Vice President

STATE OF Colorado )  
City: \_\_\_\_\_ )  
COUNTY OF Denver ) ss.


On this 9th day of March, 1989, personally appeared before me Claude A. Bradford, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn, did say that he/she is the President of KAISER COAL CORPORATION, and that said document was signed by him/her in behalf of said corporation by authority of its bylaws, and said President acknowledged to me that said corporation executed the same.


  
My Commission Expires:  
My Commission Expires Oct 12, 1991

  
Notary Public  
Residing at Denver, Colorado

STATE OF Colorado )  
City: \_\_\_\_\_ )  
COUNTY OF Denver ) ss.


On this 9th day of March, 1989, personally appeared before me Claude A. Bradford, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn, did say that he/she is the vice President of KAISER COAL CORPORATION OF UTAH, and that said document was signed by him/her in behalf of said corporation by authority of its bylaws, and said vice President acknowledged to me that said corporation executed the same.

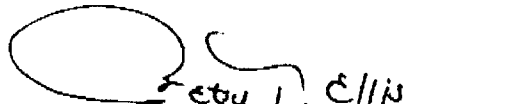
  
My Commission Expires:  
My Commission Expires Oct 12, 1991

  
Notary Public  
Residing at Denver, Colorado

STATE OF Colorado )  
City: \_\_\_\_\_ ) ss.  
COUNTY OF Denver )


On this 9th day of March, 1989, personally appeared before me Claude A. Madford, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn, did say that he/she is the vice president of KAISER COAL CORPORATION OF SUNNYSIDE, and that said document was signed by him/her in behalf of said corporation by authority of its bylaws, and said vice president acknowledged to me that said corporation executed the same.


  
My Commission Expires:  
My Commission Expires Oct. 12, 1991

  
Notary Public  
Residing at Denver, Colorado

STATE OF Colorado )  
City: \_\_\_\_\_ ) ss.  
COUNTY OF Denver )

On this 9th day of March, 1989, personally appeared before me Claude A. Madford, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn, did say that he/she is the vice president of KAISER FUEL CORPORATION, and that said document was signed by him/her in behalf of said corporation by authority of its bylaws, and said vice president acknowledged to me that said corporation executed the same.

  
My Commission Expires:  
My Commission Expires Oct. 12, 1991

  
Notary Public  
Residing at Denver, Colorado

DAD:022189A

**EXHIBIT A****1. REAL PROPERTY****Township 11 South, Range 11, East 11EM.**

- 25-11-11-11 Section 11: NE1/4SE1/4,  
EXCEPTING therefrom all oil, gas and other  
minerals.
- 25-11-11-12 Section 12: All,  
EXCEPTING therefrom all coal and other  
minerals.

**Township 14 South, Range 11 East, 11EM.**

- 25-14-11-1 Section 1: NE1/4NE1/4 (Lot 1),  
EXCEPTING therefrom all coal and other  
minerals.
- 25-14-11-2 Section 2: All,  
EXCEPTING therefrom all coal and other  
minerals.
- 25-14-11-3 Section 12: All,  
EXCEPTING therefrom all coal and other  
minerals.

**Township 14 South, Range 14 East, 14EM.**

- 25-14-14-6 Section 6: Lots 1, 2, 3, 4, 5 and 7; S1/2NE1/4;  
SE1/4NW1/4; SE1/4SE1/4; W1/2SE1/4;  
SE1/4SW1/4.
- 25-14-14-7 Section 7: Lots 1 and 2; E1/2NW1/4; SW1/4NE1/4;  
SE1/4SE1/4; W1/2SE1/4; E1/2SW1/4.
- 25-14-14-8 Section 8: SE1/4SE1/4,  
EXCEPTING therefrom all coal and other  
minerals.
- 25-14-14-9 Section 9: W1/2; W1/2E1/2; E1/2SE1/4; SE1/4NE1/4,  
EXCEPTING therefrom all coal and other  
minerals.
- 25-14-14-17 Section 17: NE1/4; SE1/4NW1/4; S1/2SE1/4.  
SW1/4, less the surface only of the following  
described portion thereof:

, BEGINNING at a point on the West Right-  
of-Way line of an existing roadway in  
Whitmore Canyon, said point being 872.20  
feet East and 755.80 feet North from the  
Southwest Corner of said Section 17, and  
running thence S 80°00' W 240.00 feet;  
thence N 15°20' W 147.96 feet; thence N  
11°00' E 200.95 feet; thence N 74°40'; E  
150.00 feet; thence S 15°20'; E along

said road Right-of-Way line 350.00 feet to the point of beginning.

27-1337 Section 18: Lots 2, 3 and 4; E1/2SW1/4; E1/2.  
27-1338 Section 19: All.  
27-1370 Section 20: All.  
27-1371 Section 21: E1/2,  
EXCEPTING therefrom all coal.  
W1/2.  
27-1372 Section 22: All,  
EXCEPTING therefrom all coal.  
27-1373 Section 23: W1/2; SE1/4; SW1/4NE1/4,  
EXCEPTING therefrom all coal.  
N1/2NE1/4; SE1/4NE1/4.  
27-1374 Section 24: E1/2NE1/4,  
EXCEPTING therefrom all coal, petroleum, gas  
nitrogen and phosphate.  
SW1/4NW1/4; E1/2SE1/4,  
EXCEPTING therefrom all coal.  
NW1/4NW1/4; E1/2NW1/4; SW1/4NE1/4; W1/2SE1/4;  
27-1375 Section 25: E1/2SW1/4; SW1/4SW1/4,  
W1/2NE1/4; NE1/4NW1/4; S1/2NW1/4; W1/2SE1/4;  
SW1/4,  
EXCEPTING therefrom all coal.  
E1/2NE1/4; E1/2SE1/4,  
27-1376 Section 26: All,  
EXCEPTING therefrom all coal.  
27-1377 Section 27: All,  
EXCEPTING therefrom all coal.  
27-1378 Section 28: All.  
27-1379 Section 29: All.  
27-1380 Section 30: SE1/4NW1/4; NE1/4SE1/4; S1/2SE1/4,  
EXCEPTING therefrom all coal.  
NE1/4; NE1/4NW1/4; NW1/4SE1/4.  
27-1381 Section 31: NW1/4NE1/4,  
EXCEPTING therefrom all coal.  
Lot 4, LESS the portion thereof within  
Ridgeway Subdivision; NE1/4NE1/4; S1/2NE1/4;  
SE1/4; SE1/4SW1/4.  
27-1383 Section 32: All.  
27-1384 Section 33: All.  
27-1385 Section 34: E1/2,  
EXCEPTING therefrom all coal.  
W1/2.  
27-1386 Section 35: All,  
EXCEPTING therefrom all coal.  
W1/2; S1/2NE1/4; W1/2SE1/4,  
EXCEPTING therefrom all coal.  
N1/2NE1/4; E1/2SE1/4.



Township 14 South, Range 19 EAST, SL&M.

Section 19: W1/2SW1/4; SE1/4SW1/4.  
 Section 20: W1/2.  
 Section 31: NW1/4SW1/4,  
~~EXCEPTING~~ therefrom all coal and other minerals.  
 NW1/4.

Township 15 South, Range 11 East, SL&M.

Section 1: Lot 3; Lot 1, ~~LESS~~ the portion thereof within Ridgeway Subdivision; SW1/4NE1/4, ~~LESS~~ the following described portion thereof:

Beginning at the center of Section 1 and running thence N 0°15' W 266 feet; N 89°01' E 164 feet; S 0°15' E 266 feet; S 89°01' W 164 feet to beginning;

SE 1/4 NW 1/4;

~~EXCEPTING~~ therefrom all oil, gas and minerals.

Beginning at a point 516.4 feet S 89°01' W of the E1/4 corner of Section 1; thence S 0°59' E 102.6 feet; thence S 89°01' W 75 feet along the N E/W of Denver Avenue; thence N 0°59' W 102.6 feet; thence N 89°01' E 75 feet to point of beginning.

Section 2: N1/2, ~~LESS~~ the D&GWRB right of way, ~~EXCEPTING~~ therefrom all coal and other minerals.

Beginning at a point 435.60 feet West of the SE corner of the SW1/4 and running thence N 100 feet; W 16 feet; N 417.50 feet; E 451 feet; N 556.50 feet; W 346 feet; N 246 feet; W 974 feet; S 1320 feet; E 884.40 feet to beginning; NW1/4SE1/4, ~~LESS~~ that parcel beginning at a point 160 feet N of the SW corner of the NW1/4SE1/4 and running thence N 150 feet; E 150 feet; S 150 feet; W 150 feet to beginning.

