STATE OF OREGON, County of Undon day of June, 1921, before me appeared J. F. Phy, and Ray W. Logan, both to me personally known, who being duly sworn, did say that he, the said J. F. Phy, is the Vice-Fresident, and he the said Ray W. Logan, is the Secretary of The Security Land & Savings Company, the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation, by authority of its Board of Directors, and said J. F. Phy and Ray W. Logan, acknowledged said instrument to be the free act and deed of said Corporation. IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my Official seal, this the day and year first in this, my certificate written. My Commission expires COUNTY, OREGON The Security UNION

This Indenture, WHALSSLIH that The Phoenix-Land-Company ocp duly organized and incorporated under the laws of the State of Oreg Hach xbaxmik for the consideration of Four Hundred

Dollars and other good and valuable considerations,

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\frac{1}{to} pud his birguned ind sold and by these present do esbugum sell and convey with reserietions & Exceptions unto the County of Union St to of Oicoon the following described lind for road purposes to wit

security Land of Savings Co of SEt of Section five (5), and in the West SWit of Section four (4), T48 R 39 E W.M. within thirty feet (301) on either side of the center line survey of the Old Oregon Trail highway on the SW side of railroad tracks and aither line feet (50) on either side of the aforesaid center line, on the NE side of the railroad tracks, as now staked and surveyed across that subdivision : Said center line survey being more particularly described as follows Commencing at a point on the center line of the Old Oregon Trail.

Highway three hundred and nine and seven tenths feet (309 7') & and one ) hundred and one and five tenths feet (101 5') L of the NW corner of the NET of SET of section five (5) T45 R 39 E W M, a point known and designated as station four hundred eighteen (418-00) of said center line survey, thence , on a line bearing South forty seven degrees fifty nine minutes Last (S47 59'E), parallel to and distant eighty feet (80') at right angles from the center line of main track of the O.W R R & N. Co, a distance of five hundred and seventy feet (570') to a point which is the beginning of a the curve, thence on a curve bearing to the right whose radius is five hundred t land seventy three feet (5731) a distance of two hundred and sixty two and eight tenths (262 8') to a point on the Government Meander Line of the Old Tule Lake one thousand eight hundred and fifty five and four tenths feet (1855.41) N and nine hundred, and eleven and eight tenths feet (911 81) W of the SE Corner of said Section five (5) a point known and designated as \*\*\* tation four hundred twenty six plus thirty two point eight (426-32 81) of said centerline survey

Also commencing at a point on the Right of Way Line of the O.W R R N Co, one thousand six hundred and sixty and no tenths feet (1660.0) and three hundred sixty eight and six tenths feet (368 6) W of SE corner of section five (5) T45 R 39 E W M , said pint being haing known and designated as station four hundred thirty four plus two point naught of aforesaid center line survey thence en a line bearing Neith ferty four degrees forty eight minutes East (N44 48'E) a distance of sixty one and four tenths feet (61, 4') to a point which is the beginning of a curve, thence on a curve bearing to the right whose radius is five hundred and seventy three and no tenths feet (573 0) a distance of three hundred seventy one and six tenths, feet (371 6:) to a point where said center line intersects the W property of W T Phy said point peing one thousand eight hundred seventy eight feet (1878,0' N and two thousand five hundred and ninety three feet (2593) w of St corner of section four (4). T45 R 39 E W M at a point known, and designated as station four hundred thirty eight plus thirty five (438-35) of said center line survey Except that part heretofere dedicated by use, of etherwise as a public road, Tract contains one and ninety seven hundredtes (1.97)

