

Filed for record June 2nd 1890 at 10.25 A.M.

Recorded June 3 - 1890

Joseph Stiefel
County Recorder

Doc 2137 A

Ref 137 97 301

The Union Pacific Railway Company

Union Division - Utah

Doc No 15622

Know all men by these presents, That the Union Pacific Railway Company which is a corporation formed and existing by the consolidation of the Kansas Pacific Railway Company, the Denver Pacific Railway and Telegraph Company and the Union Pacific Railroad Company under the corporate name and style of the Union Pacific Railway Company by authority of an act of Congress entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean and to secure to the government the use of the same for postal military and other purposes" approved July 1 1862 and all amendatory thereof which said Company has succeeded to and become seized and possessed of all the real estate and property of the said consolidated companies, whether real personal or mixed, and among other things of all the land granted to said Union Pacific Railroad Company by the aforesaid act of Congress in aid of the construction of its road not conveyed away by said Company not conveyed away by said Company at the date of such consolidation (to wit January 24 1880) in consideration of the sum of Twelve hundred and eighty 4/100 (\$1280 4/10) dollars to it paid the receipts of which is hereby acknowledged doth hereby grant bargain sell and convey unto Vernon Stearns of the County of Weber in the Territory of Utah the following described real estate situate lying and being in the County of Weber and in the Territory of Utah and described as follows to wit:

The south half (1/2) the south west quarter (1/4) and the west half of the south east quarter (1/4) of section number twenty five (25) and the east half (1/2) and Lot numbers One (1) Two (2) Three (3) Four (4) and the north east quarter of the north west quarter (1/4) of section No. thirty five (35) in township No six (6) north of range No three (3) west of the Salt Lake Meridian containing according to the United States Survey thereof Ten hundred twenty four (1024) and 1/4 acres more or less being the same premises contracted to be sold to Vernon Stearns by contracts Nos. 1547-50, 1667-9 dated October 7, 1885.

To have and to hold the said premises with all the rights and appurtenances thereto belonging unto the said grantee his heirs and assigns forever and the said grantee doth hereby covenant with the said grantee that at the making of this instrument it is well and in good and indefensible state in fee and held

good right to sell and convey the same and that it will warrant and defend the title to said premises unto the said grantee his heirs and assigns forever against the lawful claims of all persons whatsoever. Excepting however all taxes and assessments levied upon said premises since October 7, 1875 and except against any claims or encumbrances created or permitted by through or under said Messrs. McKim or his successors heirs or assigns or any of them.

And whereas said Union Pacific Railroad Company did on the sixteenth day of April A. D. 1867 execute and deliver to Cyrus H. Mc Cormick of the City of New York and John Buff of the City of Boston a certain mortgage deed of that date wherein said Company conveyed to the said Cyrus H. Mc Cormick and John Buff as Trustees for the uses and purposes therein mentioned among others the lands hereinbefore described and whereas the said Cyrus H. Mc Cormick died on the twenty eighth day of June A. D. 1873 by a proper instrument of writing to that effect resign his place as Trustee under said mortgage deed which resignation was on the fifteenth day of October A. D. 1873 accepted by the Union Pacific Railroad Company by its Board of Directors at a meeting thereof held on that in the City of Boston and State of Massachusetts, and whereas on the fifteenth day of October A. D. 1873 Frederick L. Ames of Boston in the State of Massachusetts was duly nominated by the remaining Trustee John Buff as successor to said Cyrus H. Mc Cormick which nomination was on the same day approved by the Board of Directors of the said Union Pacific Railroad Company, and whereas by such nomination and approval said Frederick L. Ames did upon his acceptance thereof thereafter become vested with the same estate powers, rights and interests and charged with the same duties and responsibilities as if he had been one of the original Trustees named in and executing said mortgage deed.

And whereas said remaining Trustee died by a conveyance proper and effectual for that purpose dated on the twentieth day of October A. D. 1873 at the City of Boston with the same in such new Trustee jointly with him the said John Buff. And whereas the said John Buff died on the fourteenth day of February A. D. 1877 by a proper instrument of writing to that effect resign his place as Trustee under said mortgage deed which resignation was on the fourteenth day of February A. D. 1877 accepted by the Union Pacific Railroad Company by the Executive Committee of its Board of Directors at a meeting thereof held on that day in the City of Boston and State of Massachusetts, and whereas on the second day of July 1877 the Union Trust Company of New York was duly nominated by the remaining Trustee Frederick L. Ames as successor to said John Buff which nomination was on the thirteenth day of July 1877 approved by the Executive Committee of the Board of Directors of the said Union Pacific Railway Company and the said Frederick L. Ames executed a deed on the thirteenth day of July