Section 3: E1/2NE1/4; NE1/4SE1/4; SW1/4SE1/4, ~~EXCEPTING~~ therefrom an undivided 15/16 interest in all oil, gas and minerals.

.section 10:

N1/2NW1/4; These portions of the W1/2NE1/4 and SE1/4NW1/4 lying N of the State Highway right of way; E1/2NE1/4, LESS the State Highway right of way and the following 3 parcels:

. Beginning at a point which is 58 feet W and 867 feet S of the NE corner of Section 10, T15S, R13E, S1E4; thence running W along the State Highway r/w 208.7 feet; thence N 208.7 feet; thence E 208.7 feet; thence S 208.7 feet, more or less, to point of beginning. This description is tied to the resurvey made by the United States Land Office Engineers in 1942:

. Commencing on the N boundary of Utah State Highway No. 123, 58 feet W and 867 feet S from the NE corner of Section 10, T15S, R13E, S1E4; thence N 458.70 feet; thence E 417.78 feet; thence S 176.86 feet to said highway boundary; thence S 78°55' W 425.72 feet along said highway boundary to beginning;

. Commencing on the N boundary of Utah State Highway No 123, 266.70 feet W and 906 feet S from the NE corner of Section 10, T15S, R13E, S1E4; thence S 80°24' W along said highway boundary 423.71 feet; thence N 453.09 feet; thence E 417.78 feet; thence S 182.47 feet to beginning;

**EXCEPTING** therefrom an undivided 15/16 interest in all oil, gas and minerals.

All minerals lying below a depth of more than 500 feet below the surface of the following described tract:

. Beginning at the SW corner of the SE1/4NW1/4 of Section 10, said point being E along the quarter section line 1314 feet, more or less, from the W1/4 corner of said Section 10 and running thence E along the quarter section line 2668 feet, more or less, to the SE corner of the SW1/4NE1/4 of said Section 10; thence along the E line of the SW1/4NE1/4 of said Section 10, N 1207 feet, more or less, to the southerly right of way line of U. S. Highway 123;

thence S 80°13' W along said southerly line 2707 feet, more or less, to the W line of the SE1/4NW1/4 of said Section 10; thence along said W line S 747 feet, more or less, to the point of beginning.

Section 11:

W1/2NW1/4, NW1/4SW1/4, LESS the State Highway right of way and the D&RGWR right of way. Also, LESS that parcel beginning on the N boundary of Utah State Highway at a point 58 feet W and 867 feet S from the NE Corner of Section 10; thence N 458.70 feet; E 417.78 feet; S 176.86 feet to said highway boundary; thence S 78°55' W 425.72 feet along said highway boundary to beginning. ALSO, LESS that parcel beginning at a point S 58°47' W 1420.46 feet from the quarter corner common to Sections 2 and 11 in T15S, R13E, S1E1/4; thence N 23°25' W 147.58 feet; S 58°47' W 148.96 feet; S 23°25' E 147.57 feet; N 58°47' E 148.96 feet to beginning, EXCEPTING therefrom an undivided 15/16 interest in all oil, gas and minerals.

Township 15 South, Range 14 East, S1E1/4.

Section 1:

Lots 3 and 4; SW1/4NE1/4; SW1/4SW1/4, EXCEPTING therefrom all coal.

Section 2:

Lots 1 and 2; SE1/4NE1/4; E1/2SE1/4.

Section 3:

All, EXCEPTING therefrom all coal.

Section 4:

E1/2, EXCEPTING therefrom all coal.

Section 5:

W1/2.

Section 6:

All.

Section 7:

All.

EXCEPTING therefrom the portion thereof which is within Sunnyside No. 1 Plat and State Highway No. 123.

Section 8:

Lots 1, 2, 3, 4, 5 and 7; S1/2NE1/4; SE1/4NW1/4; SE1/4; E1/2SW1/4

EXCEPTING therefrom the following described portions thereof labelled (a) through (j):

- a) The following subdivisions:
  - Sunnyside Subdivision - Plat "A".
  - Sunnyside Subdivision - Plat "A" (Revised).
  - Sunnyside Subdivision - Plat "B".
  - Sunnyside Subdivision - Plat "C".
  - Sunnyside No. 1 Plat.
  - Sunnyside No. 2 Plat.

Sunnyside No. 2 Plat (Revised).  
Ridgeway Subdivision.

- b) Beginning at the SW Corner of Lot 19, Block 7, SUNNYDALE, Amended Plat, according to the official plat thereof, and running thence N 1°08' W 100 feet to the NW corner of said Lot 19; thence 50.0 feet in an E'ly direction along the arc of a curve to the right whose radius is 177.18 feet; thence N 360.0 feet; thence W 770.0 feet; thence S 540.77 feet; thence E 199.93 feet to the NE corner of Lot 26, Block 4, SUNNYDALE; thence S 48°12'55" E 100.0 feet to the SE corner of said Lot 26; thence 49.38 feet in an E'ly direction along the arc of a curve to the left whose radius is 619.00 feet; thence 251.69 feet in an E'ly direction along the arc of a curve to the right whose radius is 177.18 feet (which curve is the N side of Edgahill Drive) to the point of beginning (Carbon County School District).
- c) Beginning at a point 2222 feet S and 1214 feet W of the NE corner of said Section 6, said point also lying on the S'ly r/w line of State Highway 123, and running thence S 18°00' E 59 feet; thence S 72°00' W 84 feet; thence N 18°00' W 50 feet to said highway r/w line; thence N 72°00' E along said r/w 84 feet to the point of beginning.
- d) Beginning at a point on the W line of said SW1/4NW1/4 of said Section 6, 261 feet N of the SW corner thereof, which point is the SE corner of that certain tract conveyed to Carbon County School District by Deed from Kaiser Steel Corporation dated November 8, 1957, and filed for record November 15, 1957, in the office of the Recorder of Carbon County and of record in Book 91 at pages 55, et seq., Official Records of said county, running thence along the E line of said tract N 3°31' W 331.3 feet to the true point of beginning of the tract herein conveyed, which point is also the SW corner of this tract; thence continuing along the E line of the aforementioned school tract N 3°31' W 157.2 feet; thence N 72°15' E 222.5 feet, more

or less, to a point on the W'ly boundary line of an existing road known as Valley View; thence along the W'ly boundary of said existing road S 18°07' E 150 feet; thence S 72°35' W 271.4 feet, more or less, to the point of beginning, containing 0.85 acres, more or less. (Church of Jesus Christ of Latter-day Saints).

- e) Utah State Highway No 123.
- f) Beginning at a point which is South 2609.18 feet and West 1102.67 feet of the Northeast corner of Section 6, Township 15 South, Range 14 East, Salt Lake Base and Meridian; thence S 71°14' W 150.00 feet; thence S 18°46' E 150.00 feet; thence N 71°14' E 150.00 feet; thence N 18°46' W 150.00 feet to the point of beginning.
- g) Beginning at the East one quarter corner of Section 6, Township 15 South, Range 14 East, Salt Lake Base and Meridian and running thence S 0°13'19" W, 1818.48 feet along the east section line of Section 6 to the south right of way line of an existing railroad track; thence northwesterly along a curve to the right with a radius of 450.00 feet, through an angle of 83°37'47", for a distance of 656.83 feet having a chord that bears N 40°27'18" W, 600.05 feet; thence N 1°21'16" E, 68.00 feet along the westerly right of way line of an existing railroad track; thence S 57°11'02" W, 338.86 feet to an existing 5/8 inch rebar; thence S 66°15'45" W, 220.17 feet to an existing 5/8 inch rebar; thence S 86°11'30" W, 261.34 feet to a metal fence post; thence N 4°41'13" W, 264.09 feet to a roof bolt on the west side of a gate in a fence line; thence N 10°54'48" W, 189.49 feet to a metal fence post; thence N 0°39'10" W, 254.39 feet to a metal fence post; thence N 10°09'48" W, 315.48 feet to a metal fence post; thence N 6°32'57" W, 232.70 feet to a roof bolt in an existing fence line; thence N 6°32'57" W, 65.24 feet to the south right of way line of a Denver and Rio Grande Railroad as described in a certain deed

dated July 29, 1912; thence N 71°27'00" E, 1209.07 feet along the south line of a 50 foot wide right of way for the Denver and Rio Grande Railroad; thence northeasterly along a curve to the left with a radius of 979.93 feet, through an angle of 9°19'48", for a distance of 159.57 feet, having a chord that bears N 66°47'06" E, 159.40 feet to the east line of said Section 6; thence S 0°13'39" W, 174.12 feet along the east line of Section 6, to the point of beginning; and

