

and that his title as such owner is adjudged and decreed to be quieted against all claims, demands and pretensions of the defendants and each of them, and all persons claiming by, through or under them, and the defendants and each of them and all persons claiming by, through or under them are hereby perpetually estopped and enjoined from setting up any claim or pretense to said lands or premises or casting any cloud thereon, or to or on any part thereof.

That the lands and premises which are the subject of this decree are situated in Summit County, state of Utah, and are particularly described as follows:

A tract of land commencing at a point that is 897.15 feet East from the southwest corner of Section 6, Township 2 South, Range 6 East of the Salt Lake Base and Meridian, and from said point of beginning thence North 10°05' West 1297732 feet; thence South 83°30' East 1876.6 feet to the quarter section line; thence South 64.5 rods to the southeast corner of the southwest quarter of said Section; thence West 1742.85 feet to the place of beginning, containing 49.95 acres, more or less.

Dated this 21st day of October, 1935.

State of Utah, )  
 :ss.  
 County of Summit, (

P.C.Evans,  
 Judge of said Court.

I, John E. Wright, Clerk of the Third District Court of Summit County, Utah, do hereby certify that the above and foregoing is a full, true and correct copy of the Decree Quietening Title in that certain action pending in said Court wherein Hugh Evans is plaintiff and Alice Lambert et al., are defendants, made and entered on the 21st day of October, 1935, as the same appears on file and of record in my office.

WITNESS my hand and the seal of said Court this 25th day of October, 1935.

(Seal)

John E. Wright,  
 Clerk of said Court.

Recorded at the Request of P.H.Neeley Oct. 25th A.D. 1935 at 10:30 o'clock A.M.  
 Viola Zumbrunnen, County Recorder.

Entry No. 55361

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT  
 IN AND FOR  
 SUMMIT COUNTY, STATE OF UTAH

HETTIE M. BATES and  
 UTAH SAVINGS & TRUST COMPANY,  
 a corporation, Joint Administrators of the  
 the Estate of Ephraim Bates, deceased,

Plaintiffs,

Vs.

DECREE OF FORECLOSURE.

T. TRACY WRIGHT, ELSIE J. WRIGHT,  
 CLEEO D. WRIGHT and MARY M. WRIGHT,  
 and  
 FIRST NATIONAL BANK OF COALVILLE,  
 a corporation,  
 Defendants.

The above-entitled cause coming on regularly to be heard before this court on the 16th day of September, 1935, without a jury, and the plaintiffs, Hettie M. Bates and Utah Savings & Trust Company, a corporation, joint administrators of the estate of Ephraim Bates, deceased, appearing by their attorney, P. H. Neeley, and no one appearing for the defendants, T. Tracy Wright, Elsie J. Wright, Cleeo D. Wright, Mary M. Wright and First National Bank of Coalville, a corporation, and it further appearing to the Court from the records and files in this case that each of said defendants has been duly and regularly served with summons in this cause, and that each of said defendants has failed to appear in this action and answer or otherwise plead to the complaint herein within the time required by law to appear and answer or plead or at all, and the default of the said defendants, T. Tracy Wright, Elsie J. Wright, Cleeo D. Wright, Mary M. Wright and First National Bank of Coalville, a corporation, having been duly entered for not appearing as aforesaid in this action, and the court having heard the evidence and the arguments of counsel for plaintiffs and being fully advised in the premises, and having made and caused to be filed its findings of fact and conclusions of law; now, on motion of P.H.Neeley, attorney for plaintiffs:

It is Ordered, Adjudged and Decreed that the plaintiffs, Hettie M. Bates and Utah Savings & Trust Company, a corporation, joint administrators of the estate of Ephraim Bates, deceased, do have and recover judgment against the defendants, T. Tracy Wright, Elsie J. Wright, Cleeo D. Wright and Mary M. Wright jointly and severally, in the sum of \$33,000.00 principal, and interest thereon at the rate of 7½ % per annum from the 14th day of January, 1932, payable semi-annually in the sum of \$9075.00, and that plaintiffs recover from said defendants the further sum of \$1000.00 attorney's fee in this action, and the further sum of \$32.80, being costs of this suit to date, making a total sum for which judgment is entered against the defendants and in favor of the plaintiffs in the sum of \$43,107.80.

It is further ordered, adjudged and decreed that all and singular the property mentioned in the complaint in this cause, and hereafter particularly described (or so much of said property as may be sufficient to make the amount found due to the plaintiffs and which may be sold separately without material injury to the parties in interest) be sold at public auction according to law and the practice of this Court, to pay the above judgment, together with the accrued interest and expenses of sale; and that plaintiffs or any other parties to this action may become the purchasers at said sale, and that said sale be made for cash;

It is further Ordered that the Sheriff execute a certificate of sale to the purchaser at said sale, and that at the expiration of the period of redemption as provided by law, if no redemption from said sale shall have been made, he execute and deliver a deed to said purchaser or his assigns for the lands and water rights covered therein; that the sheriff out of the proceeds of sale pay all of the costs and disbursements and pay to the plaintiffs therefrom the sum of \$43,107.80, together with interest thereon at the rate of 6% per annum from the 16th day of September, 1935, until the date of sale.

