

Deed No. 5714. New Series

To all To Whom these Presents shall Come,

The Central Pacific Railroad Company, a corporation duly incorporated and organized under the laws of the State of California, and James O. D. Gunn, of the City and County of San Francisco State of California and William E. Brown of the City and County of San Francisco and State of California Trustees of all the lands of the said Central Pacific Railroad Company lying in the States of California and Nevada, and the Territory of Utah, which remained unsold on the first day of October A.D. 1870 and

Whereas, on the first day of October A.D. 1870, the said Central Pacific Railroad Company conveyed all its lands lying in the States of California, and Nevada, and the Territory of Utah, then unsold, of which the lands hereinafter described were and are a part, to Charles Crocker and Seth W. Sanderson, to hold in trust as security for the payment of Ten Thousand Bonds for the sum of One Thousand Dollars each, dated on the first day of October A.D. 1870, and payable twenty years from date with interest at the rate of Six per cent per annum, made and issued by the said Central Pacific Railroad Company;

And Whereas, said Deed of Trust, among other matters, provided that the said Central Pacific Railroad Company should have the sole and exclusive control and management of said lands with full power to make sales of the same upon such terms and conditions as might, from time to time, be agreed upon between the said Railroad Company and the said Trustees; and that when such sales had been made, and the purchase money fully paid, the said Company and the said Trustees should unite in a conveyance in fee simple of the lands so sold to the purchaser or purchasers thereof, which conveyance should absolutely and forever release the lands so conveyed from any and all lien or incumbrance for or in account of said Bonds or any other debt or obligation of the said Railroad Company;

And Whereas, on the 14th day of August 1871, Charles

Brocker, one of the Trustees being about to depart from the State of California, to be absent for an indefinite period, did resign his trust, under said conveyance of the first of October, 1870; and Whereas, on the 15th day of August, 1871, the said Silas W. Sanderson, the remaining Trustee under said conveyance did pursuant to the terms of his Trust, nominate Mark Hopkins, of the City of Sacramento, and State of California, to fill the vacancy, caused by the resignation of said Charles Brocker; and whereas, on the 21st day of August, 1871, the Board of Directors of the said Central Pacific Railroad Company, pursuant to the terms of said Trust, did ratify and approve said nomination and did appoint said Mark Hopkins to fill said vacancy.

And Whereas, subsequently, to wit, on the 29th day of March, 1878, said Mark Hopkins departed this life; and whereas on the second day of April, 1878, Silas W. Sanderson, the surviving Trustee under said conveyance, did, pursuant to the terms and conditions thereof, nominate David D. Colton of the City and County of San Francisco, and State of California to fill the vacancy caused by the death of said Mark Hopkins; and whereas on the third day of April, 1878, the Board of Directors of said Central Pacific Railroad Company, pursuant to the terms of said conveyance, did ratify and approve said nomination, and did appoint said David D. Colton to fill said vacancy;

And Whereas, subsequently, to wit, on the ninth day of October, 1878, said David D. Colton departed this life; and whereas on the twenty-eighth day of October, 1878, Silas W. Sanderson the surviving Trustee under said conveyance, did, pursuant to the terms and conditions thereof, nominate James O. Gunn, of the City of Oakland, and County of Alameda, and State of California to fill the vacancy caused by the death of said David D. Colton; and whereas, on the thirteenth day of November, 1878, the Board of Directors of said Central Pacific Railroad Company, pursuant to the terms of said conveyance, did ratify and approve said nomination, and did appoint said James O. Gunn to fill said vacancy;

And Whereas, subsequently, to wit, on the 24th day of June, 1886, said Silas W. Sanderson departed this life; and Whereas, on the 29th day of June, 1886, the surviving Trustee under said conveyance, did, pursuant to the terms and conditions thereof, nominate William E. Brown, of the City and County

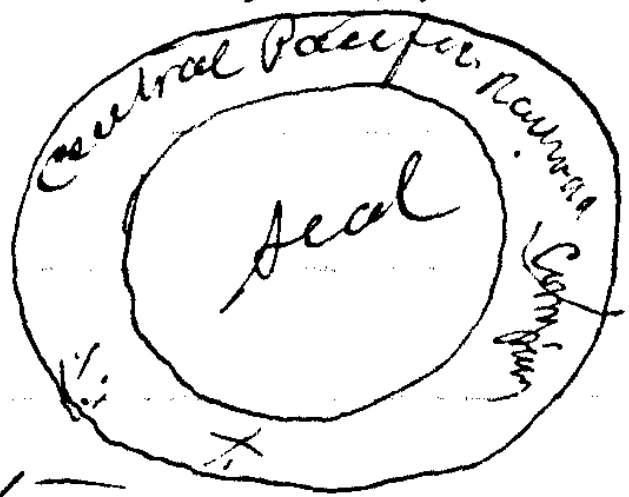
of San Francisco, State of California, to fill the vacancy caused by the death of said Silas W. Sanderson; and whereas on the 8th day of July 1886, the Board of Directors of the said Central Pacific Railroad Company, pursuant to said conveyance, did ratify and approve said nomination, and did appoint said William E. Brown to fill said vacancy;

