

THIS INDENTURE, Made this 25th day of January, 1921, by and between Mutual Coal Company, a Utah corporation, party of the first part, and L. F. RAINS, of Salt Lake City, Utah, party of the second part, WITNESSETH:

WHEREAS, said party of the first part is the owner of land in the southwest quarter of northwest quarter and northwest quarter of southwest quarter of Section 7, and the northeast quarter of southeast quarter of Section 12, 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 tram-line for the purpose of conveying coal from the coal mine or mines to be operated by the party of the second part, and for the purpose of transporting materials over said tram-line in the operation of said coal property; 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 purposes above mentioned:

NOW THEREFORE, in consideration of the sum of One Dollar and other valuable consideration in hand paid by the party of the second part to the party of the first part, receipt of which is hereby acknowledged, the party of the first part by these presents hereby grants to the party of the second part, his 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 S. 14 deg. 14 min. E., 1783.9 feet from the northwest corner of Section 7, Township 13 South, Range 9 East, Salt Lake Base and Meridian:

Thence S. 29 deg. 53. min. E. 117 feet;
 Thence on a 38 degree curve to the right 60.6 feet;
 Thence S. 6 deg. 52 min. E. 114.5 feet;
 Thence on a 38 degree curve to the right 74.7 feet;
 Thence S 21 deg. 30 min. W. 104.2 feet;
 Thence on a 38 degree curve to the left 42.1 feet;
 Thence S. 5 deg. 28 min. W. 94.0 feet;
 Thence on a 38 degree curve to the left 36.2 feet;
 Thence S. 8 Deg. 18 min. E. 50 feet;
 Thence on a 38 degree curve to the right 203.5 feet;
 Thence S. 69 deg. 02 min. W. 532.0 feet;
 Thence on a 28 degree curve to the left 45.6 feet;
 Thence S. 56 deg. 16 min. W. 738 feet;
 Thence on a 28 degree curve to the right 58.9 feet;
 Thence S. 72 deg. 46 min. W. 190 feet;
 Thence on a 28 degree curve to the left 56.3 feet;
 Thence S. 57 deg. 0 min. W. 71 feet;
 Thence on a 28 degree curve to the right 31.6 feet;
 Thence S. 65 deg. 52 min. W. 175 feet, which point intersects the west boundary of the Northeast quarter of the South east Quarter of Section 12, Township 13 South, Range 8 East, Salt Lake Base and Meridian.

It is further 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 tram-line, which shall be constructed and operated with as little interference as may be with other appliances or improvements now constructed, or which said first party may hereafter deem necessary to construct and operate in the operation of its coal mine, and that said second party shall pay all expenses incident to the overcoming of any obstacle caused by the constructing, maintaining and operating of said tram-line that may thereby occur or accrue to first party in the operation of its coal mines. If at any time the party of the second part, its successors or assigns, shall discontinue to use said right of way for the purposes aforesaid, then the land upon which said tram-line is constructed on the course above described shall revert

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.

MUTUAL COAL COMPANY,

Corporate Seal

By Fred J. Leonard
President.

E. C. Coffin
Secretary.

Executed in presence of

H. A. Smith, Jr.

State of Utah, ss.

County of Salt Lake.

On the 26th day of January, 1921, personally appeared before me F. J. Leonard and E. C. Coffin, who being by me duly sworn, did say, that he is the President and Secretary, respectively, of the Mutual Coal 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 F. J. Leonard and E. C. Coffin acknowledged to me that said corporation executed the same.

My commission expires October 7-1922.

(SEAL)

H. A. Smith Jr.
Notary Public.

Recorded February 9, 1921 at 9 A. M.

Jessie F. Sanford.
RECORDER.