

D-175

No 405

0995

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 Telegraphic 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 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 Company, 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 24th 1880) in consideration of the sum of three hundred and three and 1/100 dollars to it paid by Joel Parish of the County of Morgan in the Territory of Utah, the receipt of which is hereby acknowledged, doth hereby grant, bargain, sell, and convey unto the said Joel Parish the following described real estate, situate, lying, and being in the County of Morgan and in the Territory of Utah and described as follows, to wit, The East half of the Northeast quarter of Section No twenty five (25) in Township No. Five

(5) North of Range No. one (1) East of the Salt Lake - meridian and the Southwest quarter of the South west quarter of section no. nineteen (19) in Township no. five (5) North of Range No. two (2) East of the Salt Lake meridian, containing according to the United States ^{survey of} thereof one hundred twenty one and $\frac{24}{100}$ acres more or less. being the same premises, contracted to be sold to said Joel Parish by Union Pacific Railroad company by contract 974, 975 and 976, executed the seventeenth day of August 1877. in pursuance 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 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 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.

Do have and to hold the said premises with all the rights and appurtenances there unto belonging unto the said grantee his heirs and assigns forever; and the said grantee 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
 void feassable 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 and 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 17th day of August a.d.
 1877. And Whereas, said Union Pacific Railway
 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 Morgan
 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 herein
 before 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 that
 day, in the City of Boston and State of Massachusetts,
 etc; 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 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 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 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 Joel Parish, 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 Cyrus H. Mc Cormick and said John Duff - Trustees 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 afore said premises and payments as aforesaid of said sum of three hundred and three and 10/100 dollars, so paid by said company to said Trust fund of which I am the remaining Trustee for the uses and purposes aforesaid do hereby remise, release, and forever quit claim unto the said Joel Parish 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 con-

ditions hereinbefore contained.

In Witness Whereof, the said grantor, the Union Pacific Railway Company, hath caused this 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 Auditor and the said Frederick L. Ames Trustee as hereunto set husband this 21st day of March, 1882.

<p><i>In Presence of</i> <i>Frank D. Buttrick</i> <i>Land Agent</i> <i>Seal</i></p>	<p>Countersigned <i>Learitt Burnham</i> <i>Land Agent</i> <i>J. W. Jammett</i> <i>Auditor</i></p>	<p><i>E. Atkins</i>, Vice President <i>Henry M. Farland</i>, Treasurer <i>Fred L. Ames</i>, Trustee</p>
--	---	---

State of Massachusetts }
County of Suffolk } S.S. Be it Remembered

That on this 21st day of March A.D. 1882, before me a commissioner of Utah Territory, appeared the Union Pacific Railway Company by Elisha Atkins its Vice President and Henry M. Farland 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 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 21st day of March A.D. 1882 at the City of Boston in said County, and State

Commissioner
Seal

James G. Harris
a Commissioner of Utah Territory.

*Recorded the 10th day of April
A.D. 1883. W. H. Harrison
Recorder*