It is further Ordered, Adjudged and Decreed that the defendants, T. Tracy Wright, Elsie J. Wright, Cleo D. Wright and Mary M. Wright, and all persons claiming from, through or under them, and each of them, and all persons claiming mortgages, liens, title, possession, or claims subsequent to the mortgage set forth in plaintiffs' complaint, and all persons claiming any estate or interest in the above described premises subsequent to the recordation of the Lis Pendens in this matter in the respective counties where said lands and water rights are situated, be and they are hereby forever barred and foreclosed of all right, title, interest, estate or equity of redemption and claim in said mortgaged premises and every part thereof, except such right of redemption as they may have by law; and that if the money arising from the sale of said premises be insufficient to pay the amount hereinbefore adjudged to be due plaintiffs, together with interest, costs and expenses of sale, the sheriff shall specify the amount of such deficiency and balance in his return of sale; and that on the filing of said Return the Clerk of this Court is hereby ordered to enter a judgment for such balance against the defendants, T. Tracy Wright, Elsie J. Wright, Cleo D. Wright and Mary M. Wright, jointly and severally, for such balance against said defendants and in favor of the plaintiffs, and that the plaintiffs have execution therefor; and that in the event said property shall sell for a greater sum than that due the plaintiffs, together with the interest and costs, the Sheriff shall pay to the Clerk of this Court for the use of said defendants said excess amount.

It is further Ordered, Adjudged and Decreed that the defendant, First National Bank of Coalville, a corporation, and all persons claiming by, through or under it be, and they are hereby forever barred and foreclosed of all right, title interest, estate, lien, claim, judgment or mortgage in and to the mortgaged premises and every part thereof, and that the defendant, First National Bank of Coalville, a corporation, is barred and foreclosed of all lien, right, title, interest, estate, claim and demand in and to or judgment against the mortgaged property by reason of that certain mortgage made and executed by T. Tracy Wright and Elsie J. Wright, his wife, Cleo D. Wright and Mary M. Wright, his wife, mortgagors, to First National Bank of Coalville, a corporation, mortgagee, dated June 2nd, 1931, and recorded in the office of the County Recorder of Summit County, Utah, on the 13th day of June, 1931, in Book 11 of Mortgages, at Page 520 thereof; that the defendants, T. Tracy Wright, and Elsie J. Wright are husband and wife, and the defendants, Cleo D. Wright and Mary M. Wright are husband and wife.

The property in this decree referred to is situated in the counties of Summit, Wasatch and Salt Lake, state of Utah, and is particularly described as follows, to-wit:

The east half of Section twenty-two; the south-west quarter of Section twenty-six; the Southeast quarter of Section thirty-four, and the West half of Section thirty-five, in Township one South of Range three East of the Salt Lake Base and Meridian.

The Lots one, two, seven, eight, nine and ten and the southeast quarter of Section three, Township two South of Range three East of the Salt Lake Base and Meridian.

The southwest quarter of Section twenty; and the whole of Section thirty-two, in Township one South, Range five East of the Salt Lake Base and Meridian.

The South half of the north-east quarter, the northwest quarter, and the south half of Section nine, and all of Sections seventeen, nineteen and twenty-nine; in Township one South of Range five East of the Salt Lake Base and Meridian.

The lots five, six, seven and eight of Section five; the Lots one, two, three, four, six and seven of Section eight; and the Lots one, two and three and the east half of the north-west quarter of Section seventeen, Township Two South, Range five East of the Salt Lake Base and Meridian.

The southwest quarter of the southeast quarter and the northeast quarter of the southeast quarter of Section twenty-two, Township one South, Range five East of the Salt Lake Base and Meridian, and the North thirty acres of the southwest quarter of the northwest quarter of Section twenty-six, Township one South of Range five East of the Salt Lake Base and Meridian.

And undivided one-half interest in all of Section thirty-three, and the west half of Section thirty-four, Township one South, Range five East of the Salt Lake Base and Meridian; and all of Section three, and the Lots one, two, three and four, and the south-west quarter of the north-east quarter and the south-half of the north-west quarter, and the south-west quarter of Section four, Township two South of Range five East of the Salt Lake Base and Meridian.

All of Section thirty-two, Township one South, Range five East of the Salt Lake Base and Meridian.

The Lots five and eight of Section eight; and the northeast quarter of the south-west quarter of Section nine; Township two South, Range five East of the Salt Lake Base and Meridian.

