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Recorded at Request of E. L. Co. Clerk AUG 16 1941

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at 10:34 AM Ernest A. Stone Cornelia S. Lund, Recorder S. L. County, Utah
 BY J. C. Hamway Dep. Book 282 Page 284- Ref: N-34538
GRANT OF RIGHT-OF-WAY

3-37-11
 3-37-15
 2-20-20
 3-21-11

THIS INDENTURE, made this 12th day of August, 1941, by and between MICHIGAN-UTAH CONSOLIDATED MINES COMPANY, a Utah corporation; Grantor, PARTY OF THE FIRST PART, and SALT LAKE COUNTY, a body corporate and politic in and of the State of Utah, Grantee, PARTY OF THE SECOND PART.

W I T N E S S E T H:

For and in consideration of the sum of One (\$1.00) Dollar to the Party of the First Part in hand paid by the Party of the Second Part, receipt of which is hereby acknowledged, the Party of the First Part does, subject to the conditions hereinafter set out, hereby grant unto the Party of the Second Part for the construction and maintenance of a highway and for the general use, travel and convenience of the public as a public highway, an easement and right-of-way 100 feet in width over and across the following named and described patented lode mining claims situated, lying and being in the County of Salt Lake, State of Utah, to-wit:

<u>Name of Mining Claim</u>	<u>Survey or Lot No.</u>
J.P.E.	Survey No. 6177
Hot Air Mining	Survey No. 6177
Florida No. 1	Survey No. 6177
Florida	Survey No. 6177
Cedar	Lot No. 117

All in Little Cottonwood Mining District in Township 2 South, Range 3 East, Salt Lake Base and Meridian.

Said right-of-way so granted over said mining claims extends fifty feet on each side of a center line particularly described as follows:

Beginning at a point on the property line of the J.P.E. Mining Claim Survey No. 6177 which bears South 60°56' West, 1553.8 feet from Corner #1 of the claim, which in turn bears South 13°47' East, 2512.7 feet from $\frac{1}{4}$ Section corner between Section 32 and 33, Township 2 South, Range 3 East, Salt Lake Base and Meridian.

The center line of the Little Cottonwood Highway traverses lands from this point South 72°28' East, 340.8 feet; thence South 62°19' East, 545.0 feet; thence South 42°07' East 506.0 feet more or less, to the property line, which bears North 60°56' East 649.0 feet, more or less to Corner No. 4 of the Hot Air Mining Claim, Survey No. 6177, containing 3.20 acres more or less.

Beginning at a point on the property line of the Florida No. 1, Survey No. 6177 Mining Claim, which bears East 100.00 feet from Corner #2, which in turn bears South 2°36' West 1500.0 feet from Corner #1, which in turn bears South 20°54' East, 2534.6 feet from $\frac{1}{4}$ Section corner between Sections 32 and 33, Township 2 South, Range 3 East, Salt Lake Base and Meridian. The center line of the Little Cottonwood

Highway traverses lands from the point North 18°12' West 471.0 feet; thence North 0°7' East, 258.5 feet; thence North 30°49' West 156.9 feet; thence North 58°48' West 327.2 feet; more or less, to property line, which bears North 24°20' East, 18.0 feet, more or less from Corner #6 of Hendrick's Lot No. 169 Mining Claim containing 2.60 acres more or less.

Beginning at Corner #3 Centennial Lot No. 107 Mining Claim, which bears South 67°05' East 1055.0 feet from Corner #1 of Arco Mining Claim Lot No. 167, from which Corner U. S. M. M. No. 3 bears South 75°45' West 1230.0 feet. The center line of the Little Cottonwood Highway traverses lands from Corner #3 of Centennial Mining Claim Lot No. 107, South 53°58' East, 560.6 feet; thence South 32°11' East, 622.6 feet; thence South 51°58' East 192.0 feet to Corner #2 of the Florida Survey No. 6 177 Mining Claim, containing 3.16 acres more or less.

Beginning at Corner No. 2 of the Florida Survey No. 6177 Mining Claim, which bears South 2°36' West 1500 feet from Corner #1; which corner bears South 34°34' East 2697.2 feet from $\frac{1}{4}$ Section Corner between Sections 32 and 33, Township 2 South, Range 3 East, Salt Lake Base and Meridian. The parcel of land necessary for the Little Cottonwood Highway right-of-way traverses lands from Corner #2, South 87°24' East 83.7 feet; thence North 51°38' West 103.0 feet; thence South 2°36' West 61.31 feet, more or less, to point of beginning, containing 0.12 acres more or less.

Beginning at a point on the property line of the Cedar Lot No. 117 Mining Claim, which bears North 17°05' East 295.0 feet from Corner #2, which in turn bears North 72°55' West 100 feet from Corner #1, which in turn bears South 63°15' East 3965.0 feet from U. S. Mineral Monument #3, Township 3 South, Range 3 East, Salt Lake Base and Meridian. The center line of the Little Cottonwood Highway traverses lands South 51°58' East 107.1 feet more or less to a point on the property line North 17°05' East 245 feet more or less, from Corner No. 1 of Cedar Mining Claim Lot No. 117 containing 0.24 acres, more or less.

This grant of easement or right-of-way is expressly made subject to the following conditions, to-wit:

1. That said easement or right-of-way hereby granted shall automatically cease and terminate if any time the same shall not be used and maintained for a period of seven years for the general use of the public as a public highway.
2. That whenever said road or highway or the use thereof shall interfere with mining operations upon said premises and it shall become necessary or shall be deemed advisable by the Party of the First Part to change the location of said road or highway on account of such mining operations, the then existing or established right-of-way for said road or highway upon said premises

shall automatically cease and terminate after ninety days' notice served upon the Party of the Second Part as to the interference of said road or highway with such mining operations and after the Party of the First Part shall have furnished to the Party of the Second Part a substitute right-of-way over said premises for said road or highway of equal width to the easement or right-of-way hereinabove described.

That in the event that Party of the Second Part shall elect to remove said road or highway to the right-of-way provided by the substitute easement, as above set out the same shall be done at the sole cost and expense of the Party of the Second Part.

That said notice hereinabove mentioned may be served on the Party of the Second Part by delivering same to any member of the Board of County Commissioners of Salt Lake County or to the Secretary of said Board of Commissioners, or may be served by registered mail addressed to the Board of County Commissioners of Salt Lake County, Utah. That if said notice shall be served personally as hereinabove provided, the said ninety day period shall commence to run from the date of such personal service. That if said notice shall be served by registered mail as hereinabove provided, the said ninety day period shall commence to run from the date of the registry and posting of said notice in the United States Post Office addressed as hereinabove provided.

3. That the Party of the First Part shall have the right to the full and free use of said road or highway without any special assessments or costs imposed against it or the aforesaid premises.

IN WITNESS WHEREOF, the Party of the First Part has caused these presents to be duly executed the day and year first above written.

NIGHTHAWK-BEAR CONSOLIDATED MINES COMPANY

By Mitchell Stewart
Its Vice-President

ACCEPTED:

Rymie Van Over
Its Secretary

