

instrument as a party thereto, personally known to me to be the same person described in and who executed the said amended instrument as a party thereto, and duly acknowledged to me that he executed the same freely and voluntarily, and for the use and purposes there in mentioned.

In Witness Whereof I have hereunto set my hand and affixed my seal at my office in Ogden City, Utah Territory, the day and year in this Certificate first above written.

F. J. Cannon,
Notary Public

Filed for record October 30, 1883, at 2:15 P. M. Recorded October 30, 1883

C. C. Richards, County Recorder
By F. J. Cannon, Deputy Recorder

No. 408. Land Department of the Union Pacific Railway Company, Union Division
Know all Men by these Presents, That the Union Pacific Railway Company (which is a Corporation formed and existing by the consolidation of 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 acts amendatory thereto 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 said Company, at the date of such consolidation, to wit, January 24, 1880), in consideration of the sum of One Hundred and Twenty Dollars, to it paid by David M. Stewart of the County of Weber in the Territory of Utah, the receipt of which is hereby acknowledged, doth hereby grant, bargain, sell and convey unto the said David M. Stewart 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 North West Quarter of the South West Quarter of Section No. Eleven (11) in Township No. Five (5) North of Range No. Two (2) West of the Salt Lake Meridian containing according to the United States some three (3) forty acres, more or less; being the same premises contracted to be sold to H. Butler by Union Pacific Railroad Company by Contract No. 752, executed the 7th day of July, A. D. 1877, in pursuance and fulfillment of which said contract this conveyance is made.

executed said contract having been assigned by said H. Butler to said David M. Stewart 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 drawn parallel with, and one hundred feet on each side distant from the center line of its road, as now constructed, and any greater widths when necessary, permanently, to include all their cuts, embankments, ditches and other works necessary, to secure and protect their main line.

This conveyance is also upon the condition 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.

To Have and to hold the said premises, with all the rights and appurtenances therunto belonging unto the said grantee, his heirs and assigns forever, and the said grantor 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 a 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 the 7th day of July A. D. 1877.

And Whereas said Union Pacific Railroad Company did, on the thirtieth day of April A. D. 1867 execute and deliver to Cyrus H. Mc Cormick, of the City of New York by 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, wherein said Company conveyed to said Cyrus H. Mc Cormick and John Duff, as Trustees for the uses 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, 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 day in the City of Boston, and State of Massachusetts. And Whereas on the Fifteenth day of October A. D. 1873 Frederick L. Ames of Easton in the State of Massachusetts, was duly nominated by the remaining Trustee John Duff as successor to said Cyrus H. Mc Cormick, 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 L. Ames did upon his acceptance thereof thereafter become vested with the same estates, 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. 1873 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, duly resign his said trust, whereby the said Freder-
 ick L. Ames became the sole Trustee; And Whereas, the said Union Pacific Railway Company,
 with the consent of the Trustees for the time being, hereinbefore named, have sold and con-
 veyed, as above set forth, the real estate hereinbefore described, unto the said David W. Stewart
 for and in consideration of the sum of One Hundred and Twenty Dollars, to him hand paid
 by the said David W. Stewart, which said sum of money has been paid to said Frederick
 L. Ames by said Company, in his capacity as Trustee, or to said John Duff, said Frederick
 L. Ames, Trustee, or to said Cyrus H. W. Cornick, and said John Duff Trustee, for the
 uses and purposes in said mortgage deed mentioned;

Now, Therefore, Know all Men by These Presents That I the said Frederick L. Ames,
 remaining Trustee in the aforesaid mortgage deed, in consideration of the aforesaid
 premises and payment as aforesaid of said sum of One Hundred and Twenty Dollars
 as paid by said Company to said trust funds, of which I am the remaining Trustee, for the
 uses and purposes aforesaid, do hereby remise, release and forever quit-claim unto the
 said David W. Stewart 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.

Union Pacific
 Railway
 Company's
 Corporate Seal

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 Vice-President
 and Treasurer, and countersigned by its Land Agent and its Auditor, the said Frederick
 L. Ames Trustee, has hereunto set his hand, this 8th day of September, A.D. 1882

Countersigned Leavitt Burnham, Land Agent
 I. H. Gannett, Auditor
 E. Atkins, Vice-President
 Henry W. Starland, Treasurer
 Fred L. Ames, Trustee

In presence of Frank D. Butrick
 State of Massachusetts
 County of Suffolk

Do it remembered that on this 8th day of September, A.D. 1882
 before me, a Commissioner of Utah Territory appeared the Union Pacific Railway
 Company by Elisha Atkins its Vice-President, and Henry W. Starland, its Treasurer
 who are personally known to me to be the identical persons, whose names are sub-
 scribed to the foregoing instrument as said Vice-President and Treasurer and they
 and their acknowledged the execution and sealing of said instrument to be their volun-
 tary act and deed, and the voluntary act and deed of said Company. And on the same
 day likewise personally appeared the above named Frederick L. 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.

In witness whereof, I have hereunto set my hand and official seal, this 8th day of September, A. D. 1852, at the City of Boston, in said County and State.

James G. Harris,

A Commissioner of Utah Territory.

Filed for record October 31, 1853, at 1:30 P. M. Recorded October 31, 1853.

C. C. Richards, County Recorder,

By J. J. Cannon, Deputy Recorder.

The United States of America,

To all to whom these presents shall come, Greeting:

Whereas, in pursuance of the Act of Congress, approved March 3, 1855, entitled "An Act in addition to certain acts granting Bounty Lands to certain Officers and Soldiers who have been engaged in the Military service of the United States," there has been deposited in the General Land Office, warrant No. 101,595, for 160 acres, in favor of Nepha Loveloss, Private, Captain Hancock's Company, Utah Militia, Utah Indian Disturbances, with evidence that the same has been duly located upon the North East Quarter of Section Seventeen, in Township Six North of Range Two West, in the district of lands subject to sale at Salt Lake City, Utah Territory, containing one hundred and sixty acres according to the official plat of the survey of the said land, returned to the General Land Office by the Surveyor General, the said warrant having been assigned by the said Nepha Loveloss to Brigham Young and by him to Edmund Ellsworth senior in whose favor said tract has been located,

Now Know Ye that there is therefore granted by the United States unto the said Edmund Ellsworth senior, as assignee as aforesaid, and to his heirs the tract of land above described:

To Have and to hold the said tract of land, with the appurtenances thereof unto the said Edmund Ellsworth senior, as assignee as aforesaid, and to his heirs and assigns forever, subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a mine or lode to extract and remove his