

No. 30049.

THIS INDENTURE, Made this 30th day of October, 1919, by and between CARBON FUEL COMPANY, a Utah corporation, party of the first part, and MUTUAL COAL COMPANY, a Utah corporation, party of the second part, WITNESSETH:

That whereas, said party of the first part is the owner of certain land in Township 13 South, Range 8 East, Salt Lake Meridian, over which land the party of the second part desires to construct, maintain and operate a surface tramline, for the purpose of conveying coal from the coal mine or mines of said second party; and

Whereas, the party of the first part is willing to convey to the party of the second part a right of way over its land for the purpose above mentioned;

Now therefore, in consideration of the sum of One Dollar and other valuable consideration in hand paid, by the party of second part to the party of the first part, the receipt whereof is hereby acknowledged, the party of the first part by these presents, hereby grants to the party of the second part, its successors and assigns, a right of way twenty-five feet in width, the center line of said right of way being described as follows, to-wit:

Beginning at a point which bears S. 89° 57' W. 1354.5 feet from the southwest corner of Section 1, Township 13 South, Range 8 East, S.L.M., and running thence N. 56° 32' W. 68.0 feet;

Thence N. 42° 16' W. 118.6 feet;

Thence N. 27° 56' W. 900.0 feet;

Thence N. 5° 43' E. 413.0 feet, to a point where said line intersects the north boundary line of the Southwest Quarter of the Southeast Quarter of Section 1, Township 13 South, Range 8 East, S. L. M.;

Thence N. 5° 43' E. 179.4 feet;

Thence north 452.0 feet to the mouth of a proposed tunnel which point bears south 701.0 feet, from the north boundary line of the Northwest Quarter of the Southeast Quarter of Section 1, Township 13 South, Range 8 East, Salt Lake Meridian.

It is agreed by the parties hereto that said right of way or easement shall be used only for the purpose of the construction, maintenance and operation of said surface tramline, and that if at any time the party of the second part, its successors or assigns shall after construction discontinue to use said right of way for the purpose aforesaid, then the land upon which said tramline is constructed on the course above described shall revert to the party of the first part, its successors and assigns, who shall have the right of possession and dominion, and may without notice go upon same and exercise exclusive control thereof.

IN WITNESS WHEREOF, the said party of the first part, by resolution of its board of directors, hath caused these presents to be subscribed by its president and secretary, and its corporate name and seal to be hereunto affixed, the day and year first above written.

(Seal of Carbon Fuel Co.)

Executed in presence of

C. M. Holderman

CARBON FUEL COMPANY,

By L. F. Rains, President.

A. H. Jenkinson, Secretary.

State of Utah, )  
                                  :SS  
County of Salt Lake.)

On the 30th day of October, 1919, personally appeared before me, L. F. Rains and A. H. Jenkinson, who being by me duly sworn, did say that he is the president and secretary respectively, of the Carbon Fuel Company, and that the foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors, and the said L. F. Rains and A. H. Jenkinson acknowledged to me that said corporation executed the same.

(S E A L)

My commission expires December 31, 1921.

Cora M. Holderman  
Notary Public.

Recorded November 20, 1919, 2 p. m.

J. A. Lovro  
Recorder.