

The State of Texas, County of El Paso

Know all Men by these Presents, That C. E. Kelly

of the County of El Paso and State of Texas, for and in consideration of the sum of

One Hundred & Sixty Six & 6/100 DOLLARS, to be paid by
"Consolidated Kansas City Smelting and Refining Company, the receipt of which
is hereby acknowledged,

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey, unto the said Consolidated Kansas City
Smelting and Refining Company, a Corporation duly incorporated doing business in
the County of El Paso and State of Texas, all that certain

an undivided four-ninths (7/9) interest in & to a certain tract or parcel of land
 situated and lying in the County of El Paso, and State of Texas, & known as part of
 the J. J. Harrison Survey No. 34 and more particularly described as follows, to-wit:

Beginning at a post marked No 1 1/2 set by A. H. Parker, County Surveyor, May
 1893 for the El Paso Smelting Company, said part being on the dividing line
 between the J. J. Harrison Survey No. 34 and the John Parker Survey No. 10 and
 on the South slope of a hill and about 1220 feet North of the S.W. corner of said
 Survey No 10, and running thence along said division line North 1210 feet.

Thence West 466 feet to the East line of the right-of-way of the A. T.
& S. F. Ry. Thence along the right-of-way of said Railway Southwesterly 1240

feet to a post standing at the N.W. corner of the small tract conveyed by
W. E. Kneeland, et al, by deed bearing date May 4th, 1887, to Robert S. Towne.

Thence along the North line of said last mentioned tract East 202 feet to
 place of beginning; said tract containing ten acres more or less, and it
 is expressly understood & agreed that this deed is not intended to convey
 or affect in any way purchasers of land out of the above described tract
 prior to date of this deed & the purchaser is to pay any and all taxes that
 may be assessed against said land at the date of this deed.

do have and to hold the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging,
 unto the said Consolidated Kansas City Smelting and Refining Company, its successors

~~heirs~~ and assigns, forever. And I do hereby bind myself & my heirs, executors and administrators, to Warrant and Forever

Defend, all and singular the said premises, unto the said Consolidated Kansas City Smelting and Refining Company, its
successors ~~heirs~~ and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

all covenants & interlineations were made before signing.
 Witness my hand, at El Paso, this 9th day of November A. D. 1896.

Signed and Delivered in Presence of

C. E. Kelly

The State of Texas, County of El Paso

Before Me, Wm H. Burgee, a Notary Public in and for El Paso
 County, Texas, on this day personally appeared

C. E. Kelly, known to me

to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes
 and consideration therein expressed.

Given under my hand and seal of office, this 9th day of November A. D. 1896.

(Seal)
47.

Wm H. Burgee, Notary Public
El Paso County, Texas.

Filed for Record the 6th day of January 1897, at 2³⁰ o'clock P. M., and Recorded the 12th day of

January 1897 at 10¹⁰ o'clock A. M.
C. M. Littlehale

Deputy Clerk.

Park W. Pitman

Clerk County Court, El Paso County, Texas.