

File No. MA 027-96

L. Kamerman)
Mining and Lands Commissioner) Tuesday, the 2nd day
 of September, 1997.

THE MINING ACT

IN THE MATTER OF

ing Claims SSM-1037323 to 1037362, both inclusive, and 1037393 to 1037402, both inclusive, situate in the Township of Pilot Harbour, in the Sault Ste. Marie Mining Division, hereinafter referred to as the "Mining Claims";

B E T W E E N:

PENN-GOLD RESOURCES INC.
Applicant

- and -

THUNDER SWORD RESOURCES INC., formerly
OIL CITY LUBRICANTS LIMITED
Respondent

AND IN THE MATTER OF

An agreement dated January 28, 1991 between the Applicant and the Respondent involving the transfer of an undivided 25 percent interest in the Mining Claims (the "Agreement") to the Applicant;

AND IN THE MATTER OF

An application under section 105 of the **Mining Act** for the enforcement of the Agreement.

ORDER

WHEREAS an Interlocutory Order was issued on the 10th day of June, 1997;

AND WHEREAS on the 25th day of July, 1997, Penn-Gold Resources Inc. paid \$11,606.00 to Thunder Sword Resources Inc. to cure its default in the Agreement;

AND WHEREAS on the 25th day of July, 1997, Penn-Gold Resources paid \$3,000.00 in costs to Thunder Sword Resources Inc.;

AND WHEREAS on the 25th day of July, 1997, proof of payment was provided to the tribunal;

1. **THIS TRIBUNAL ORDERS** that this application is hereby allowed.
2. **THIS TRIBUNAL FURTHER ORDERS** that a 25 percent interest in the Mining Claims be transferred from Thunder Sword Resources Inc. to Penn-Gold Resources Inc., effective July 25, 1997 **nunc pro tunc**.
3. **THIS TRIBUNAL FURTHER ORDERS** that the notation "Pending Proceedings", which is recorded on the abstracts of the Mining Claims, to be effective from the 5th day of December, 1996, be removed from the abstracts of the Mining Claims.
4. **THIS TRIBUNAL FURTHER ORDERS** that the time during which the Mining Claims were under pending proceedings, being the 5th day of December, 1996, to the 2nd day of September, 1997, a total of 272 days, be excluded in computing time within which work is to be recorded on the Mining Claims.
5. **THIS TRIBUNAL FURTHER ORDERS** that the 3rd day of August, 1998, be fixed as the date by which the next unit of prescribed assessment work must be performed and filed on Mining Claims SSM-1037323, 1037325, 1037327 to 1037329, both inclusive, 1037331 to 1037335, both inclusive, 1037346, 1037347, 1037353, 1037359 and 1037399 to 1037401, both inclusive, pursuant to subsection 67(3) of the **Mining Act** and all subsequent anniversary dates are deemed to be August 3 pursuant to subsection 67(4) of the **Mining Act**.
6. **THIS TRIBUNAL FURTHER ORDERS** that the 3rd day of August, 1999, be fixed as the date by which the next unit of prescribed assessment work must be performed and filed on Mining Claims SSM-1037324, 1037326, 1037330, 1037336 to 1037345, both inclusive, 1037348 to 1037352, both inclusive, 1037354 to 1037358, both inclusive, 1037360 to 1037362, both inclusive, 1037393 to 1037398, both inclusive and 1037402, pursuant to subsection 67(3) of the **Mining Act** and all subsequent anniversary dates are deemed to be August 3 pursuant to subsection 67(4) of the **Mining Act**.
6. **THIS TRIBUNAL FURTHER ORDERS** that no further costs shall be payable by either party to this application.
7. **THIS TRIBUNAL FURTHER ORDERS** that this Order be filed without fee in the Office of the Provincial Mining Recorder in Sudbury, Ontario, pursuant to subsection 129(4) of the **Mining Act**,

DATED this 2nd day of September, 1997.

Original signed by

L. Kamerman
 MINING AND LANDS COMMISSIONER