. h) Beginning at the southeast corner of Section 6, Township 15 South, Range 14 East, Salt Lake Base and Meridian which is a brass cap; and running thence N 89°57'59" W, 2646.97 feet along the south line of said Section 6 to the south one-quarter corner of said Section 6; thence S 89°27'59" W, 1321.87 feet along the south line of said Section 6 to the southwest corner of the SE1/4SW1/4 of said Section 6; thence N 59°40'32" E, 666.58 feet to a metal fence post; thence N 44°13'50" E, 430.93 feet to a roof bolt; thence N 59°09'24" E, 167.86 feet to a metal fence post; thence N 63°51'14" E, 188.19 feet to a metal fence post; thence N 60°15'43" E, 335.60 feet to a metal fence post; thence N 21°00'31" W, 34.15 feet to an east brace post in a barbed wire fence; thence N 81°18'59" E, 1270.98 feet along an existing fence line to a roof bolt; thence N 36°40'17" E, 152.88 feet along a fence line to a roof bolt; thence S 4°41'13" E, 264.09 feet to a metal fence post; thence N 86°11'30" E, 261.34 feet to an existing 5/8 inch rebar; thence N 66°15'45" E, 220.17 feet to an existing rebar; thence N 57°11'02" E, 338.86 feet to the west right of way line of an existing railroad right of way; thence S 1°21'36" W, 68.00 feet along the westerly right of way line of an existing railroad track; thence southeasterly along a curve to the left with a radius of 450.00 feet, through an angle of 83°37'47", for a distance of 656.83 feet having a chord that bears S 40°27'18" E, 600.05 feet to a point on the east line of said Section 6; thence

S 0°13'39" W, 818.01 feet along the section line to the point of beginning.

i) Beginning at the SW corner of the SE 1/4 SW 1/4 of Section 6, T15S, R14E, S14M, which is a brass cap and running thence N 59 deg. 40'32" E 666.58 feet to a metal fence post; thence N 44 deg. 13'50" E 430.53 feet to a roof bolt; thence N 59 deg. 09'24" E 167.86 feet to a metal fence post; thence N 63 deg. 51'14" E 188.19 feet to a metal fence post; thence N 60 deg. 15'43" E 135.60 feet to a metal fence post; thence N 71 deg. 00'31" W 34.5 feet to an east brace post in a barbed wire fence; thence N 81 deg. 18'59" E 1270.98 feet along an existing fence line to a roof bolt; thence N 36 deg. 40'17" E 152.88 feet along a fence line to a roof bolt; thence N 10 deg. 54'48" W 189.49 feet to a metal fence post; thence N 0 deg. 39' 10" W 254.39 feet to a metal fence post; thence N 10 deg. 09'48" W 115.48 feet to a metal fence post; thence N 6 deg. 32'57" W 232.70 feet to a roof bolt in an existing fence line; thence N 6 deg. 32'57" W 65.24 feet to the south right of way line of a Denver and Rio Grande Railroad as described in a certain deed dated July 29, 1912; thence S 71 deg. 27'00" W 2811.72 feet along the south line of a 50 foot wide right of way for the Denver and Rio Grande Railroad; thence S 0 deg. 50'04" W 153.50 feet to the NW corner of the SE 1/4 SW 1/4 of said Section 6; thence S 0 deg. 50'04" W 1326.02 feet along the west line of the SE 1/4 SW 1/4 of said Section 6 to the point of beginning;

j) Beginning at the West one quarter corner of Section 6, Township 15 south, Range 14 East, Salt Lake Base and Meridian; thence North 0°18'05" East for a distance of 262.68 feet, thence North 89°05'55" East for a distance of 75.0 feet, thence South 0°18'05" West for a distance of 262.68 feet, thence South 89°05'55" West for a distance of 75.0 feet to the beginning.

• Also, beginning at the NE corner of Lot 6, and running thence S 50 feet; thence N 89° 57' W 133.7 feet; thence S 69° 10' W 397.1 feet; thence S 46° 17' W 800 feet, more or less, to the intersection with the range line between Ranges 13 East and 14 East; thence N 0° 16' E along said range line 578 feet, more or less, to an intersection with the S'ly r/w line of Utah State Highway No. U-123, said point being on the arc of a 1096.3 feet radius curve to the right; thence NE'ly 754.3 feet around the arc of said curve and along said r/w to an intersection with the E-W quarter section line of said Section 6; thence S 89° 57' E 613 feet, more or less, along said quarter section line to the point of beginning, and containing 8.2 acres, more or less.

All minerals lying below a depth of more than 500 feet below the surface of the following described tract:

• Beginning at a point 2222 feet S and 1214 feet W of the NE corner of Section 6, said point also lying on the S'ly r/w line of State Highway 123, and running thence S 18° 00' E 59 feet; thence S 72° 00' W 84 feet; thence N 18° 00' W 50 feet to said highway r/w line; thence N 72° 00' E along said r/w 84 feet to the point of beginning.

• Section 7:

All that land comprising an area of 181.34 acres, more or less, in Lots 1, 2, 3 and 4 and E1/2W1/2 and W1/2W1/2SE1/4 of said Section 7, lying E of the Carbon County Railroad r/w, the E'ly boundary of said Railroad r/w being 100.0 feet distant from the centerline of said r/w, more particularly described as follows:

Commencing at the intersection of the S line of Section 7, T15S, R14E, S18E, and the E'ly r/w line of the Carbon County Railroad, said point being more or less S 89° 59' E 2053.10 feet from the South Closing Corner between Section 7 and 18 on the Range line between Range 13 East and 14 East in T15S, S18E, as established by the 1899 survey of the General Land Office; thence S 89° 59' E 1233.70 feet to the SE corner of the W1/2W1/2SE1/4 of said Section 7; thence N 2640.0 feet, more or less, to the NE



corner of the  $W1/2W1/2SE1/4$  of said Section 7; thence  $N 89^{\circ}59' W$  660.0 feet, more or less, to the center of said Section 7; thence  $N$  along the quarter section line 2640.0 feet, more or less, to the  $N1/4$  corner of said Section 7; thence along the section line  $S 89^{\circ}27' W$  as established by a Dependent Resurvey of the  $N$  boundary of said Section 7 by the General Land Office in 1942 a distance of 1860.02 feet, more or less, to a point of intersection of said section line and the  $E$ 'ly  $r/w$  line of the Carbon County Railroad said point being located on the arc of a 673.7 feet radius curve right and 100.0 feet  $E$ 'ly from the centerline of said railroad; thence following  $S$ 'ly around the arc of said 673.7 feet radius curve 490.0 feet, more or less, to a point located 100.0 feet at right angles to the  $E$ 'ly from station 107+05.9 of the Carbon County Railroad, said station being at P.T. of a 10' curve to the right; thence  $S 21^{\circ}23' W$  245.4 feet along a line 100.0 feet from the parallel to the centerline of said railroad to a point at right angles from Station 109+51.4, said station being the P.C. of an 8' curve left; thence  $S$ 'ly along and around the arc of a 616.8 feet radius curve 100.0 feet from and parallel to the centerline of said railroad 305.0 feet to a point located at right angles from Station 113+05.9 P.T. of said railroad centerline; thence  $S 6^{\circ}57' E$  2782.6 feet along a line 100.0 feet from and parallel to the centerline of said railroad to a point at right angles from Station 140+88.2 said station being the P.C. of a 4' curve left; thence along and around the arc of a 1332.7 feet radius curve 100.0 feet from and parallel to the centerline of said railroad 896.81 feet to a point located at right angles from Station 150+50.7 P.T. of said railroad centerline; thence  $S 45^{\circ}27' E$  982.76 feet along a line 100.0 feet from and parallel to the centerline of said railroad to a point at right angles from Station 160+31.66 of said railroad centerline and which point is a point of intersection of said section line between Sections 7 and 18

Ex. A., p. 11

and the E'ly r/w line of said railroad,  
said point being the point of beginning.

LESS the following described portions  
thereof:

Lot 1; NE1/4NW1/4; N1/2S1/2NW1/4

Section 8: Lots 3 and 4,  
EXCEPTING therefrom all coal and other miner-  
als.

Section 9: Lots 1 and 2; SE1/4NE1/4; NE1/4SE1/4;  
S1/2SE1/4.