1867 meeting in the said Union Trust Company of New York the estates powers right and interests created by said mortgage deed jointly with the said Frederick L. Ames and whereas the said Union Trust Company of New York signified its acceptance of said trust by signing said deed. And whereas the said Frederick L. Ames did on the fifteenth day of July 1867 by a proper instrument of writing to that effect resign his place as Trustee which resignation was on the sixteenth day of July 1867 accepted by the Union Pacific Railway Company by the Executive Committee of its Board of Directors at a meeting thereof held on that day in the City of Boston and State of Massachusetts. And whereas no nomination of a successor to fill the vacancy caused by the resignation of said Frederick L. Ames having been made the said Union Trust Company of New York became and now is the sole Trustee under the said mortgage deed dated the sixteenth day of April A.D. 1867.

And whereas the said Union Pacific Railway Company did on the eighteenth day of December A.D. 1873 execute and deliver to the Union Trust Company of New York a certain mortgage deed wherein said Company conveyed to the said Union Trust Company of New York as Trustee for the uses and purposes therein mentioned among others the lands herein before described. And whereas the said Union Pacific Railway Company with the consent of the Union Trust Company of New York sole Trustee under the mortgage deed of the sixteenth day of April A.D. 1867 and Trustee under the mortgage deed of the eighteenth day of December A.D. 1873 has sold and conveyed as above set forth the real estate herein before described unto the said grantee for and in consideration of the sum of said to the Union Pacific Railway Company in hand paid by the said grantee which said sum of money has been paid to the said Union Trust Company of New York in its capacity as Trustee for the uses and purposes mentioned in said mortgage deeds of the sixteenth day of April 1867 and of the eighteenth day of December 1873.

Now Therefore Know all men by these presents that the said Union Trust Company of New York Trustee in the aforesaid mortgage deeds in consideration of the expressed premises and the payment as aforesaid of said sum so paid by said Railway Company to said Trust Company for the uses and purposes aforesaid do hereby hereby release and forever quit claim unto the said Union Trust Company the real estate described aforesaid to be held by the said grantee free and exempt from all liens incumbrances and charges of said mortgage deeds of the sixteenth day of April 1867 and of the eighteenth day of December 1873, but subject however to all the reservations and conditions herein before contained.

Lines 25, 26 and 27 from the top erased before execution and delivery of these presents. In Witness Whereof the said grantor the Union Pacific Railway Company hath caused these presents to be sealed with its corporate seal and to be signed by

its President attested by its secretary and countersigned by its Land Commissioner
and its Auditor and the said Union Trust Company of New York Trustee under
the said mortgage deeds of the sixteenth day of April 1897 and of the eighteenth day
of December 1897 both which that presents to be sealed with its corporate seal
and to be signed by its President this tenth day of October A. D. 1897.

In presence of
H. K. Sparholt
J. W. Biss
The Union Pacific Railway Company
By W. F. Adams President
Attest Alice Indian Secretary

In presence of
Alice Webb
B. W. Barber Jr.
Union Trust Company of New York
By Edward Henry President
J. W.

Countersigned
B. W. Barber
Erastus Young
Land Commissioner
Auditor

State of Massachusetts
County of Suffolk }
Be it remembered that on this twenty sixth day of
December A. D. 1897 before me a Commissioner for Utah in the State of Massachu-
setts appeared before me the Union Pacific Railway Company by W. F. Adams
its President who is personally known to me to be the identical person whose name
is subscribed to the foregoing instrument as said President and then and there
acknowledged the execution and sealing of said instrument to be his voluntary
act and deed and the voluntary act and deed of said Company. And I hereby
certify that the foregoing deed is executed and acknowledged in accordance
with the laws of the State of Massachusetts.

Done at New Orleans, Louisiana, this twenty sixth day of December A. D. 1897 at the City of Boston in said State
and State.

State of New York
County of New York }
Be it remembered that on this fifteenth day of Febru-
ary A. D. 1898 before me a Commissioner for Utah in the State of New York
appeared the Union Trust Company of New York by Edward Henry its Pres-
ident who is personally known to me to be the identical person whose name is
subscribed to the foregoing instrument as said President and then and there
acknowledged the execution and sealing of said instrument to be his voluntary
act and deed and the voluntary act and deed of said Company. And I hereby
certify that the foregoing deed is executed and acknowledged in accordance with
the laws of the State of New York.

Done at New Orleans, Louisiana, this