The south-west quarter of Section twenty; Township one South of Range five East of the Salt Lake Base and Meridian,

And undivided one half interest in the south half of Section twenty-seven, and the north half of Section thirty-four, Township one South of Range three East of the Salt Lake Base and Meridian.

√ A tract of land commencing 124 rods west of the northeast corner of Section one; Township two South, Range five East of the Salt Lake Base and Meridian, and running thence west 116 rods; thence South 80 rods; thence East 80 rods; thence South 80 rods; thence East 170 rods; thence North 80 rods; thence West 30 rods; thence North 2 rods; thence West 55 rods; thence in a north-westerly direction to the place of beginning, containing 156 acres, more or less.

√ The southeast quarter of Section twelve, Township two South, Range 5 East of the Salt Lake Base and Meridian.

√ All of Section two, Township two South, Range five East of the Salt Lake Base and Meridian.

The west half of the northwest quarter of Section nine, Township two South, Range five East of the Salt Lake Base and Meridian.

All of Sections twenty-one and thirty-one, in Township one South of Range five East of the Salt Lake Base and Meridian.

√ The north half and the south-west quarter of Section thirty-five, Township one South, Range five East of the Salt Lake Base and Meridian.

The south-east quarter of the south-west quarter, and the south-west quarter of the south-west quarter of Section thirty-six; Township one South, Range five East of the Salt Lake Base and Meridian.

Also, a tract of land commencing at the south-west corner of the south-east quarter of said Section thirty-six; Township one South, Range five East of the Salt Lake Base and Meridian, and running thence North 20 chains; thence East 6.103 chains; thence S. 20 degrees 20' East., 5.71 chains; thence S. 11 degrees 24' E., 3.04 chains; thence S. 12 degrees 10' W., 2.68 chains; thence S. 19 degrees 20' E., 5.70 chains; thence S. 89 degrees 20' E., 2.88 chains; thence S. 5 degrees 11' E., 3.68 chains; thence West 13.22 chains to the place of beginning, containing 18.156 acres, more or less, situated in the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section thirty-six.

The South half of the south-east quarter of Section twenty, Township one South, Range five East of the Salt Lake Base and Meridian.

Also, the water and water rights appurtenant to said land of used in connection therewith, whether evidenced by shares of stock in an incorporated company or otherwise.

Signed this 16th day of September, 1935.

By the Court:

Herbert M. Schiller,

Judge.

State of Utah, :  
: ss.  
County of Summit, ;

I, John E. Wright, Clerk of the Third District Court of the state of Utah, in and for Summit County, do hereby certify that the above and foregoing six pages constitute a full, true and correct copy of the Decree of Foreclosure entered on the 16th day of September, 1935, in that certain action pending in said Court wherein Hettie M. Bates and Utah Savings & Trust Company, a corporation, joint administrators of the estate of Ephraim Bates, deceased, are plaintiffs, and T. Tracy Wright, Elsie J. Wright, Cleo D. Wright and Mary M. Wright and First National Bank of Coalville, a corporation, are defendants, as the same appears on file and of record in my office.

WITNESS my hand and the seal of said Court this 25th day of October, 1935.

(Seal)

John E. Wright,

Clerk.

Recorded at the request of P.H. Neeley Oct. 25th, A.D. 1935 at 10:30 o'clock A.M.  
Viola Zumbrunnen, County Recorder.

Entry No. 55363

A F F I D A V I T

STATE OF CALIFORNIA )  
:SS.  
COUNTY OF LOS ANGELES(

ELIZA M. DALY, of Los Angeles, California, being first duly sworn deposes and says:

1. That she is the widow of John J. Daly, deceased, who was one of the co-patentees of the mining claim "COME AT LAST", U.S. Lot #199, situated in the Uintah Mining District, Summit County, Utah.

2. That John J. Daly died at Los Angeles in the State of California on or about the 22nd day of October, 1927.

3. That at the time of the death of John J. Daly, he left surviving him the following named persons, his widow and children and the only heirs-at-law;

Eliza M. Daly, widow, residing at Los Angeles, California.

Margaret Daly Brown, of Los Angeles, California  
a daughter, now the age of 54 years.

Eudora Daly Lillard, of Los Angeles, California  
a daughter, now the age of 49 years.

Evelyn Daly Roberts, of Los Angeles, California  
a daughter, now the age of 47 years.

Morris A. Daly, of Los Angeles, California,  
a son, now the age of 39 years.

Albert M. Daly, of Salt Lake City, Utah,  
a son, now the age of 42 years.

John C. Daly, of Salt Lake City, Utah,  
a son, now the age of 52 years.

Ethel A. Daly, deceased, a daughter  
unmarried, having died the 23rd day of August, 1929.

4. That no children, the issue of John J. Daly, predeceased him leaving a surviving spouse or issue of their body.

5. That John J. Daly, during his lifetime, only married once, that being the union of John J. Daly, and the affiant. Further affiant sayeth not.