And Whereas the said Railroad Company has sold the lands hereinafter described pursuant to the foregoing conditions to Thomas Yates for the sum of Two Hundred (200) Dollars, which sum has been by him fully paid to the said James O. B. Gunn and William E. Brown Trustees as aforesaid;

Now Therefore in consideration of the premises and the said sum of Two Hundred (200) Dollars, the receipt whereof is hereby acknowledged, the said Central Pacific Railroad Company and the said James O. B. Gunn and William E. Brown Trustees as aforesaid, do grant bargain, sell and convey to the said Thomas Yates and his heirs and assigns the following described tract of land, situate lying and being in the County of Box Elder and Territory of Utah to wit: The South West Quarter of North West Quarter (N.W. 1/4 of N.W. 1/4) of Section No. Twenty Three (23) in Township Ten (10) North of Range Two (2) West Salt Lake Meridian, containing Forty (40) acres, according to the United States surveys, together with all the privileges and appurtenances thereunto appertaining and belonging Reserving, however all claim of the United States to the same as Mineral land.

To Have and To Hold the aforesaid premises to the said Thomas Yates his heirs and assigns, to his and their use and behoof forever.

In Testimony Whereof the said Central Pacific Railroad Company has caused these presents to be signed by its President and Secretary, and sealed with its corporate seal and the said James O. B. Gunn and William E. Brown Trustees, have subscribed their names and affixed their seals this Twentieth Third day of November A.D. 1887.



Witness
E. B. Ryan

John A. Stanford

President C. P. R. Co

E. H. Miller Jr

Secretary C. P. R. Co

James O. B. Gunn (Seal)
William E. Brown (Seal) Trustees

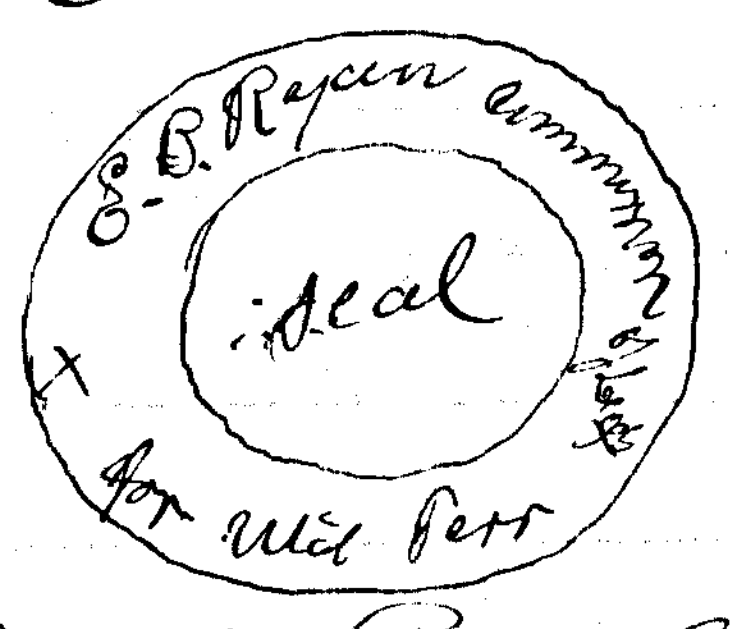
State of California
City and County of San Francisco } ss.

On this Twenty third day of November in the year one thousand eight hundred and eighty seven before me E. D. Ryan a Commissioner of Deeds for the Territory of Utah duly appointed Commissioned and sworn and residing in the City and County of San Francisco, State of California personally appeared the within named Richard Stanford President of the "Central Pacific Railroad Company"; and E. H. Miller Jr Secretary of the "Central Pacific Railroad Company"; who are both personally known to me to be the said officers of the said "Central Pacific Railroad Company"; respectively and the individuals described in and who have executed the within instrument as such officers of said Company and they each severally and personally then and there acknowledged to me that they executed the said within instrument as the free act and deed of the said "Central Pacific Railroad Company"; freely and voluntarily, and for the uses and purposes therein mentioned.

Also, at the same time and place as the foregoing personally appeared before me the within named James D. Gunn and William E. Brown Trustees, whose names are subscribed to the within instrument as parties thereto personally known to me to be the individuals and Trustees described in and who executed the within instrument as said Trustees, and they each severally and duly acknowledged to me that they executed the same as said Trustees, freely and voluntarily, and for the uses and purposes therein mentioned.

In Witness Whereof I have hereunto set my hand and affixed my Official Seal at the City and County of San Francisco, State of California, this Twenty third day of November A.D. 1887

E. D. Ryan
a Commissioner of Deeds for the Territory of Utah residing in the City and County of San Francisco State of California



Filed for Record and Recorded at 5:30 O'clock P. M. December 5th 1890
John Durrows County Recorder