

... who acknowledged to me that he executed the same freely and voluntarily, and for the use and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand, and affixed my official seal, at my office in Bountiful this 15th day and year in this certificate first above written.

Wm. Shurgood,
Notary Public.

Recorded Nov. 15, 1880 at 20 min. past 11 a.m.

U. P. Railroad Co. to Wm. Jennings
Land Department

No. 152
F/763

of the
Union Pacific Railway Company.
Union Division.

11-15-1880

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 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 afore said 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 ~~Twenty eight hundred~~ ^{six and 2/3} dollars, to its paid by William Jennings of the County of Salt Lake in the Territory of Utah the receipt of which is hereby acknowledged, doth hereby Grant, Bargain, Sell, and convey unto the said William Jennings the following described real estate, situate, lying, and being in the County of Davis and in the Territory of Utah, and described as follows,

to wit: the North half of Section No. Nineteen (19) in Township
No. four (4) North of Range No. one (1) West of the Salt Lake Me-
ridian also the North half of Section No. Eleven (11) in Township
No. four (4) North of Range No. two (2) West of the Salt Lake Me-
ridian containing, according to the United States survey thereof,
Six hundred thirty nine and 7/10 acres, more or less, being
the same premises contracted to be sold to G. Layton by the
Union Pacific Railroad Company, by contracts No. 209 to 216 in-
clusive and 225 to 232 inclusive executed the 7th day of March
A. D. 1876, in pursuance and fulfillment of which said con-
tract this conveyance is made and executed said contract
having been duly assigned to said William Jennings.

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 width when
necessary, permanently to include all their cuts, embankments
and ditches, and other works necessary to secure them and pro-
tect 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 thereto 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 good right to sell and convey the same,
and that it will Warrant and Defend the title to said prem-
ises unto the said grantee, his heirs, and assigns forever a-
gainst the lawful claims of all persons whomsoever.

Excepting, however, all taxes and assessment levied
upon said premises since March 7th 1876. 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 Davis County, in the Territory of Utah wherein said Company conveyed to said Cyrus H. McCormick and John Duff, as trustees, for the use and purposes therein mentioned, among others, the lands hereinbefore described; And Whereas, the said Cyrus H. McCormick did, on the twenty eight 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 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 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. 1874, duly resign his said trust, whereby the said Frederick S. Ames became the sole Trustee; And Whereas, the Union Pacific Railway Company, with the consent of the Trustees for the time being, herein-before named, have sold and conveyed, as above set forth, the real estate hereinbefore described, unto the said William Jennings for and in consideration of the sum of Twenty eight hundred seventy six and $\frac{3}{4}$ dollars, to wit in hand paid by the said William Jennings which said sum of money has been paid to the said Frederick S. Ames by said Company, in his capacity as Trustee, or to said John Duff and said Frederick S. Ames, Trustees, or to said Cyrus H. McCormick, and to John Duff, Trustee, for the use and purposes in said Mortgage Deed mentioned.

Now, therefore, know all Men by these presents, that I, the said Frederick S. Ames, remaining Trustee in the aforesaid Mortgage Deed, in consideration of the aforesaid premises and payment as aforesaid of the sum of Twenty eight hundred seventy six and $\frac{3}{4}$ dollars,

lars, so paid by said Company to said Trust fund, of which I am the remaining Trustee, for the use and purpose aforesaid, do hereby Remise, Release, and forever Quit Claim unto the said William Jennings the real estate described aforesaid, to be held by him free and exempt from all liens, encumbrances and charges of said Mortgage Deed, but subject, however, to all the reservations and conditions hereinbefore contained.

In Presence of
Frank D. Buttrick

Union Pacific
Railway Comp
my Seal.

Commissigned
Seal of President
S. W. Corroette, President

In Witness Whereof, the said grantor, the Union Pacific Railway Company, hath caused these presents to be sealed with its Corporate Seal, and to signed with its Vice-President and Treasurer, and countersigned by its Land Agent and its Auditor, and the said Frederick S. Ames, Trustee, has hereunto set his hand, this 24th day of September A.D. 1880.

Eliha Atkins, Vice-President.
Henry McFarland, Treasurer.
Fred. S. Ames, Trustee.

State of Massachusetts }
County of Suffolk } ss.

Be it remembered, that on this 24th day of September A.D. 1880, before me, a Commissioner of Utah Territory, appeared the Union Pacific Railway Company, by Eliha Atkins, its Vice-President, and Henry McFarland, 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 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 use and purpose therein set forth, and the execution thereof was his voluntary act and deed.

In Witness Whereof, I have hereunto set my hand and official Seal, this 24th day of September A.D. 1880, at the City of Boston, in said county and state.

James S. Harris
Commissioner
Seal

James S. Harris,
A Commissioner of Utah Territory

Recorded November 15, 1880, at 2 P.M.