

for Dismissal #547373 in '3-X' of d.d. page 2 29.

#547331 IN THE THIRD JUDICIAL DISTRICT COURT, COUNTY OF SALT LAKE, STATE OF UTAH.

W. W. Murray, Plaintiff, vs. A. M. Finlayson, Defendant.

LIS PENDENS.

NOTICE is hereby given that plaintiff has commenced action in the District Court of Salt Lake County, State of Utah, against said defendant, affecting title to the following described property in Salt Lake County, Utah, to-wit:

Commencing South 89°31' East 50 feet, and South 0°28' West 40 feet, from the Northwest corner of Lot 9, Block 12, Section 16, Township 1 South, Range 1 East, Salt Lake Meridian, and running thence South 89°31' East 113 feet, thence South 0°28' West 40 feet; thence North 89°31' West 113 feet, thence North 0°28' East 40 feet to the place of beginning. Together with a right of way over: Commencing South 89°31' East 163 feet from the Northwest corner of said Lot 9, and running thence South 89°31' East 12 feet, thence South 0°28' West 80 feet, thence North 89°31' West 12 feet, thence North 0°28' East 80 feet to beginning.

P. O. Address, 419 Judge Building, Salt Lake City, Utah.

Van Dam & Draper Attorney for Plaintiff.

Recorded at request of Van Dam & Draper Nov 18 1925 at 10:36 A. M., in Bk 3-W of L & L Pg 439. (Signed) Lillian Cutler Recorder Salt Lake County Utah. By R G Collett Deputy. D-22-249-16.

#547339

THIS GRANT AND AGREEMENT made and entered into this 27th day of October, 1925, by and between the American Smelting & Refining Company, a corporation, hereinafter called the "Smelting Company", party of the first part, and Utah Copper Company, a corporation, hereinafter called the "Copper Company", party of the second part, WITNESSETH:

That for and in consideration of the sum of \$1.00 and other good and valuable considerations to it in hand paid by the Copper Company, the receipt whereof is hereby acknowledged, the Smelting Company does hereby give and grant unto the Copper Company a perpetual right of way and easement for the construction, maintenance, operation and repair of a drain ditch or canal, known as the "C7" canal over, through and across the property of the Smelting Company, situate in Section 3, Township 1 South, Range 3 West, S. L. B. & M., Salt Lake County, Utah, being a strip of land 75 feet in width on each side of a center line of said "C7" canal or drain ditch, the said center line being particularly described as follows, to-wit:

Beginning at a point on the center line of the "C7" drain ditch or canal, said point being on the boundary line of the American Smelting & Refining Company's property and which bears North 45° East 505.95 feet from the South quarter corner of Section 3, Township 1 South, Range 3 West, S. L. B. & M.; thence North 49°33' West 150 feet, more or less; thence North 30°45' West 395 feet, more or less; thence North 56°45' West 80 feet, more or less; thence North 24°40' West 115 feet, more or less, to the place of beginning of a 10° curve to the left; thence around a 10° curve to the left 230 feet; thence North 49°0' West 350 feet, more or less, to a point in the shore line of Great Salt Lake, said point being North 19°30' West 1450 feet, more or less, from the South quarter corner of Section 3, Township 1 South, Range 3 West, S. L. B. & M.

The course of said "C7" ditch or canal over, through and across the property of said Smelting Company is shown upon the map or blue print attached hereto and marked in yellow.

The said Copper Company in the construction, use, maintenance and repair of said drain ditch or canal shall protect the property of the Smelting Company of and from all damage occasioned by the construction, operation, maintenance and repair of said ditch or canal by reason of water flowing through said ditch or canal or otherwise; and the said Copper Company in the construction of such canal shall have the right to excavate the same to such depth or depths as it may deem necessary or proper to adequately carry off and conduct the water placed by it therein.

This agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto respectively.

IN WITNESS WHEREOF, the said parties hereto have caused these presents to be executed by their respective officers thereunto duly authorized and their respective corporate seals to be attached hereto and duly attested, the day and year first hereinabove written.

ATTEST:

G A Brockington Secretary.

American Smelting & Refining Company Seal

AMERICAN SMELTING & REFINING COMPANY, By William Loeb Vice President

ATTEST: Chas T S Parsons Asst. Secretary.

Utah Copper Company, Corporate Seal 1904 New Jersey

UTAH COPPER COMPANY, By L S Cates Vice-Pres. & Gen'l Manager.

New York STATE OF NEW YORK COUNTY OF SALT LAKE ss. New York

On this 28th day of October, 1925, personally appeared before me William Loeb and G A Brockington, who being by me duly sworn did say that the said William Loeb is the Vice-President and that the said G A Brockington is the Secretary of American Smelting & Refining Company, a corporation, and that the foregoing instrument was signed on behalf of said corporation by authority of a resolution of its Board of Directors, and the said William Loeb and G A Brockington duly acknowledged to me that said corporation executed the same.

My commission expires March 30- 1926.

Samuel D. Holiner Notary Public Kings & New York Co's, N. Y.

S. D. Holiner Notary Public, Residing at Salt Lake City, Utah. Notary Public, Kings County No. 138 Certificate filed in New York County No. 302 Kings County Register's No. 6264 N. Y. County Register's No. 6146

Approved: H. C. Goodrich Chief Engineer.

Approved as to Form A. C. Ellis Jr

Approved as to Descriptions H R S

Recorded at request of Utah Copper Co. Nov 18 1925 at 11:00 A. M., in Bk 3-W of L & L Pg 439. (Signed) Lillian Cutler Recorder Salt Lake County, Utah. By Zina W. Cummings Deputy. D-13-208-32 & 33.

#547375

STATE OF UTAH

EXECUTIVE

The Great Seal of the State of Utah Industry 1847 1896

DEPARTMENT

OFFICE OF SECRETARY OF STATE

I, H. E. CROCKETT, SECRETARY OF STATE of the State of Utah, do hereby certify that on the 14th day of February, 1913, there was duly filed in my office an Amendment to the Articles of Incorporation of the Fireproof Storage and Trust Company, duly certified by the County Clerk of Salt Lake County, which Amendment