

Frank Davids & wife to T. H. Nicholas, A. D., W. H. M. J. P. McNerny & Co. etc

Know all men By These Presents, That Frank Davids and Julia Davids his wife of the County of Skamania and State of Washington, parties of the first part, in consideration of one dollar and other valuable considerations herein after mentioned and provided, paid by T. H. Nicholas, Albert Bettingen, W. H. Moody J. P. McNerny & Co., of the County of Wasco and State of Oregon, and C. W. Bergman of the County of Skamania and State of Washington, parties of the second part, have bargained and sold, and by these presents do grant, bargain sell and convey unto said parties of the second part, their heirs and assigns, all the Coal, Iron Ore, Fire Clay, and all minerals of any kind and nature, Coal Oil and Natural Gas, found upon and under the following bounded and described real property, situate in the County of Skamania and State of Washington, more particularly described as follows, to-wit:

The North East quarter of Section Twenty six (26) in Township Three (3) North of Range eight East. T. M.

The parties of the first part do also grant and convey unto said parties of the second part, the exclusive right and privilege to enter upon said lands to bore, mine and prospect, sink shafts, run tunnels and build roads, sheds and warehouses for the successful working of the mines and transporting of said products to the sheds and warehouses on said premises, or which shall be built thereon, and it is also agreed by the said parties of the second part, that they will not damage any of the buildings and orchards, or agricultural land belonging to the owner of said premises.

The said parties of the second part hereby agree to pay the said parties of the first part, their heirs and assigns, for all the Coal, Iron Ore, Fire Clay, all Minerals of every kind and nature, Coal Oil and Natural Gas, two per cent of all the net proceeds of any and all Coal, Iron Ore, Fire Clay, all minerals, any kind and nature, Coal Oil and Natural Gas, taken from, on, upon or under the land heretofore described; said payments, however, are not to be made nor are they due until the said products are mined and sold and the money received from the sale of the said Coal, Iron Ore, Fire Clay, Minerals of any kind and nature, Coal Oil, Gas, or either of them.

And the said parties of the second part also agree to commence work with proper implements as soon as possible, in the neighborhood of the land heretofore described in the County of Skamania and State of Washington, and to prospect all the lands within that and adjoining sections of the country thoroughly; and they further agree, in consideration of the covenants hereinbefore mentioned, if said parties of the second part should find Coal, Iron Ore, Fire Clay, Minerals of any kind and nature, Coal Oil, Gas, or either of them, in paying quantities, according to the opinion of said parties of the second part, that they, said parties of the second part, will immediately work and open the mine or mines, and will operate and run the gangway and tunnels, if possible, on and under the land heretofore described.

To have and to hold the above described Coal, Iron Ore, Fire Clay,

minerals of any kind and nature, Coal Oil, Gas, or either of them, unto the said parties of the second part, heirs and assigns forever.

Provided: If the parties of the second part do not find any of the minerals, Gas or Oils above mentioned, or do not open the mines within a period of three years, then this instrument to be null and void.

In Witness Whereof we have signed, sealed and executed the above, this 13 day of December, 1899.

Signed, sealed and delivered in

the presence of us as witnesses:

J. P. Gillette

A. R. McKeighan

B. H. Hornby.

Frank Davids

(Seal)

Julia Davids

(Seal)

V. L. Nicholas

(Seal)

A. Bettinger

(Seal)

C. W. Bergmann

(Seal)

J. P. McInerney

(Seal)

State of Washington } ss.

County of Skamania }

On this 13th day of December, 1899. Before me at Notary Public: Personally appeared Frank Davids and his wife Julia Davids, personally known to me to be the individuals described in and who executed the foregoing instrument and acknowledged that they executed the same freely and voluntarily, and for the uses and purposes therein named.

John P. Gillette

Notary Public in and for the State of Wash. Residing at Stevenson.

Notarial
Seal.

Filed for record by J. P. McInerney 14th July 1900 at 11.20 a.m.

J. N. Hale

C^o Auditor

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