

Form 3341X

UNION PACIFIC RAILROAD COMPANY\*

Contract No. 3503-F.

Deed No. 4602.

KNOW ALL MEN BY THESE PRESENTS, That UNION PACIFIC RAILROAD COMPANY, a corporation existing under and by virtue of the laws of the State of Utah, in consideration of the sum of Twenty-five hundred and sixty and no/100 (\$2560.00) Dollars, to it paid, the receipt of which is hereby acknowledged, doth, subject however to the exceptions, reservations and conditions hereinafter written, hereby grant, bargain, sell and convey unto JOHN H. WILSON, of the County of Weber, in the State of Utah, the following described real estate, situate, lying and being in the County of Weber, and in the State of Utah, to-wit:

All of Section No. Thirty-three (33), in Township No. Seven (7) North of Range Three (3) East of the Salt Lake Meridian, containing, according to the United States Survey thereof Six hundred and forty (640) acres, more or less, subject, however, to a right-of-way of lawful width for any and all county roads heretofore established upon, over and across the premises herein described.

EXCEPTING AND RESERVING to said Union Pacific Railroad Company, its successors and assigns,

First: All oil, coal and other minerals within or underlying said lands.

Second: The exclusive right to prospect in and upon said land for oil, coal and other minerals therein, or which may be supposed to be therein, and to mine for and remove, from said land, all oil, coal and other minerals, which may be found thereon by any one.

Third: The right of ingress, egress and regress upon said land to prospect for, mine and remove any and all such oil, coal or other minerals, and the right to use so much of said land as may be convenient or necessary for the right-of-way to and from such prospect places or mines, and for the convenient and proper operation of such prospect places, mines, and for roads and approaches thereto or for removal therefrom of oil, coal, mineral, machinery, or other material.

Fourth: The right to said Union Pacific Railroad Company to maintain and operate its railroad in its present form of construction, and to make any change in the form of construction or method of operation of said railroad.

TO HAVE AND TO HOLD, subject to the said exceptions, reservations and covenant and condition, the said premises with all the right, and appurtenances thereunto belonging unto the said John H. Wilson, Grantee, his heirs and assigns forever, and the said Union Pacific Railroad Company 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 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 as against all taxes and assessments levied upon said premises for the year 1907 and subsequent years, and excepting against any rights, liens or encumbrances created or permitted by any other person than the said grantor, since the 26th day of FEBRUARY, 1906.

AND WHEREAS, said UNION PACIFIC RAILROAD COMPANY, did, on the 1st day of July, 1897, execute and deliver to THE MERCANTILE TRUST COMPANY, of New York, a certain mortgage deed wherein said Railroad Company conveyed to the said THE MERCANTILE TRUST COMPANY as trustee, for the uses and purposes therein mentioned, amongst other things

the lands hereinbefore described; and

WHEREAS, said The mercantile Trust Company was on the 10th day of August, 1911, merged into the Bankers Trust Company, a corporation of the State of New York, pursuant to the provisions of Chapter 10 of the Laws of 1909, of the State of New York, being Chapter 2 of the Consolidated Laws of the State of New York, known as the Banking Law, and thereby all and singular the rights, franchises and interests of said The Mercantile Trust Company in and to every species of property, real, personal and mixed and things in action thereunto belonging, were transferred to and vested in the said Bankers Trust Company, and the Trust Company last mentioned has succeeded to all relations, obligations, trusts and liabilities of said The Mercantile Trust Company, and has assumed the performance of all trusts of said The Mercantile Trust Company; and

WHEREAS, said UNION PACIFIC RAILROAD COMPANY, with the consent of the said BANKERS TRUST COMPANY, Trustee under the mortgage aforesaid, has sold and conveyed, as above set forth, the real estate, hereinbefore described, unto the said grantee for and in consideration of the sum paid as aforesaid to UNION PACIFIC RAILROAD COMPANY, by said grantee, which sum of money has been paid to the said BANKERS TRUST COMPANY, in its capacity as Trustee, or has been otherwise properly paid or accounted for, under said mortgage, for the uses and purposes mentioned in said mortgage deed.