Section 10: All.  
NE1/4,

EXCEPTING therefrom all coal.  
NW1/4; S1/2.

Section 15: W1/2; N1/2NE1/4.

Section 16: All,  
EXCEPTING therefrom the following described  
portion thereof:

Beginning at the SW corner of said  
Section 16, and running thence N 500  
feet; thence E 900 feet; thence S 500  
feet; thence W 900 feet to the point of  
beginning, containing 10.3 acres, more  
or less.

Section 17: E1/2NE1/4; NE1/4SE1/4.

Section 32: E1/2NE1/4; E1/2SE1/4; SW1/4SE1/4,  
EXCEPTING therefrom all coal.

Township 15 South, Range 15 East, 51EM.

Section 6: W1/2; SW1/4SE1/4,

EXCEPTING therefrom all coal.

Section 7: E1/2NW1/4; NW1/4NE1/4; S1/2NE1/4; N1/2SE1/4;  
SE1/4SE1/4,

EXCEPTING therefrom all coal.

Section 8: SW1/4SW1/4,

EXCEPTING therefrom all coal.

Section 17: W1/2NW1/4; SE1/4NW1/4; SW1/4,

EXCEPTING therefrom all coal.

Section 18: NE1/4/NE1/4,

EXCEPTING therefrom all coal.

Section 20: E1/2/NW1/4; NW1/NW1/4; NW1/4SE1/4; E1/2SW1/4,

EXCEPTING therefrom all coal.

Section 29: E1/2SE1/4; NW1/4SE1/4,

EXCEPTING therefrom all coal.

Township 15 South, Range 14 East, 51st.Sunnyside Subdivision - Plat "A":

. Block 3: Lots 5, 6, 10, 13, 20, 21, 23, 30 and 32.

Sunnyside Subdivision - Plat "B":

. Block 4: Lots 1, 10.

. Block 5: Lots 2, 4, 5, 43, 46, 49, 50, 51, 53, 54 and 55.

. Block 6: Lots 1, 3, 5, 6, 7, 9, 12, 14, 15, 17, 18, 19, 21, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, and 38.

. Block 7: Lots 1 and 10A.

. Block 7A: Lot 18.

Sunnyside Subdivision - Plat "C":

. Block 8: Lot 1, LESS South 15 feet; Lots 3, 4, 5, 6, 8, 9 and 10, LESS North 25 feet.

. Block 9: Lots 1, 2, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16 and 17.

. Block 10: Lots 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17, LESS .010 acres.

Sunnyside No. 2 Plat:

. Block 11: Lots 2, 4 and 5.

Sunnyside No. 1 Plat:

. Block 12: Lots 1, 5, 10, 15, 16 and 18.

EXCEPTING from all of the above-described portions of the Sunnyside townsite all minerals, oil, gas, asphaltum, and other hydrocarbons, and all chemical gas, new or hereafter found lying more than 500 feet below the surface thereof, but without any right whatsoever to enter upon the surface of said land or upon any part of said lands within 500 feet vertical distance below the surface thereof.

Sunnyside Subdivision Plat "D":

. Block 7: Lot 10B.

Sunnyside Subdivision Plat A (Revised):

. Block 1: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30.

Block 2: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 37, 37, 38 and 39.

Sunnyside No. 2 (Revised):

Block 13: Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9.

Ridgeway Subdivision:

Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19; Common area between Lots 13 and 14.

All minerals lying below a depth of more than 500 feet below the surface of the following described land:

Sunnyside Subdivision - Plat "A":

Block 3: Lots 5, 6, 10, 13, 20, 21, 23, 30 and 32.

Sunnyside Subdivision - Plat "B":

Block 4: Lots 1, 10.

Block 5: Lots 2, 4, 5, 43, 46, 49, 50, 51, 53, 54, and 55.

Block 6: Lots 1, 3, 5, 6, 7, 9, 12, 14, 15, 17, 18, 19, 21, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38.

Block 7: Lots 1 and 10A.

Block 7A: Lot 18.

Sunnyside Subdivision - Plat "C":

Block 8: Lot 1, LESS South 15 feet; Lots 3, 4, 5, 6, 8, 9 and 10, LESS North 85 feet.

Block 9: Lots 1, 2, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16 and 17.

Block 10: Lots 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17, LESS .010 acres.

Sunnyside No. 2 Plat:

Block 11: Lots 2, 4 and 5.

Sunnyside No. 1 Plat:

Block 12: Lots 1, 5, 10, 15, 16 and 18.

Township 17 South, Range 14 East, S1E1.

Section 4: SE1/4NW1/4, SW1/4NE1/4, NW1/4SE1/4, EXCEPTING therefrom all coal and other minerals.

Section 15: N1/2NW1/4, SW1/4NE1/4, NE1/4SW1/4,  
EXCEPTING therefrom all oil, gas and other  
minerals.

Township 15 South, Range 14 East, East S15W.

. Sections 6 & 7: All those real property rights reserved by  
Seller in Deed, Assignment and Bill of Sale  
by and between Kaiser Fuel Corporation,  
Kaiser Coal Corporation, and Sunnyside Fuel  
Corporation dated as of the 28th day of  
December, 1987, and of record at Book 277,  
page 679, Carbon County Utah.

0122.atx

2. COAL MINING LEASES

A LEASEHOLD ESTATE consisting of the rights and interests in the land hereinafter described, which are set forth in and granted by the terms of consolidated Coal Leases bearing Serial Nos. SL-062966 - 063383 - U-010140, including the following:

Coal Lease dated November 12, 1941, executed by the United States of America in favor of Utah Fuel Company, consolidated serial no. SL-062966 - U-063383, recorded June 4, 1952, in Book 17 at page 41 (Carbon County)

MODIFIED by Lease dated May 1, 1952, recorded June 4, 1952, in Book 17 at page 38 (Carbon County)

MODIFIED by Lease dated February 1, 1955, recorded January 9, 1958, in Book 52 at page 204 (Carbon County)

MODIFIED by Lease dated May 4, 1956, recorded April 13, 1958, in Book 54 at page 11- (Carbon County)

ASSIGNED to Kaiser Coal Corporation by Assignment dated March 28, 1968 and recorded in Book 248 at pages 589-619 (Carbon County)

Township 14 South, Range 11 East, SLPM.

- . Section 1: Lots 6, 7, SE1/4SW1/4; W1/2SE1/4.
- . Section 12: = Lots 1-4, S1/2NW1/2, NE1/4SW1/4, SE1/4.
- . Section 13: NE1/4NE1/4.
- . Section 24: S1/2SE1/4.
- . Section 25: Lot 1.

Township 14 South, Range 14 East, SLPM.

- . Section 7: Lots 3 and 4.
- . Section 18: Lot 1, E1/2NW1/4.
- . Section 30: Lot 1, SE1/4NW1/4, E1/2SE1/4, SW1/4SE1/4, NE1/4SW1/4.
- . Section 31: NW1/4NE1/4.

A LEASEHOLD ESTATE consisting of the rights and interests in the land hereinafter described, which are set forth in and granted by the terms of that certain unrecorded Coal Lease dated March 1, 1979, executed by the United States of America in favor of Kaiser Steel Corporation, Serial No. U-32083, referred to in Notice of Interest in Coal Leases recorded January 27, 1984 in Book 235 at page 607 (Carbon County):

ASSIGNED to Kaiser Coal Corporation by Assignment dated March 28, 1965 and recorded in Book 248 at pages 589-619 (Carbon County)

Township 14 South, Range 14 East, S1E1W.

- Section 6: Lot 6, N1/2SW1/4.
- Section 8: SW1/4, SW1/4SE1/4.
- Section 17: N1/2NW1/4, SW1/4NW1/4, N1/2SE1/4.

A LEASEHOLD ESTATE consisting of the rights and interests in the land hereinafter described, which are set forth in and granted by the terms of that certain unrecorded Coal Lease dated July 1, 1952, executed by the United States of America in favor of Kaiser Steel Corporation, Serial No. U-02785, referred to in the Notice of Interest in Coal Leases recorded January 27, 1964 in Book 235 at page 607 (Carbon County):

Modified by Lease dated July 1, 1960

ASSIGNED to Kaiser Coal Corporation by Assignment dated March 28, 1965 and recorded in Book 248 at pages 589-619 (Carbon County)

Township 13 South, Range 13 East, S1E1W.

