

James H. McKeighan & wife to T. T. Nicholas, et al., et al.

Know All Men By These Presents, That James H. McKeighan and Emma J. McKeighan 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 hereinafter mentioned and provided, paid by T. T. Nicholas, Albert Kettingen, H. H. Moody, J. P. McDermey & 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 West half ($\frac{1}{2}$) of the South East Quarter ($\frac{1}{4}$) of Section twenty five (25) in Township Three (3) North Range eight East. T. 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 store-houses 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 of every kind and nature, Coal Oil and Natural Gas, taken from, in, 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 neighbourhood 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 toward

the land herein 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: none of the above described minerals or gas or oil are found in the neighborhood of above described land, this instrument to be null and void three years from date.

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

Signed, sealed and delivered in
the presence of us as witnesses
J. P. Gillette
Budd Robbins
C. H. Kandy

James K. McKeighan (Seal)
Emma T. McKeighan (Seal)
Y. T. Nicholas (Seal)
A. Bettington (Seal)
C. H. Bugman (Seal)
J. P. McNeury (Seal)

County of Skamania }
State of Washington }

On this 13th day of December, 1899. Before me a Notary Public appeared James K. McKeighan and Emma T. McKeighan his wife, known to me to be the persons described in and who executed the within instrument and acknowledged to me that they executed the freely and for the uses and purposes therein named.



John P. Gillette
Notary Public in and for the State of
Washington, Residing at Steunomon.

Filed for Record by J. P. McNeury, July 14th 1901 at 11.30 a.m.

J. P. Kake
C^y Auditor