

No. 214

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 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 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 21, 1870) in consideration of the sum of thousand hundred thirty six and 91/100 dollars to it paid by Joseph Stahr 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 Joseph Stahr 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 section No. three (3) in township one five (5) north of range one two (2) west of the Salt Lake Meridian containing according to the United States Survey thereof One hundred and fifty eight 97/100 acres more or less being the same premises contracted to be sold to said Joseph Stahr by Union Pacific Railroad Company by contracts No. 345, 349, 350 and 351, executed the 15 day of April A. D. 1876 in pursuance and fulfillment of which said contract the 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 drawn parallel with and one hundred feet on each side distant from the center line of its roads, as now constructed and any greater width when necessary permanently to include all their side embankments and ditches and other works necessary to secure and protect their main line. This conveyance is also upon the condition that the grantee herein has here administrator and assignee 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.

He have and to hold the said premises with all the right 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 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 April 15th 1876.

And Whereas said Union Pacific Railroad Company did on the sixteenth day of April A. D. 1867 execute and deliver to Guyre 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 wherein said Company conveyed to said Guyre 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 Guyre 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 Boston in the State of Massachusetts was duly nominated by the remaining trustee John Duff as successor to said Guyre 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 now surviving trustee did by a conveyance proper and effectual for that purpose dated on the twentieth day of October A. D. 1873 in 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 fourth day of February A. D. 1877 duly resign his said trust whereby the said Frederick L. Ames became the sole Trustee. And Whereas the said Union Pacific Railway Company with the consent of the Trustees for the

for the time being heretofore named have sold and conveyed as above set forth the real estate heretofore described unto the said Joseph Starks for and in consideration of the sum of Four hundred thirty six and 21/100 dollars to be in hand paid by the said Joseph Starks 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 and said Frederick L Ames Trustees or to said layne H. Melbonick and said John Duff Trustees for the use 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 Four hundred thirty six & 21/100 dollars as paid by said Company to said trust fund of which I am the remaining trustee for the use and purpose aforesaid do hereby severally release and forever quit claim unto the said Joseph Starks the real estate described aforesaid to be held by him free and exempt from all liens encumbrances and charge of said mortgage deed but subject however to all the reservations and conditions heretofore contained

As 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 and the said Frederick L Ames Trustee has herewith set his hand this 24th day of September A. D. 1890

In presence of
Frank B. Butrick

B. Atkins Vice President
Henry McFarland Treasurer
Fred L Ames Trustee

Countersigned
Leardt Kunkhamer Land Agent
O. W. Barnett Auditor

U. P. R. Co. Inc.
Seal

State of Massachusetts }
County of Suffolk }
Be it remembered that on this 24th day of September A. D. 1890 before me a Commissioner of Utah Territory appeared the Union Pacific Railway Company by Blisha 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 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 use 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 24th day of September A.D. 1890 at the City of Boston in said County and Commonwealth.

James B. Harris
A Commissioner of Utah Territory

Filed for record Aug 9 1890 at 3:07 P.M. Recorded Aug 9 1890
Joseph Stanford
County Recorder

In the Probate Court of the County of Weber Territory of Utah
In the Matter of the Estate

of
Joseph Bartlett, Deceased. Decree of Distribution of Estate

William Bartlett, Administrator with the will annexed of the estate of Joseph Bartlett, deceased, having on the 27th day of August 1888 filed in this Court his petition setting forth among other matters that his final accounts have been filed, and praying that they may be finally settled and said estate is in a condition to be closed, and that a portion of said estate remains to be divided among the devisees of said deceased, said matter coming on regularly to be heard this 22nd day of September 1888 at 10 o'clock A.M. the said Administrator appearing by his counsel and no one appearing to oppose the petition of the said Administrator this Court proceeded to the hearing of said petition and it appearing to the satisfaction of this Court, that the residue of said estate consisting of the property hereinafter particularly described is now ready for distribution, and that the said estate is now in a condition to be closed: That the whole of said estate is separate property.

That the said Joseph Bartlett died testate in the County of Weber Territory of Utah on the 14th day of May 1887 leaving behind surviving Maggie Bartlett aged about 61 years and residing at Warship Burnham Co. Utah and William Bartlett aged 42 years residing at Hainesville Weber County Utah. That the said William Bartlett is entitled to the whole of the residue of said estate.

Affidavit as to M. J. Bartlett and Margaret Bartlett
being now and was present
Recorded Jan 20-1895
J. S. Bartlett, J. P. of Hainesville