- Section 19: NE1/4SE1/4, S1/2SE1/4.
- Section 20: S1/2NW1/4, SW1/4, W1/2SE1/4, SE1/4SE1/4.
- Section 28: W1/2NW1/4, SE1/4NW1/4, SW1/4, W1/2SE1/4, SE1/4SE1/4.
- Section 29: All.
- Section 30: E1/2, E1/2W1/2.
- Section 31: N1/2NE1/4, NE1/4NW1/4.
- Section 33: NW1/4NE1/4, NW1/4, NW1/4SW1/4.

A LEASEHOLD ESTATE consisting of the rights and interests in the land hereinafter described, which are set forth in and granted by the terms of that certain unrecorded Coal Lease dated July 1, 1960, executed by the United States of America in favor of Heiner Coal Company, Serial No. U-039706, referred to in the Notice of Interest in Coal Leases recorded January 27, 1964 in Book 235 at page 607 (Carbon County):

ASSIGNED to Pacific States Steel Corporation by unrecorded Assignment dated December 1, 1960

ASSIGNED to Kaiser Steel Corporation by unrecorded Assignment dated May 1, 1963

ASSIGNED to Kaiser Coal Corporation by Assignment dated March 28, 1985 and recorded in Book 248 at pages 589-619 (Carbon County)

Township 11 South, Range 11 East, S18M.

- Section 33: SW1/4SW1/4, E1/2SW1/4, SE1/4.
- Section 34: SW1/4, SE1/4NW1/4, S1/2NE1/4, SE1/4.
- Section 35: S1/2, S1/2N1/2.

Township 14 South, Range 11 East, S18M.

- Section 3: All.
- Section 4: Lots 1-4, S1/2N1/2, SE1/4.
- Section 5: Lots 1 and 2, SE1/4NE1/4.
- Section 9: N1/2NE1/4.
- Section 10: NW1/4NW1/4.

A LEASEHOLD ESTATE consisting of the rights and interests in the land hereinafter described, which are set forth in and granted by the terms of that certain unrecorded Coal Lease dated December 24, 1959, executed by the State of Utah in favor of Heiner Coal Company, a Utah corporation, Mineral Lease No. 3499, referred to in the Notice of Interest in Coal Leases recorded January 27, 1984 in Book 235 at page 607 (Carbon County):

ASSIGNED to Pacific States Steel Corporation, a California corporation, by unrecorded Assignment dated November 10, 1960

ASSIGNED to Kaiser Steel Corporation by unrecorded Assignment dated March 26, 1965

ASSIGNED to Kaiser Coal Corporation by Assignment dated March 28, 1985 and recorded in Book 248 at pages 589-619 (Carbon County)

Township 11 South, Range 11 East, S18M.

Section 32: All.

A LEASEHOLD ESTATE consisting of the rights and interests in the land hereinafter described, which are set forth in and granted by the terms of that certain Coal Lease dated effective as of August 18, 1985, from Carbon County in favor of Kaiser Steel Corporation recorded January 16, 1986 in Book 256 at page 721 (Carbon County):

ASSIGNED to Kaiser Coal Corporation by Assignment dated March 28, 1985 and recorded in Book 248 at pages 589-619 (Carbon County)



Township 14 South, Range 14 East, SLM.

- Section 21: SE1/4.
- Section 27: SW1/4, SW1/4NW1/4.
- Section 34: E1/2.

Township 15 South, Range 14 East, SLM.

- Section 1: E1/2.
- Section 10: NE1/4.

The water rights, real property leases, licenses, servitudes, easements, rights-of-way and royalty interests to be purchased by Boyer include, without limitation, the following:

1. WATER RIGHTS

The following described water rights in Carbon and Emery Counties, State of Utah, identified by the following Water Users Claim (W.U.C. Numbers) on file in the office of the Utah State Engineer:

WUC 91-11  
WUC 91-28  
WUC 91-33  
WUC 91-55  
WUC 91-71\*  
WUC 91-81  
WUC 91-84  
WUC 91-89  
WUC 91-98  
WUC 91-100  
WUC 91-114  
WUC 91-118\*  
WUC 91-123  
WUC 91-128  
WUC 91-143\*  
WUC 91-144  
WUC 91-145\*  
WUC 91-146  
WUC 91-158\*  
WUC 91-159\*  
WUC 91-178  
WUC 91-192  
WUC 91-231  
WUC 91-298  
  
WUC 91-361\*  
WUC 91-362  
WUC 91-372\*

WUC 91-367  
 WUC 91-368  
 WUC 91-369  
 WUC 91-1639  
 WUC 91-1640  
 WUC 91-2685  
 WUC 91-3006  
 WUC 91-3169  
 WUC 91-3458  
 WUC 91-3489  
 WUC 91-3464  
 WUC 91-3468  
 WUC 91-3519  
 WUC 91-3520  
 WUC 91-3521  
 WUC 91-3522  
 WUC 91-3523  
 WUC 91-3524  
 WUC 91-3526  
 WUC 91-3530  
 WUC 91-3532  
 WUC 91-3533  
 WUC 91-3914  
 WUC 91-4270  
 WUC 47-18

Note: WUC numbers designated by an "\*" are subject to Agreement for the Purchase and Sale of Real Property and Water Rights dated March 11, 1987 between Sunnyside Cogeneration Associates and Kaiser Coal Corporation.

Rights arising under Memorandum Agreement dated September 17, 1951 between Geneva Steel Company and Kaiser Steel Corporation relating to ownership and operation of the Grassy Trail Reservoir and related facilities, as such Memorandum Agreement has been amended and supplemented, together with all rights in and to that certain water pipeline from the Grassy Trail Reservoir to its terminus near East Carbon City and all reservoirs and storage tanks associated with such pipeline.

T. 14S., R. 14E., S1B&M

Section 7: NW1/4, N1/2SW1/4

2. REAL PROPERTY LEASES.

Grazing Permit No. 22405 dated April 27, 1983 from the State of Utah to Kaiser Steel Corporation covering the following described land:

REAL PROPERTY LEASES, LICENSES & EASEMENTS

1. REAL PROPERTY LEASES.

Grazing Permit No. 22405 dated April 27, 1983 from the State of Utah to Kaiser Steel Corporation covering the following described land:

Township 14 South, Range 14 East, SL&M.

, Section 16: All.

Grazing Permit No. 20231 dated April 16, 1984 from the State of Utah to Kaiser Steel Corporation covering the following described land:

Township 14 South, Range 13 East, SL&M.

154236, Section 16: All

Agreement and Right of Way dated September 30, 1955 between Kaiser Steel Corporation and Preston Nutter Corporation for joint use and maintenance of roads.

Lease Agreement dated April 1, 1976 between Kaiser Steel Corporation and Sam A. Provenza and Karen L. Provenza.

Rental Agreement dated April 7, 1966 between the United States of America and Kaiser Steel Corporation.

Lease Agreement dated June 28, 1979 between Kaiser Steel Corporation and the United States of America covering a tract of land in the NW1/4 of Section 20, Township 14 South, Range 14 East, SL&M, more particularly described as follows:

. Beginning at the NW corner of Section 20 then E 1254 feet, then S 355 feet to the point of beginning; then N 47°47' E 65

feet, then S 42°13'45" then S 47°47' W 65 feet then N 42°13' W 65 feet to the point of beginning, containing 0.10 acres, more or less.

Lease Agreement dated January 5, 1981 between Kaiser Steel Corporation and Dale Y. Andrews covering the following land:

Township 15 South Range 13 East, SLBM.

- Section 2: N1/2 less the golf course and the Sunnyside Disposal Plant.
- Section 3: E1/2NE1/4, NE1/4SE1/4, SW1/4SE1/4.
- Section 6: Commencing at a point 2000 feet east and 900 feet north of the southwest corner of the section, then north 70°30' east 1800 feet, then north 19°30' West 800 feet, then south 70°30' west 1800 feet, then south 19°30' east 800 feet to beginning.
- Section 10: NE1/4, N1/2NW1/4, SE1/4NW1/4 less four tracts totalling 64.8 acres more particularly described in the Lease Agreement.
- Section 11: W1/2NW1/4, NW1/4SW1/4, less a 0.5 acre tract more particularly described in the Lease Agreement.

Lease Agreement dated January 1, 1972 between Kaiser Steel Corporation and Space Electronics, Inc. covering the following described land:

Township 14 South, Range 14 East, SLBM.

- PARCEL ONE: A square tract of land, 200 feet on each side, such sides running due North, South, East and West, the center point of such square lying due North 2,925 feet from the Southwest corner of Section 19.
- PARCEL TWO: A square tract of land, 200 feet on each side, such sides running due North, South, East and West, the center of such square lying due North 1,550 feet from the Southwest corner of Section 19.

