

ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

WITNESS MY HAND AND OFFICIAL SEAL

(NOTARIAL)
(SEAL)

E. C. ROSE
NOTARY PUBLIC IN AND FOR SAID COUNTY
OF LOS ANGELES STATE OF CALIFORNIA

FILED FOR RECORD SEPTEMBER 19, 1921, AT 9 A.M. BY J. O. BENDER.

Edy P. Mitchell
COUNTY AUDITOR.

H. M. SIDNEY ET AL TO J. S. JOHNSTON ET AL

AMENDMENT OF DECLARATION OF TRUST.

THIS INDENTURE MADE AND ENTERED INTO THIS 26TH DAY OF AUGUST, 1921, BY AND BETWEEN H. M. SIDNEY AND B. E. TUTTLE, AS FIRST PARTIES, AND J. S. JOHNSTON AND J. F. O'BRIEN AND W. C. ASTON, AS SECOND PARTIES, WITNESSETH:

THAT WHEREAS, ON THE 21ST DAY OF JULY, 1921, FREDERIC FELKER, AS FIRST PARTY, CALLED OWNER, AND B. E. TUTTLE, AS SECOND PARTY, CALLED COTENANT OR SHAREHOLDER, AND KARL S. REINHARDT, AS THIRD PARTY, CALLED ATTORNEY IN FACT OR PRESIDENT, AND W. H. PONTING, J. S. JOHNSTON AND J. F. O'BRIEN, AS FOURTH PARTIES, CALLED TRUSTEES, ENTERED INTO AN AGREEMENT, CALLED A DECLARATION OF TRUST, CREATING A TRUST, WHICH WAS RECORDED ON THE 5TH DAY OF AUGUST, 1921 IN BOOK S. OF DEEDS AT PAGE 341, RECORDS OF SKAMANIA COUNTY, WASHINGTON, TO WHICH REFERENCE IS HEREBY MADE FOR THE DECLARATIONS, AGREEMENTS, AND DESCRIPTIONS OF PROPERTY THEREIN CONTAINED.

THAT WHEREAS, SAID H. M. SIDNEY HAS PURCHASED AND ACQUIRED ALL OF THE INTEREST OF THE SAID FREDERIC FELKER IN AND TO THE MINING CLAIMS DESCRIBED IN SAID DECLARATION OF TRUST, AND ALL OF HIS SHARES IN SAID TRUST, TO-WIT: 3,990,000 SHARES; AND THAT SAID B. E. TUTTLE HAS ACQUIRED THE REMAINING 6,010,000 SHARES THEREIN, WHICH, ACCORDING TO SAID DECLARATION OF TRUST, COMPRISE ALL THE SHARES AND INTERESTS IN SAID PROPERTY AND SAID TRUST;

NOW THEREFORE, SAID FIRST PARTIES, NAMELY SAID H. M. SIDNEY AND SAID B. E. TUTTLE, AS HOLDERS OF ALL THE SHARES AND INTERESTS IN SAID PROPERTY AND SAID TRUST, DO HEREBY AMEND SAID DECLARATION OF TRUST BY CHANGING PARAGRAPH EIGHT (8) THEREOF SO THAT IT WILL READ AS FOLLOWS, TO-WIT:

8. ACCEPTANCE OF TRUST- THAT THE TRUSTEES AGREE TO ACCEPT THE RECEIPTS FROM THE SALES OF SAID SHARES AND TO HOLD AND TO USE THE SAME IN TRUST FOR THE BENEFIT OF THE SHARE HOLDERS AS FOLLOWS, TO-WIT:

(A) TO DO AND PERFORM THE ANNUAL LABOR REQUIRED UNDER THE MINING LAWS OF THE UNITED STATES ON EACH AND EVERY ONE OF SAID CLAIMS.

(B) TO WORK AND DEVELOP SAID MINING CLAIMS IN MINE FASHION FOR THE PRODUCTION OF MOLYBDENUM AND OTHER MINERALS WHICH MAY BE DISCOVERED THEREIN.

(C) TO EQUIP SAID MINING PROPERTY WITH WHATEVER WORKS AND MACHINERY THEY SHALL DEEM NECESSARY AND REQUIRED FOR THE PURPOSE OF DEVELOPING SAID PROPERTY AS A MINE.

(D) TO APPROPRIATE WATER AND WATER RIGHTS FOR THE DEVELOPMENT OF WATER POWER TO BE USED IN OPERATING SAID PROPERTY AS A MINE.

(E) TO PURCHASE AND INSTALL A WATER AND ELECTRIC PLANT FOR USE IN AND