

#354176 Quit-Claim Deed.

American Smelting & Refining Company, Grantor, a corporation duly created and existing under the laws of New Jersey, hereby Quit-Claims unto S. H. Gray, Grantee, residing in Salt Lake City, Utah, for the sum of one dollar and other valuable considerations, all the following described real estate, situate in Salt Lake County, State of Utah, to-wit:- All of the south half of section 5 in Township 1 South of Range 2 West of the Salt Lake meridian; and also all of the north half of the northeast quarter and the northeast quarter of the northwest quarter of section 8 in Township 1 South of Range 2 West of said meridian.


Expressly Excepting and Excluding, However, from the operation and effect of this quit-claim deed and reserving unto the Grantor, its successors and assigns, all waters, water rights, privileges and appropriations whatsoever belonging or in anywise appertaining to or heretofore used upon or in connection with the real estate above described; and further Expressly Subject to and Excepting and Excluding from the operation and effect of this quit-claim deed and reserving respectively unto the Grantor, its successor and assigns and unto the Garfield Smelting Company, a corporation of New York, its successors and assigns, the perpetual easement and right at any and all times hereafter to discharge, without liability or claim of damage therefor, upon all and each and every portion of the real estate above quit claimed, but only through the medium of the air, all smoke, dust, fumes and other matter that may be released or thrown off by or in the course of the operation of each and all plants for the smelting or reduction of ores now in course of construction as well as which may hereafter at any time or times be constructed by the Grantor or by said Garfield Smelting Company, or their respective successors, grantees or assigns, upon any lands in townships 1, 2 or 3 South,

Ranges 2, 3, 4 or 5 West of the Salt Lake meridian in Salt Lake or Tooele counties, Utah; and also Expressly Excepting and Excluding from the operation and effect of this quit-claim deed and reserving unto the Grantor, the Utah Copper Company, a corporation of New Jersey, and The Boston Consolidated Mining Company, a corporation of New York, and their respective successors and assigns, the perpetual right and easement to discharge upon the real estate quit-claimed hereby from their respective mills for the reduction of ores, to be hereafter erected on their own lands respectively in the townships and ranges above mentioned, such water and tailings as may naturally flow from their respective reduction plants aforesaid by means of or through channels extending from said reduction plants to, over or upon the lands quit claimed hereby.

This quit-claim deed, although delivered and recorded, shall not be effective to pass, and shall not be considered as quit-claiming, unto the Grantee, the west half of the southeast quarter or the southeast quarter of the southeast quarter of said section 5 or the northeast quarter of the northeast quarter of said section 8, until said lands shall be patented by the United States to the State of Utah and patented by the State of Utah to the Grantor herein, but when said lands are so patented then this quit-claim deed shall pass title thereto to the Grantee, and in the

meantime this deed shall be construed as an agreement of the Grantor to quit-claim said lastly described 160 acres unto the Grantee if and when said two patents shall be issued without further consideration, the Grantee agreeing to pay the State of Utah the purchase price for said lands.

Witness the name and corporate seal of the Grantor hereunto subscribed and affixed by its officers thereunto duly authorized, this 30th day of August, A.D. 1906.

Signed in the presence of  American Smelting & Refining Company,  
of G.M. Bowden By Barton Sewell, Vice President  
W.E. Merriss Secretary,

State of New York,  
County of New York, ss:-

On this 21st day of Sept. A.D. 1906, personally appeared before me Barton Sewell and W.E. Merriss who being first duly sworn did each on his own oath depose and say: That said Barton Sewell is the Vice President and said W.E. Merriss the Secretary, of the American Smelting & Refining Company, a corporation, and that the foregoing instrument was signed in behalf of said corporation by authority of the Executive Committee and said Barton Sewell and W.E. Merriss acknowledged to me that said corporation executed the same.

My Commission expires  
March 30 1908.



Mortimer C. Mack  
Notary Public.

State of New York,  
County of New York, } ss.:

I, Peter J. Dooling, Clerk of the County of New York, and also Clerk of the Supreme Court for the said County, the same being a Court of Record, Do hereby Certify, That Mortimer C. Mack whose name is subscribed to the Certificate of the proof or acknowledgment of the annexed instrument, and thereon written, was, at the time of taking such proof or acknowledgment, a Notary Public in and for the County of New York dwelling in the said County, commissioned and sworn, and duly authorized, to take the same. And further that I am well acquainted with the handwriting of such Notary, and verily believe that the signature to the said certificate of proof or acknowledgment is genuine.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the said Court and County, the 25 day of Sept 1906



Peter J. Dooling  
Clerk.

Recorded at request of d. H. Gray Jun 25, 1916 at 3:21 P.M. in Book "F" Deeds, pages 565-6. Abstracted in "D13" page 126, line 2, page 128, line 6. Recording fee \$2.30 (Signed) Geo H. Delaub Recorder Salt Lake County, Utah. By Bernice Rogers Deputy.

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This Indenture, made this 15th day of October 1910 between the Emigration Canyon Improvement Company, a corporation, grantor, and Willard H. Lyman of the County of Salt Lake State of Utah, grantee  
Witnesseth, That the said grantor, for and in consideration of the sum of One hundred and fifty Dollars to it in hand paid by the said grantee, and of the express covenants, agreements, and conditions hereby made and entered into by and between the parties hereto, and their heirs,