Agreement for Construction and Maintenance of Tiltmeter Station on Private Property dated September 1, 1962 between Kaiser Steel Corporation and the United States of America on a portion of the following described land:

Township 14 South, Range 14 East, SLBM.

- Section 28: SW1/4.

Lease Agreement dated November 1, 1980 between Kaiser Steel Corporation and Kaiser Steel Credit Union.

Agreement of Lease dated May 1, 1957 between the Roman Catholic Bishop of Salt Lake City and Kaiser Steel Corporation.

Lease Agreement dated March 1, 1977 between Kaiser Steel Corporation and Donald Leonard, Rachelle T. Leonard and Jimmy D. Leonard, dba Miners Trading Post.

Agreement for Construction and Maintenance of Tiltmeter Station dated September 1, 1962 between Kaiser Steel Corporation and the United States of America on a portion of the following described land:

Township 14 South, Range 14 East, S.L.R. 6N.

•Section 18: SW1/4.

Land Lease Agreement between Kaiser and Sunnyside Cogeneration Associates, dated March 30, 1987, and Amendment to Land Lease Agreement dated December 28, 1987.

## 2. LICENSES

The exclusive rights of Kaiser Steel Corporation and United States Steel Corporation to mine and dispose of coal, pursuant to a Mining Agreement dated December 1, 1975, by and between Kaiser Steel Corporation and United States Steel Corporation, recorded September 14, 1981, in Book 210 at page 174, from the following areas:

- Beginning at the NW corner of Section 2, T14S, R13E, S1E1/4; thence S 89°47' E 1320 feet to the NE corner of NW1/4NW1/4 of said Section 2; thence S 44°25' W 1874.7 feet to the SW corner of the NW1/4NW1/4 of Section 2; thence N 0°01' W 1335.84 feet to the point of beginning;
- Beginning at a point 1408.38 feet from the SE corner of Section 13, T14S, R13E, S1E1/4; thence S 19°25' W 2576 feet; thence N 42°26' W 50.51 feet; thence N 19°25' E 2629.68 feet; thence S 78.75 feet to point of beginning.
- Beginning at the SE corner of Section 35, T13S, R13E, S1E1/4; thence N 89°47' W 1320 feet to the SW Corner SE1/4SE1/4 of said section; thence N 45°06' E 1862.96 feet to the NE Corner SE1/4SE1/4 of said section; thence S 00°01' E 1320 feet to the point of beginning; and
- Beginning at the NW Corner SW1/4NW1/4 of Section 18, T14S, R14E, S1E1/4; thence S 45°05' E 1577.42 feet; thence S 19°25' W 1759.11 feet; thence N 2472.87 feet to the point of beginning.

The exclusive rights of Kaiser Steel Corporation and United States Steel Corporation to mine and dispose of coal, pursuant to a Mining Agreement dated March 13, 1962 by and between Kaiser Steel Corporation and United States Steel Corporation, recorded September 14, 1981, in Book 210 at page 193, from the following areas:

, Beginning at a point which bears N 0°02' E 1294.59 feet from the SE corner of Section 24, T14S, R13E, S13M, and running thence N 0°02' E 1294.59 feet; thence N 0°00' E 830.41 feet; thence S 57°11' W 3905.58 feet; thence S 89°51' E 3280.0 feet to place of beginning; and

, Beginning at a point which bears S 1320 feet from the NE corner of Section 13, T14S, R13E, S13M; thence N 89°51' W 1327.76 feet; thence N 1320 feet; thence N 89°51' W 1327.43 feet; thence N 1320 feet; thence N 89°51' W 1327.22 feet; thence N 1320 feet; thence N 89°51' W 1327.01 feet; thence N 1320 feet; thence S 45°05' E 7497.68 feet to the point of beginning.

The exclusive rights of Kaiser Steel Corporation and United States Steel Corporation to mine and dispose of coal, pursuant to a Mining Agreement dated October 22, 1973 by and between Kaiser Steel Corporation and United States Steel Corporation, recorded September 14, 1981, in Book 210 at page 386, from the following areas:

, Beginning at the NE corner of Section 24, T14S, R13E, S13M; thence S 0°07' E, 1860.41 feet; thence S 57° 11' W 430.00 feet; thence N 38° 23' W 1165.91 feet; thence N 42° 26' W 810.00 feet; thence N 19°25' E 2576.00 feet; thence S 1408.38 feet to the place of beginning; and

, Beginning at the S1/4 corner of Section 3, T14S, R13E, S13M; thence S 89°50' E 2644.62 feet to the SE corner of said section; thence N 0°01' W 3971.88 feet to the NE corner of the SE1/4NE1/4 of said section; thence S 33°42' W 4764.73 feet to the point of beginning.

### 3. SERVITUDES

The rights to enter and use the following described property reserved unto Kaiser Coal Corporation, its successors and assigns, under Deed, Assignment and Bill of Sale dated December 28, 1987 and recorded in Book 277 at page 679 of the records of Carbon County, Utah:

#### Township 15 South, Range 14 East, S.L.R. & M.

, Section 6: Beginning at the East one quarter corner of Section 6, Township 15 South, Range 14 East, Salt Lake Base and Meridian and running thence S 0°13'39" W, 1818.48 feet along the east section line of Section 6 to the south right of way line of an existing railroad track; thence northwesterly along a curve to the right with a radius of 450.00 feet, through an angle of 83°17'47", for a distance of 556.81 feet having a chord that bears N 40° 27'18" W, 600.05 feet; thence N 1° 21'16" E, 63.00 feet along the westerly right of way

line of an existing railroad track; thence S 57°11'02" W, 338.86 feet to an existing 5/8 inch rebar; thence S 66°15'45" W, 220.17 feet to an existing 5/8 inch rebar; thence S 86°11'30" W, 261.34 feet to a metal fence post; thence N 4°41'13" W, 264.09 feet to a roof bolt on the west side of a gate in a fence line; thence N 10°54'48" W, 189.49 feet to a metal fence post; thence N 0°39'10" W, 254.39 feet to a metal fence post; thence N 10°09'48" W, 315.48 feet to a metal fence post; thence N 6°32'57" W, 232.70 feet to a roof bolt in an existing fence line; thence N 6°32'57" W, 65.24 feet to the south right of way line of a Denver and Rio Grande Railroad as described in a certain deed dated July 29, 1912; thence N 71°27'00" E, 1209.07 feet along the south line of a 50 foot wide right of way for the Denver and Rio Grande Railroad; thence northeasterly along a curve to the left with a radius of 979.93 feet, through an angle of 9°19'48", for a distance of 159.57 feet, having a chord that bears N 66°47'06" E, 159.40 feet to the east line of said Section 6; thence S 0°13'39" W, 174.12 feet along the east line of Section 6, to the point of beginning; and

• Beginning at the southeast corner of Section 6, Township 15 South, Range 14 East, Salt Lake Base and Meridian which is a brass cap; and running thence N 89°57'59" W, 2646.97 feet along the south line of said Section 6 to the south one-quarter corner of said Section 6; thence S 89°27'59" W, 1321.87 feet along the south line of said Section 6 to the southwest corner of the SE1/4SW1/4 of said Section 6; thence N 59°40'32" E, 666.58 feet to a metal fence post; thence N 44°13'50" E, 430.53 feet to a roof bolt; thence N 59°09'24" E, 167.86 feet to a metal fence post; thence N 63°51'14" E, 188.19 feet to a metal fence post; thence N 60°15'43" E, 335.60 feet to a metal fence post; thence N 21°00'31" W, 34.15 feet to an east brace post in a barbed wire fence; thence N 81°18'59" E, 1270.98 feet along an existing fence line to a roof bolt; thence N 36°40'17" E, 152.88 feet along a fence line to a roof bolt; thence S 4°41'13" E, 264.09 feet to a metal fence post; thence N 86°11'30" E, 261.34 feet to an existing 5/8 inch rebar; thence N 66°15'45" E, 220.17 feet to an existing rebar; thence N 57°11'02" E, 338.86 feet to



the west right of way line of an existing railroad right of way; thence S 1° 21'36" W, 68.00 feet along the westerly right of way line of an existing railroad track; thence southeasterly along a curve to the left with a radius of 450.00 feet, through an angle of 83°37'47", for a distance of 636.83 feet having a chord that bears S 40°27'18" E, 600.05 feet to a point on the east line of said Section 6; thence S 0° 13'39" W, 818.01 feet along the section line to the point of beginning.

