

U. S. Ry. Company to C. Layton.

No. 100

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 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 24, 1880), in consideration of the sum of Two thousand seven hundred and sixty six & 1/100 Dollars, to it paid by Christopher Layton of the County of Davis in the Territory of Utah the receipt of which is hereby acknowledged, doth hereby Grant, Bargain, Sell and Convey unto the said Christopher Layton the following described real estate, situate, lying, and being in the County of Davis and a Territory of Utah, and described as follows, to wit: The South one half of Section nineteen (19) and the North West quarter of Section twenty nine (29) all in Township No four (4) South of Range No one (1) West of the Salt Lake Meridian containing, according to the United States Survey thereof, Four hundred seventy nine & 7/100 Acres, more or less; being the same premises contracted to be sold to said Christopher Layton by Union Pacific Railroad Company, by contracts No. 20-21-22-23 executed Jan. 21, 1876 and No. 217 to 224 inclusive executed the 7th day of March A.D. 1876, 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 drawn parallel with, and one hundred feet on each side distant from the centre 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 and protect their main line.

This Conveyance is also upon the condition that the grantee herein, he, his, 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 centre line of such road, and parallel therewith, in all cases in which such fence is required by law, or

See affidavit in
1 of Linn & Jackson etc
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use, 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 the said premises and convey the same, and that it will warrant and defend the title to said premises unto the said grantee, his heirs, and assigns against the lawful claims of all persons whomsoever. *

* Excepting, However, all taxes and assessments levied upon said premises since the execution of the aforesaid contracts.

And Whereas, said Union Pacific Railroad Company did, on the sixteenth day of April, Ad. 1877, 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. 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, Ad. 1878, 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, Ad. 1878, 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, Ad. 1878, Frederick L Ames, of Exeter, 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 interest, 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, Ad. 1878, 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, Ad. 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 time being, hereinbefore named, have sold and conveyed, as above set forth, the Real Estate hereinbefore described, unto the said Christopher Layton for and in consideration of the sum of Two thousand seventy six and 1/100 Dollars, to it in hand paid by the said Christopher Layton which said sum of money has been paid to said Frederick L Ames by said Company, in his capacity of Trustee, or to said John Duff and said Frederick L Ames, Trustee, for the uses and purposes in said Deed or to said Cyrus H. Mc Cormick 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 Two thousand seventy six and 1/100 Dollars, so paid by said Company to said trust bond on which I am the remaining Trustee for the

The said Christopher Layton 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.

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, and the said Frederick L. Ames, Trustee, has hereunto set his hand, this 24th day of September A.D. 1880.

In Presence of }
Frank D. Buttrick }
(U. P. Ry. Co.)
Seal

Joseph Langnes
Land Agent
Auditor
J. H. Bennett
Trustee

E. Atkins Vice-President.
Henry McFarland, Treasurer.
Fred. L. 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 Elisha Atkins, its Vice President, and Henry McFarland, its Treasurer, whose 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 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. 1880, at the City of Boston, in said County and State.

(James S. Harris)
Commissioner
Seal

James S. Harris
Commissioner of Utah Territory.

Recorded, March 2/83 at 9.30 a.m.

2653. U. P. Ry Company to C. Layton.

No. 397. 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

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