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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF LOS ANGELES

Franz Hamilton Foss,
Plaintiff

vs

No. 384141

Fred E. Keeler, H.W. Romberg
and O.T. Gilbank, as trustees
for Fred E. Keeler, and H.W.
Romberg and O.T. Gilbank, as
Creditors' Committee of Fred
E. Keeler,
Defendants.

DECREE

The above entitled matter came on regularly for trial on April 3, 1935, in Department 38 of the above entitled court, the Hon. Ben B. Lindsey, judge presiding therein plaintiff appearing in person and by her attorney, Raphael Dechter, and the defendants appearing by their attorneys, Ben S. Hunter and A.J. Mullen, and the matter having been duly and regularly heard and argued and at the close of such argument a written stipulation for decree having been prepared,

It Is Now Ordered, Adjudged And Decreed, that judgment be entered in favor of the plaintiff and against the defendants, Fred E. Keeler, H.W. Romberg and O.T. Gilbank, as trustees for Fred E. Keeler, and H.W. Romberg and O.T. Gilbank, as Creditors' Committee of Fred E. Keeler; that said defendant, Fred E. Keeler, and his successors, H.W. Romberg and O.T. Gilbank, as Trustees for Fred E. Keeler, and H.W. Romberg and O.T. Gilbank as Creditors' Committee of Fred E. Keeler, are Trustees of the property legally described in those two certain deeds wherein the Promontory-Curlew Land Company is grantor and G. Ray Boggs is grantee, which deeds were recorded respectively on the 24th day of January, 1927, in Book 27 of Deeds at page 83, Records of the Recorder of Box Elder County, Utah, and on the 15th day of January, 1927, in Book 18 of Deeds at page 39, Records of the Recorder of Oneida County, Idaho, which said property is held for the following trusts;

1. The repayment to Fred E. Keeler, or his present successors, H.W. Romberg and O.T. Gilbank, as trustees for Fred E. Keeler, and H.W. Romberg and O.T. Gilbank, as committee of the estate of Fred E. Keeler, a debtor, of the sum of \$47,250.00, which is hereby fixed as the amount heretofore expended by the said Fred E. Keeler in and about the purchase, maintenance and preservation of said property, inclusive of interest upon such payments by Fred E. Keeler to date at the rate of seven per cent per annum.

2. The payment to Fred E. Keeler, or his present successors, H.W. Romberg and O.T. Gilbank, as trustees for Fred E. Keeler, and H.W. Romberg and O.T. Gilbank, as committee of the estate of Fred E. Keeler, debtor, of interest at the rate of six per cent per annum on said sum of \$47,250.00 from date hereof.

3. The repayment of any advances or expenses reasonably and necessarily incurred in and about the maintenance, preservation, sale or lease of said property.

4. After Fred E. Keeler, or his present successors, H.W. Romberg and O.T. Gilbank, as Trustees for Fred E. Keeler, and H.W. Romberg and O.T. Gilbank, as Committee of the estate of Fred E. Keeler, debtor, shall have received from the sale or rents, issues and profits of said property an amount sufficient to satisfy the foregoing, the balance shall be paid and distributed seventy-five per cent to Fred E. Keeler, or his present successors, H.W. Romberg and O.T. Gilbank, as committee of the estate of Fred E. Keeler, a debtor, and twenty-five per cent to Franz Hamilton Foss.

Said Fred E. Keeler, or H.W. Romberg and O.T. Gilbank, so long as they are

acting as the-committee of the estate of Fred E. Keeler, a debtor, under the order of the United States District Court, Southern District of California, Central Division, are hereby authorized and empowered, as trustees, to sell or lease said property, or any part thereof, in such manner as said Fred E. Keeler or his said committee, H.W. Romberg and O.T. Gilbank, may deem to be for the best interest of the parties hereto.)

Said Francz Hamilton Foss, as beneficiary of said trust, shall be deemed to have only the right as a beneficiary of a trust to see that the provisions of this trust are fully complied with by said Fred E. Keeler or said committee, as trustee of this trust; but said Fred E. Keeler or his said committee are fully authorized to make any conveyance, lease or option in connection with any sale, lease or option that they may deem advantageous to the parties hereto without the signature of said beneficiary, Francz Hamilton Foss, and such conveyance or lease shall pass full legal title, or such title as may be necessary under the documents executed by said Fred E. Keeler or his said committee.

It Is Further Adjudged that outside of the matters and obligations herein provided for that this decree shall constitute a mutual release, releasing the defendants of any and all claims of the plaintiff, other than those herein set forth, and releasing the plaintiff of any and all claims of the defendants, except as herein set forth.

Dated: This 18th day of April, 1935.

Ben B. Lindsey
Judge.

The foregoing Instrument Is A Correct Copy of the original of record in this Office, same having been Filed April 18, 1935, And Entered April 26, 1935, Judgment Book 912 Page 11.

Approved: Ben S. Hunter and
A.J. Mullen
By Ben S. Hunter
Attorneys for Defendants.
.....
. Superior Court, Los Angeles .
. County, California. .
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Attest. November 20th, 1945.
L.F. Moroney County Clerk and Clerk of
The Superior Court of the State of
California in and for the County of
Los Angeles.
By Jeanne Marks, Deputy.

Filed for record and recorded Dec. 10, A.D. 1945 at 4:20 P.M. in Book "Y" of Miscel. page 52. Fee \$17.90. Abst'd in Book O of Sec pages 471,158, 4 of Sec pages 56,58,60,65, 44, 67,34,45, 42,43,61,62,66,⁶⁸/S of Sec pages 292,346,345,481,401,402,181,333,135,344,120, 482, 182, 483,339,479,258,180,Y of Sec pgs. 370,371,372,W of Sec. pages 104,396,82,83, 84, 288,286,85,86,87,334,335,336,337,310,400,401, Z of Sec pages 162,317,164,180,182, 184,185,186,187,188,189,318,319,323,324,325,264,265,266,267. One of Sec pages 340,490,66, 506,386,388,390,394,392,396,V of Sec pages 410,170,106,B of Sec pages 59,58,60,62,63,65, 66,69,71,74,80,84,85,86,87,88,89,240,X of Sec pages 90,60,95,96,97,101,102,103,104,105, 110,111,112,113,137,135,156,157,161,160,162,163,222,223,224,225,286,287,288,289,290, C of Sec page 25,T of Sec pages 268,380, E of Sec pages 182,186, J of Sec page 142, ~~Sec page 214~~, L of Sec pages 30,261,20,P of Sec page 213, U of Sec pages 162,163,326,143, 161, Q of Sec page 440,K of Sec pages 490,219, R of Sec page 338, D of Sec page 90, I of Sec page 207, N of Sec page 226.

Rec. by Celia Jeppson
Proof-Read by 27 & 89.

Thurza N. Young, County Recorder.