.Section 7:

Beginning at the northwest corner of Section 7, Township 15 South, Range 14 East, Salt Lake Base and Meridian, which is a brass cap; and running thence N 89° 27'59" E, 1253.27 feet along the north line of said Section 7 to the northeast corner of the NW1/4NW1/4 of said Section 7; thence N 89°27'59" E, 1321.87 feet along the north line of said Section 7 to the north one quarter corner of said Section 7; thence S 89° 57'59" E, 2646.97 feet along the north line of said Section 7 to the northeast corner of said Section 7 which is a brass cap; thence S 0°15'54" W, 1322.37 feet along the east line of said Section 7 to the southeast corner of the NE1/4NE1/4 of said Section 7; thence S 89° 53'03" W, 2636.91 feet along the south line of the north one half of the northeast one quarter of said Section 7 to the southwest corner of the NW1/4NE1/4 of said Section 7; thence S 0°41'30" W, 664.69 feet along the east line of the SE1/4NW1/4 of said Section 7 to the southeast corner of the NE1/4SE1/4NW1/4 of said Section 7; thence S 89° 40'06" W, 2560.98 feet along the south line of the north one half of the south one half of the northwest one quarter of said Section 7 to the southwest corner of the NW1/4SW1/4NW1/4 of said Section 7; thence N 0° 17'17" E, 1984.79 feet along the west section line of said Section 7 to the point of beginning, less a strip of land 100 feet wide for an existing railroad right of way lying in the west half of Section 7, Township 15 South, Range 14 East, Salt Lake Base and Meridian, the boundaries of which are parallel to and 100 feet distant at right angles from the following described center line:

. Beginning at a point on the north boundary line of said Section 7, which point is Station 102+50.0 P.O.C. of the Railroad Center Line Survey, said point being N 89° 27'59" E, 633.0 feet, more or less, along the north line of said Section 7, said point being on a curve to the right with a radius of 573.96 feet through an angle of 114°43' for a distance of 1147.2 feet and having a chord bearing of S 1° 24'18" E. and a distance of 443.97 feet, the tangent to curve at this point bearing S 24°12' E; thence continuing on the same curve right 455.9 feet in a southerly direction to Station 107+05.9 P.T.; thence S 21° 23' W, 245.5 feet to Station 109+51.4 P.C., which point is the beginning of a curve to the left with a radius of 716.20 feet through an angle of 28° 20' for a distance of 354.2 feet and having a chord bearing of S 7°13' W and a distance of 350.57 feet to Station 113+05.6 P.T.; thence S 6°57' E, 973.89 feet to Station 122+79.49, said point being on the south line of the north one half of the south one half of the northwest one quarter of said Section 7.

#### 4. EASEMENTS AND RIGHTS-OF-WAY

Right-of-way SL-064436 dated August 16, 1944 from the United States of America to Kaiser Steel Corporation for electric power transmission across a portion of the following described land:

Township 15 South, Range 14 East, S.L.B.&M.

Section 8: SW1/4NE1/4, SE1/4NW1/4,  
NE1/4SW1/4, NW1/4SE1/4.

Private Way License dated April 10, 1945 from the Denver & Rio Grande Western Railroad to Utah Fuel Company and Kaiser Company, Inc. for a road crossing across a portion of the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

Section 32: SE1/4SW1/4.

License Agreement dated May 22, 1946 between the Denver & Rio Grande Western Railroad and Utah Fuel Company for a track crossing for electric lines across a portion of the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

• Section 32: All.

Easement dated March 11, 1946 from Louis and Elena Oliveto to Kaiser Steel Corporation for a power transmission line across a portion of the following described land:

Township South, Range East, S.L.B.&M.

Section

Right-of-Way SL-065523 dated November 17, 1947 from the United States of America to Utah Fuel Company for a power transmission line across a portion of the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

• Section 30: E1/2SW1/3,  
• Section 31: Lot 1.

Right-of-Way dated August 26, 1945 from Geneva Steel Company to Kaiser Steel Corporation for a road connection to State Highway 124 across a portion of the following described land:

Township 16 South Range 14 East, S.L.B.&M.

Section 4: All.  
Section 5: All.  
Section 8: All.  
Section 9: All.

Right-of-Way No. U-08993 dated May 14, 1953 from the United States of America to Kaiser Steel Corporation for a water pipeline across a portion of the following described land:

Township 15 South, Range 13 East, S.L.B.&M.

• Section 1: Lot 4.

Right-of-Way SL-069099 dated August 15, 1951 from the United States of America to Kaiser & Frazer Parts Company for a tramroad across a portion of the following described land:

Township 15 South, Range 14 East, S.L.B.&M.

• Section 7: SW1/4NE1/4.

Right-of-Way No. U-016755 dated July 10, 1957 from the United States of America to Kaiser Steel Corporation for a power transmission line across a portion of the following described land:

Township 15 South, Range 14 East, S.L.B.&M.

- Section 7: SE1/4NE1/4;
- Section 8: Lots 5, 6.

Right-of-Way No. U-029686 dated August 13, 1958 from the United States of America to Kaiser Steel Corporation for a power line across a portion of the following described land:

Township 15 South, Range 14 East, S.L.B.&M.

- Section 8: Lot 6, NE1/4SW1/4, SW1/4NE1/4, NW1/4SE1/4.

Lease dated December 29, 1955 from the Denver & Rio Grande Western Railroad to Heiner Coal Company for a coal loading station on a portion of the following described land:

Township 13 South, Range 12 East, S.L.B.&M.

- Section 21: NE1/4NE1/4.

Private Way License dated December 19, 1955 from the Denver & Rio Grande Western Railroad to Heiner Coal Company for a road crossing across a portion of the following described land:

Township 13 South, Range 12 East, S.L.B.&M.

- Section 21: NE1/4NE1/4.

Right-of-Way U-54740 dated October 19, 1957 from the United States of America to Kaiser Coal Corporation for a roadway across the following described land:

Township 15 South, Range 14 East, S.L.B.&M.

- Section 8: Lot 5, 6, SW1/4NE1/4, NW1/4SE1/4, SE1/4NW1/4, NE1/4SW1/4.

Right-of-Way U-012439 dated June 29, 1956 from the United States of America to Kaiser Steel Corporation for an irrigation facility on the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

- Section 7: Lot 3.

Water-Way License dated April 22, 1952 from the Denver and Rio Grande Western Railroad Company to Kaiser Steel Corporation covering a portion of the following described land:

Township 15 South, Range 14 East, S.L.B.&M.

•Section 6: SE1/4NE1/4.

Water-way License dated May 15, 1952 from the Denver and Rio Grande Western Railroad Company to Kaiser Steel Corporation covering a portion of the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

•Section 32: E1/2.

Pole and Wire License dated September 30, 1943 from Sunnyside Improvement Company to Utah Power & Light Company for construction of power lines across a portion of the following described land:

Township 15 South, Range 14 East, S.L.B.&M.

•Section 6: All.

Easement Deed dated April 9, 1930 from Utah Fuel Company to the Denver & Rio Grande Western Railroad for a rail extension across a portion of the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

•Section 32: NW1/4NE1/4.

Agreement dated January 16, 1952 from Kaiser Steel Corporation to United States Steel Company for a water pipeline across a portion of the following described land:

Township 15 South, Range 14 East, S.L.B.&M.

•Section 6: Lot 6.

Pole Line Easement dated December 29, 1942 from Utah Grazing Lands Company to Utah Power & Light Company for an electric transmission line across a portion of the following described land:

Township 15 South, Range 14 East, S.L.B.&M.

•Section 7: N1/2NE1/4.

Pole Line Easement dated December 29, 1942 from Utah Grazing Lands Company to Utah Power & Light Company for an electric transmission line across a portion of the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

- Section 9: NW1/4.

Pole Line Easement dated September 4, 1958 from Kaiser Steel Corporation to Utah Power & Light Company for an electric transmission line across a portion of the following described land:

Township 13 South, Range 14 East, S.L.B.&M.

- Section 5: All.

Township 14 South, Range 14 East, S.L.B.&M.

- Section 9: All.  
• Section 17: All.

Grant of Easement dated December 15, 1959 from Kaiser Steel Corporation to Utah Power & Light Company for electric transmission across a portion of the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

- Section 3: Lot 4, SW1/4NW1/4.

Grant of Easement dated December 15, 1959 from Kaiser Steel Corporation to Utah Power & Light Company for a roadway across a portion of the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

- Section 3: Lot 4, SW1/4NW1/4.

