

IN the District Court of the second Judicial District of the State

of Utah, In and for the County of Weber

Oregon Short Line Railroad Company,

Plaintiff.

vs

Final Order of Condemnation

Wander Bouwhuis, et al,

Defendant.

Whereas, the court heretofore on the 27th day of December, 1905, made and filed its findings and judgment herein, in favor of the said plaintiff, condemning to its use the land described in the complaint herein, and awarding to the said defendant in the aggregate as just compensation for all right, title and interest in and to the said property and premises so taken and condemned, and for damages to the remaining property of the said defendant in consequence of the severing thereof and taking the property condemned, the sum of four thousand five hundred and seventy-six dollars (\$4576.00), interest and costs; and

Whereas, it is now made to appear to the court that the plaintiff has paid the said sum of money in accordance with the said judgment;

Now Therefore, in consideration of the premises, the court orders, adjudges and decrees that the property hereinafter particularly described and all the right, title and interest of the said defendant therein, be and the same is hereby condemned to the use of the said plaintiff, its successors and assigns, for the purpose of a right of way for the main line of its railroad.

And the Court hereby further adjudges and decrees that the said plaintiff the Oregon Short Line Railroad Company does hereby take and the court awards to it for its use for the purposes of said right of way the said property and premises. Said land hereby condemned is situated in Weber County, State of Utah, and is bounded and particularly described as follows. to-wit:

A strip of land one hundred feet wide, situate in Lot One (1) of Section Thirty-six (36) Township Six (6) North, Range Two (2) West of the Salt Lake Meridian (as subdivided by H.J. Craven and as appears on recorded plat), and in the north half of the northwest quarter of Section One, Township five (5) North, Range Two (2) West, bounded as follows:

Beginning at a point in the east line of said Lot One (1) and 435.1 feet north of the southeast corner thereof; thence south forty-two (42) degrees twelve (12) minutes west 2417.3 feet, intersecting the south line of aforesaid north half of northwest quarter of Section One; 435.9 feet east of the southwest corner thereof. thence west on said south line 135.6 feet; thence north forty-two (42) degrees twelve (12) minutes east 2364.3 feet; thence on a curved line to the right with a radius of 4633.8 feet for a distance of 55.4 feet to an intersection with the east line of said Lot One; thence south on said east line 148.8 feet to the point of beginning. Containing an area of 5.73 acres.

The said land so taken and condemned, however, is to be held and enjoyed by the

said plaintiff subject to the conditions and provisions contained in said judgment entered herein on the said 27th day of December, 1905.

Dated January 12th 1906.

J.A.Howell

Judge

State of Utah ( )  
County of Weber ( ) :ss

I, David Mattson County Clerk and Ex-Officio Clerk of the Second Judicial District Court of the State of Utah, in and for the County of Weber, do hereby certify that the above and foregoing is a full, true and correct copy of the original "Final Order of Condemnation" in case of Oregon Short Line Railroad Company, VS Wander Bouwhuis, et al, #2094 as the same appears on file and of record in my office in Ogden City.

Witness my hand and Seal <sup>this</sup> the 12th day of January 1906  
District Court Second Judicial District  
In and for Weber County, State of Utah.

David Mattson Clerk  
By E.P.Brown Deputy Clerk

Filed for record and recorded January 12, A.D. 1906 at 4:52 o'clock P.M.

*D.W. Ellis, County Recorder,  
By J.B. Wallace, Deputy Recorder,*

J.A.

L E A S E. in Duplicate

Hugo L. White Lessor, of Ogden City Weber County, State of Utah, hereby leases to Charles J. Herrick and Company, lessees, of Ogden City Weber County, Utah, for the Considerations and Covenants hereinafter set out, the following describes premises in Ogden City Weber County, State of Utah, The Certain brick building 2 stories and basement occupied by said White and known as "The Household Fair" at 2340 & 2342 Washington, in said Ogden City.

To Have and To Hold unto said Lessee, from January 15th 1906, two years or until 15th day of January 1908

And said Lessees, In Consideration of the leasing of the premises aforesaid, by the said Lessor, to them, covenants to pay as rent for the said premises the sum of \$1500.00 per year, in installments of \$125.00 Dollars per month monthly in advance, upon the 15th day of each month for each and every month, during said term and option to lessees of Continuation of the lease a further term of five years on same terms above specified.

And the Lessees hereby covenant as follows:

First. That at the expiration of the time in this lease mentioned they will yield and deliver up the remised premises to the said Lessor, in as good order and condition as when the same were entered upon by said Lessee, reasonable use and wear thereof and damages by the elements excepted-White to make necessary repairs arising from such use wear or effect of elements

Second. That neither the lessees nor their legal representatives will let or underlet said premises, or any part thereof, or assign this lease, without the written assent