

the Union Pacific Railway Company by G. F. Adams its President and Henry McCarran and its Treasurers who are personally known to me to be the identical persons whose names are subscribed to the foregoing instrument as said President and Treasurers and then and there acknowledged the execution and sealing of said instrument to be their voluntary act and deed and the voluntary act and deed of said Company. And on the same day likewise personally appeared the above named Frederick S. Ames known to me to be the Trustee described in and who executed the foregoing instrument and acknowledged before me that he executed the same as Trustee as aforesaid and for the uses and purposes therein set forth and that the execution thereof was his voluntary act and deed. And I hereby certify that the foregoing deed is executed and acknowledged in accordance with the laws of the State of Massachusetts.

One Witness Whereof I have hereunto set my hand and official seal this twenty seventh day of March A.D. 1890 at the City of Boston in said County of Suffolk and State of Massachusetts.

Seal.

James G. Harris

Commissioner for Utah

Recorded April 15 1890

Filed for record April 15 1890 at 11:55 A.M.

Joseph Stratford
County Recorder

At Sept. 20. 1877.

Comm. L. D. 11.

Land Department
of the

Utah No. 565

Union Pacific Railway Company. Union Division.

Whereas 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 Telegraphs 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 acts amendatory thereof which said Company has succeeded to and become seized and possessed of all the real estate and property of the said constituent Companies whether real personal or mixed and among other things of all the land granted to said Union Pacific Railroad Company

by the aforesaid acts of Congress in aid of the construction of its road not conveyed away by deed on the date of such consolidation (to wit January 24th 1880) in consideration of the sum of Five hundred dollars to it paid by William Sumner of the County of Weber in the Territory of Utah the receipt of which is hereby acknowledged and hereby grant bargain sell and convey unto the said William Sumner 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 of the north east quarter of section No. Eleven (11) in Township No. six (6) north of range one (1) west of the Salt Lake Meridian containing according to the United States Survey thereof Eighty (80) acres more or less, being the same premises contracted to be sold to William Sumner by the Union Pacific Railroad Company by contract No. 1185 and 1186 executed the tenth day of January A. D. 1880 in pursuance and fulfillment of which said contract this conveyance is made and executed.

Reserving however to the said Union Pacific Railway Company all that portion of the land hereby conveyed (if any such there be) which lies within lines to cross & parallel with and one hundred feet on each side distant from the center line of its road as now constituted and any greater width where necessary ^{therein} to include all their cuts embankments and ditches and other works necessary to secure and protect their main line. Thus conveyed is also upon the conditions that the grantee herein his heirs administrators and assigns shall erect and maintain a lawful fence between that portion of the premises hereby conveyed adjoining the road of said Company (if any such there be) and the road of said Company upon a line one hundred feet distant from the center line of such road and parallel therewith in all cases in which such fence is required by law or may be required by said Company.

We have and to hold the said premises with all the rights and appurtenances unto the said grantee his heirs and assigns forever and the said grantors doth hereby covenant with the said grantee that at the making of this instrument it is well seized of the said premises as of a good and indefeasible estate in fee and hath good 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 whomsoever. Excepting however all taxes and assessments levied upon said premises since date of the above sale.

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 Duff of the City of Boston a certain mortgage deed of that date which deed is recorded in the office of the County Clerk of Weber County in the Territory of Utah whereas said Company conveyed to Cyrus H. Mc Cormick and John Duff as Trustees for the use and purposes therein mentioned among others the lands hereinbefore described; And whereas the said Cyrus H. Mc Cormick did on the twenty eighth day of June A. D. 1873 by a proper instrument of writing to that effect assign this place as trustee under said mortgage deed which assignment was on the fifteenth day

of October A.D. 1875 accepted by the Union Pacific Railroad Company by 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 fifteenth day of October A.D. 1875 Frederick S. Ames of Boston, in the State of Massachusetts was duly nominated by the remaining trustee John Duff as successor to said Cyrus H. McCormick which nomination was on the same day approved by the Board of Directors of said Union Pacific Railroad Company. And whereas by such nomination and approval said Frederick S. 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 did by a conveyance proper and effectual for that purpose dated on the twentieth day of October A.D. 1875 at the City of Boston vest the same in such new trustee jointly with him the said John Duff. And whereas the said John Duff did 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 no nomination of a successor to fill the vacancy caused by the resignation of said John Duff having been made the said Frederick S. Ames became and now is the sole trustee. And whereas the Union Pacific Railroad Company with the consent of the trustees for the time being, hereinbefore named has sold and conveyed as above set forth the real estate hereinbefore described unto the said William Smoot for and in consideration of the sum of Four hundred dollars to it in hand paid by the said William Smoot, which said sum of money has been paid to said Frederick S. Ames by said Company in his capacity as trustee or to said John Duff and said Frederick S. Ames ^{Trustee} to said Cyrus H. McCormick and said John Duff Trustees for the uses and purposes in said Mortgage Deed mentioned.

Now therefore Know all men by these presents that the said Frederick S. Ames, remaining trustee in the aforesaid Mortgage deed in consideration of the aforesaid premises and payment as aforesaid of said sum of four hundred dollars so paid by said Company to said trust fund of which I am the remaining trustee for the uses and purposes aforesaid do hereby remise release and forever quit claim unto the said William Smoot the real estate described aforesaid to be held by him free and exempt from all liens incumbrances and charges of said Mortgage deed, but subject however to all the reservations and conditions hereinbefore contained.

Now 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 Vice President and Treasurer and countersigned by its Land Commissioner and its Auditor and the said Frederick S. Ames, Trustee has hereunto set his hand

this fifth day of February A.D. 1884

In presence of

Frank D. Butler

Walter B. Howe

E. Atkins

Henry M. Farland

Fred. S. Ames

Vice President

Treasurer

Trustee

U. P. H. W. Leo

Countersigned

Seal

David Burnham

Erastus Young

Land Commr

Auctioneer

State of Massachusetts

County of Suffolk

Be it remembered that on this 5th day of July A.D. 1884 before me a Commissioner for Utah Territory appeared the Union Pacific Railway Company by Elisha Atkins its Vice President and Henry M. Farland its Treasurer who are personally known to me to be the identical persons whose names are subscribed to the foregoing instrument as said Vice President and Treasurer and then and there acknowledged the execution and sealing to be their voluntary act and deed and the voluntary act and deed of said Company. And on the same day likewise personally appeared the above named Frederick S. Ames known to me to be the Trustee described in and who executed the foregoing instrument and acknowledged before me that he executed the same as Trustee aforesaid and for the uses and purposes therein set forth and that the execution thereof was his voluntary act and deed.

In witness whereof I have hereunto set my hand and official seal this 5th day of July A.D. 1884 at the City of Boston in said County and State.

Seal

James E. Harris

Commissioner

Dated for record April 15th 1890 at 1:15 P.M.

Recorded April 15th 1890

Joseph Tinsford

County Recorder

In the Probate Court of the County of Salt Lake, Territory of Utah

In the matter of the Estate

of

Order confirming sale of Real Estate

John Barker deceased

Mary C. Barker, the Executrix of the Last Will and Testament of John Barker, deceased, having made to this Court and filed in the office of the Clerk thereof her return of her proceedings under the order of sale herein and said matter coming on regularly this day to be heard and it appearing to the satisfaction of the court, that