Grant of Easement dated December 15, 1959 from Kaiser Steel Corporation to Utah Power & Light Company for a microwave relay station on a portion of the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

- Section 3: SW1/4NW1/4.

Grant of Easement dated June 19, 1961 from Kaiser Steel Corporation to Mountain States Telephone & Telegraph Company for a microwave facility on a portion of the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

- Section 3: NW1/4NW1/4.

Easement dated February 3, 1962 from Kaiser Steel Corporation to Utah Power & Light Company for electrical transmission across a portion of the following described land:

Township 15 South, Range 14 East, S.L.B.&M.

• Section 6: SW1/4SE1/4, SE1/4SW1/4.

Deed of Right-of-Way dated May 7, 1923 from Utah Fuel Company to Columbia Steel Corporation for tramway and dump site on a portion of the following described land:

Township 15 South, Range 14 East, S.L.B.&M.

• Section 16: SW1/4.

Pipe Line Agreement and Easement dated March 24, 1944 from Utah Fuel Company, et al., to Defense Plant Corporation for diversion works and a water pipeline across a portion of the following described land:

Township 15 South, Range 14 East, S.L.B.&M.

• Section 6: All.

Township 14 South, Range 14 East, S.L.B.&M.

• Section 18: All.

• Section 28: All.

Pole Line Easement dated September 12, 1953 from Kaiser Steel Corporation to Utah Power & Light Company for an electric transmission across a portion of the following described land:

Township 15 South, Range 13 East, S.L.B.&M.

• Section 2: S1/4NW1/4, Lot 4.

Pole License dated September 12, 1953 from Kaiser Steel Corporation to Utah Power & Light Company for an electric transmission across a portion of the following described land:

Township 15 South, Range 14 East, S.L.B.&M.

• Section 6: SW1/4NE1/4.

Pole Line Easement dated June 21, 1954 from Kaiser Steel Corporation to Mountain States Telephone & Telegraph Company for a telephone line across a portion of the following described land:

Sunnyside Townsite, Valley View Addition

• Block 1: Lot 1, 15,

• Block 2: Lot 8.

Right-of-Way Easement dated July 31, 1964 from Kaiser Steel Corporation to the United States of America for an access road across a portion of the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

- Section 3: SW1/4NW1/4.

Grant of Easement dated April 16, 1962 from Kaiser Steel Corporation to Utah Power & Light Company for electrical transmission across a portion of the following described land:

Township 15 South, Range 14 East, S.L.B.&M.

- Section 6: S1/2SE1/4, SE1/4SW1/4,
- Section 7: NE1/4NE1/4.

Easement dated September 3, 1964 from Kaiser Steel Corporation to the United States of America for a seismograph station across a portion of the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

- Sections 17, 20, 28, 29, 32-36.

Township 15 South, Range 14 East, S.L.B.&M.

- Sections 5, 7, 8.

Township 15 South, Range 15 East, S.L.B.&M.

- Sections 6, 7, 17, 20, 29.

Agreement dated July 1, 1962 between Kaiser Steel Corporation to the United States of America for a seismometer station on a portion of the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

- Section 17: SE1/4SE1/4.

Grant of Easement dated October 4, 1962 from Kaiser Steel Corporation to Mountain States Telephone & Telegraph Company for a telephone cable across a portion of the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

- Section 4: NW1/4.

Right-of-Way Easement dated August 7, 1973 from Kaiser Steel Corporation to Mountain States Telephone & Telegraph Company for a telephone cable across a portion of the following described land:



Township 14 South, Range 14 East, S.L.B.&M.

- . Section 18: All.
- . Section 20: All.
- . Section 29: All.

Grant of Easement dated August 27, 1969 from Kaiser Steel Corporation to Mountain Microwave Corporation for a microwave station on a portion of the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

- . Section 3: NE1/4.

Pole License Easement dated September 25, 1969 from Kaiser Steel Corporation to Utah Power & Light Company for a power line across a portion of the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

- . Section 3: NE1/4.

Grant of Easement dated December 31, 1970 from Kaiser Steel Corporation to Utah Power & Light Company for an electrical transmission across a portion of the following described land:

Township 15 South, Range 14 East, S.L.B.&M.

- . Section 6: SE1/4SE1/4.

Grant of Easement dated September 12, 1972 from Kaiser Steel Corporation to Utah Power & Light Company for electric transmission across a portion of the following described land:

Township 15 South, Range 14 East, S.L.B.&M.

- . Section 5: NW1/4NW1/4.
- . Section 6: S1/2NE1/4.

Township 14 South, Range 14 East, S.L.B.&M.

- . Section 7: SW1/4SW1/4.

Easement dated August 7, 1973 from Kaiser Steel Corporation to Mountain States Telephone & Telegraph Company for a telephone cable across a portion of the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

- . Section 18: All.
- . Section 20: All.
- . Section 29: All.

Easement dated September 14, 1974 from Kaiser Steel Corporation to Chevron Oil Company for a road across a portion of the following described land:

Township 17 South, Range 16 East, S.L.B.&M.

- Section 4: SE1/4NW1/4, SW1/4NE1/4,  
NW1/4SE1/4:
- Section 15: N1/2NW1/4, SE1/4NW1/4, NE1/4SW1/4.

Easement Deed dated January 29, 1935 from Utah Fuel Company to the Denver & Rio Grande Western Railroad for track across a portion of the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

- . Section 12: NW1/4NE1/4.

5. ROYALTY INTEREST.

The rights reserved to Kaiser Steel Corporation under Warranty Deed dated December 19, 1979 and recorded in book 194 of Records at page 496 from Kaiser Steel Corporation to Amoco Production Company covering the following described land:

Township 14 South, Range 14 East, S.L.B.&M.

- . Section 2: All;
- . Section 3: N1/2, SE1/4.

6. CATCHALL.

- (a) Certain real property in and around Sunnyside, Utah, including but not limited to those properties described in this Exhibit A (the "Town of Sunnyside Property"). It is Kaiser's intent that SRS acquire all of Kaiser's property located in and around the Town of Sunnyside.
- (b) Kaiser's rights to that certain Utah Tax Appeal No. 87-1048, Account No. CG 223, filed on April 30, 1987.

EXHIBIT B

The permits, consents, approvals, licenses, authorizations, charters, franchises, registrations, filings, reclamation bonds and similar instruments, copyrights, service marks, trademarks, trade names, trade secrets and other confidential and proprietary information, patents and patent applications to be purchased by SRS include, without limitation, the following:

1. PERMITS, LICENSES, AUTHORIZATIONS AND FILINGS.

Agency	Permit/License	Issuance
Utah Division of Oil, Gas and Mining 358 West North Temple 3 Triad Center Suite 350 SLC, UT 84180-1203 (801) 538-5340	Permanent Mine Permit Utah No. ACT 007/007	01/11/86
	OSM No. UT-0014	01/07/86
	Permit Revision Utah No. ACT 007/007-B	01/20/86
	OSM No. UT-0014-Revision B	01/10/86
	Sunnyside No. 5 Mine	Application submitted August 1, 1986
Mine Safety and Health Administration P. O. Box 25367 Denver, CO 80225	MSHA ID Numbers:	
	#1 Mine 42-00093	1970
	#2 Mine 42-00094	1970
	#3 Mine 42-00092	1970
	Surface Operations 42-01813	1983
	Preparation Plant Tailings Ponds #1211-UT-9-0017	03/15/76
Grassy Trail Reservoir #1211-UT-0031	08/29/78	

44-46.11

Bureau of Alcohol,  
Tobacco and Firearms  
P. O. Box 25408  
Dallas, TX 75288

Explosives Permit  
#9CA00133C1  
90026  
ID #94-0594733

Revised  
every year

U.S. Environmental  
Protection Agency  
Region VIII  
1860 Lincoln Street  
Denver, CO 80295  
(303) 293-1596

National Pollution  
Discharge Elimination  
System Permit No.  
UT-0022942

09/02/77

Utah Air Conservation  
Committee  
Division of Environ-  
mental Health  
238 North 1460 West  
SLC, UT 84116

Air Approval  
SAQ 1026-1

09/30/87

## 2. RECLAMATION BOND.

The Self Bonding and Indemnity Agreement between Kaiser Steel Corporation and Kaiser Coal Corporation and the State of Utah Department of Natural Resources, Division of Oil, Gas and Mining and the U. S. Department of the Interior, Office of Surface and Mining dated November 26, 1985 was terminated on March 26, 1987. SRB will be required to provide its own reclamation bond acceptable to the State of Utah and Department of the Interior.