NOW THEREFORE, Know All Men By These Presents, that the said BANKERS TRUST COMPANY, Trustee of the aforesaid mortgage deed, in consideration of the premises and of the payment as aforesaid of said sum so paid by said Railroad Company to said Trust Company for the uses and purposes aforesaid, doth hereby REMISE, RELEASE and forever QUIT CLAIM, subject to the exceptions, reservations and conditions above written, unto the said JOHN H. WILSON, the real estate described aforesaid, to be held by the said grantee free and exempt from all liens, incumbrances and charges of said mortgage deed of the first day of July, 1897.

IN WITNESS WHEREOF, the said grantor, Union Pacific Railroad Company, has caused these presents to be sealed with its corporate seal, and to be signed by its Vice-President and attested by its Assistant Secretary, and countersigned by its Land Commissioner and its Auditor, and the said Bankers Trust Company, under said mortgage deed of July 1st, 1897, has caused these presents to be sealed with its corporate seal, and to be signed by its Vice-President, who is thereunto duly authorized and empowered by the by-laws of the Company and by resolution of its Board of Directors, this 21st day of March, A. D. 1916.

IN PRESENCE OF ..... UNION PACIFIC RAILROAD COMPANY,  
A. V. Howell. :Union Pacific Railroad:  
A. C. Sherwood. :Company, Utah. 1897. : BY C. C. Stillman, Vice-President.  
.....

Attest: Norman Price, Assistant Secretary.

IN PRESENCE OF ..... BANKERS TRUST COMPANY, Trustee.  
I. Michaels. :Bankers Trust Company:  
Mc.S. Milligan. :New York. Seal. 1903. : By H. B. Thorne, Vice-President.  
.....

Attest: D. F. Wilson, Asst. secretary.

COUNTERSIGNED: J. A. Griffith, H. J. Stikling,  
Land Commissioner. Auditor.

Appraisal No. 184.  
S. J. G. W. R.

Checked by  
G.F.S. S.S.G.

\$3000 U. S. Rev. stamp affixed and cancelled.

STATE OF NEW YORK )  
COUNTY OF NEW YORK ) ss

On the 21st day of March, A. D. 1916, personally appeared before me C. C. Stilman, who being by me duly sworn, did say that he is the Vice President of Union Pacific Railroad Company, and that said instrument is signed in behalf of said corporation by authority of its by-laws and by a resolution of the executive committee of its Board of directors thereunto duly authorized by the by-laws of said Company; and said C. C. Stilman acknowledged to me that said corporation executed the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed by name and affixed my official seal as Notary Public the day and year above written.

.....  
C. E. Cable, Kings &:  
New York Counties. :  
.....

E. E. Cable, Notary Public, Kings Co.  
Certificate filed in New York Co.

..... My commission expires March 30, 1917.

STATE OF NEW YORK )  
COUNTY OF NEW YORK ) ss

BE IT REMEMBERED, That on this 23rd day of March A. D. 1916, before me, a Notary Public, in and for said County, appeared the BANKERS TRUST COMPANY, by H. B. Thorne, its Vice President, who is personally known to me to be the identical person whose name is subscribed to the foregoing instrument as said Vice 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.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 23rd day of March, A. D. 1916, at the City of New York, in said County and State.

.....  
Isaac Michaels, Notary Pub-:  
lic, New York County. :  
.....

I. Michaels, Notary Public.

..... My commission expires March 30th 1916.

FILED for record and recorded April 8th A. D. 1916 at 10:05 o'clock A. M.

Angus E. Berlin, County Recorder.

By Annis B. Brown, Deputy.

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IN THE PROBATE COURT IN AND FOR TWIN FALLS COUNTY, STATE OF IDAHO.

IN THE MATTER OF THE ESTATE :  
OF : FINDINGS OF FACT AND DECREE.  
A. D. NORTON, DECEASED. :  
.....

Mary Y. Norton, administratrix of the estate of A. D. Norton, deceased, having on the 27th day of June, 1914, rendered and filed herein her final account and report of her administration of said estate, which account was for final settlement and having with said account filed her petition for the final distribution of said estate;

And said account and petition this day coming on regularly to be heard and it satisfactorily appearing to the court that due and legal notice of the settlement of said final account and the place and day of the hearing thereof was duly given, as required by law, and the said account and petition being now presented to the court and no person appearing to except to or contest said final account or petition, and the oral testimony of Mary Y. Norton, the petitioner, who, being called as witness in