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(3) A lighthat parts of the presenty of the Phachis Lene, 20, in the Place (5E to 1 Section five, (5) assimaths West Swissest to few (4) Table (39). N. W. Within thirty feet (30) on either side of the center line winvey of the Old Oregon/Trail highway on the Swiside of railread tracks and Extracts feet (52) on eithers ide of the Swiside of railread tracks and Swisian was feet the railread tracks and serveyed acress that subdivision was identer line suivey being mere particularly described as within the center line of the 1012 oregon Trail Highway three hundred and hime and seven tenths feet (309 72) s and one hundred and seven in the NE+off SE for section five (5) WAS R 39 E W M, a point known and designated as attain four hundred either (415,00) of said center line survey, then contains searing South forty sayin degrees fifty nine minutes East (577) has and seven to the which is the beginning of a wind center line of main track of the 0.W R R & N Ce , additing of ive hundred and seventy feet (570) has alstance of two hundred and seventy feet (573); a distance of two hundred and seventy hundred and seventy feet (573); a distance of two hundred and seventy feet (573); a distance of two hundred and sevenths feet (575). We are light the sent fifty five and found the feet was fifty five and found the feet was fifty hundred and sevenths feet (573); a distance of two hundred and sevenths feet (575). We are light hundred and fifty five and found the feet of the feet of the first whom and described as tation of urmining a twenty fixe light hirty two point tenths (621) and centerline survey and centerline servey the fifth the first was point which the feet was failed as failed as a fifth of the first wind and centerline survey at the fifth the first was point to the feet of the first tenths (622 8) of the first was point to the feet was point to the feet with the feet was point to the feet when the feet we have the first the first the first tenths (622 8) of the first the first the first the first tenths (622 8) of the

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Reserving and excepting from the effect of this conveyance, the land to be occupied by the proposed overhead roadway across the Railroad track and property of the O.W.R.& N. Co., at the beginning of the description of the land described in the second paragraph of the within and foregoing description, for a distance of at least 335 feet from the Northeasterly line of the right of way of the O.W.R.& N. Co., and for such further distance as the land of said description \*\*EXEXMINETERS mthexxexexementers shall be hereafter used as a Viaduct or overhead structure, over said railroad tracks and right of way, and over and along the line hereinbefore described, to connect with such grade of fill, as may be hereafter constructed upon the remaining land described in said second paragraph and located in the Northeast quarter of the Southeast quarter of Section 5, Township 4, S. R. 39, E.W.M. And as to such land herein and hereby reserved and excepted, the grantee is hereby granted the perpetual right to construct on and over the same, a structure for road purposes, commonly known as a Viaduct, with perpetual right of ingress and egress to, from and over said lands, to construct, repair and maintain such structure. The intent and effect of the exception and reservations in this paragraph contained is such, that, as to the land on and over which said overhead structure is to be constructed, the grantors or those having their estate in the premises, and the adjoining premises, shall be in the same position with reference thereto, as though this deed were not given, and without the right of the grantee or its successors to fence the same, except that the said grantee or its Agents and Representatives perpetually have the right to construct, repair and maintain over the same, the overhead structure hereinbefore described.

It is understood, agreed and stipulated as a part of the consideration hereof, that the grantee herein shall, at its own expense, and before occupying or using the lands herein conveyed, (other than the land described in the reservation and exception contained in the presceeding paragraph) build and construct on each side of the right of way herein conveyed, a neat and well constructed hog-tight fence, with three barb wires above the hog wire, such fence to be constructed with new posts, posted and planted not more than 16 feet apart, and such fences also to include such gateways and gates on either side of said right of way, the location of same to be designated by grantors, and such gates to be made, constructed and installed at the expense of the grantee; all of such construction of fences and gates being a part of the consideration of this conveyance.

Provided however, that the terms and conditions of this conveyance are such that the same is made, executed and delivered upon the express condition reserved to, and subject to enforcement forever by, the grantors, or either of them, or by their heirs, executors, administrators, or assigns, that the land herein conveyed to said Union County, Oregon, for road purposes, shall be improved and used only by using the same for travel in its present condition or by depositing thereon, dirt, gravel or other substances derived wholly from places other than the lands hereby deeded; that no excavations of any kind or at any place covered by this deed shall ever be made on or in the surface of the said tract of land herein described. It being known to and acknowledged by the Grantee, its Officers and Agents, that the excavation of the present surface, or disturbing the same, in the manner herein prohibited, injuriously affects the valuable property rights of the grantors, in and to certain hot waters below the surface of the adjoining lands now owned by the grantors.

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