

STATE OF OREGON,  
County of Union, ss.

On this 21<sup>st</sup> 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 <sup>Secretary</sup> ~~Vice President~~, and he the said Ray W. Logan, is the ~~Secretary~~ <sup>Vice President</sup> 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.

Earl C. Reynolds  
Notary Public for Oregon.

My Commission expires December 9, 1924

INDEXED  
ROAD DEED  
55155  
CONFIRMED

FROM  
The Security Land & Savings  
Company,  
  
TO  
UNION COUNTY, OREGON

STATE OF OREGON }  
County of Union }  
I certify that the within instrument was  
received for record on the 12<sup>th</sup> day  
of June  
A. D. 1921 at 1:00 o'clock  
P. M. and recorded in Book 80  
Page 146 Records of  
of said County.  
Witness my hand and seal of office  
affixed.

W. McCarroll  
Church

443 23

# This Indenture, <sup>Security Land & Savings</sup> ~~WILLSSLIH~~ <sup>That</sup> The Phoenix Land Company,

a corp duly organized and incorporated under the laws of the State of Oregon  
~~XXXXXX~~ for the consideration of Four Hundred

Dollars and other good and valuable considerations, **DOUBTLESS**

to it pud h... burg und und sold und by these present do esburg un sell und convey  
with reservations & Exceptions  
unto the County of Union State of Oregon the following described land for road purposes to wit

<sup>Security Land & Savings Co</sup>

Vertical handwritten notes on the left margin, including "The Phoenix Land Co" and "Security Land & Savings Co".

(1) All that part of the property of the Phoenix Land Co in the E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section five (5), and in the ~~W $\frac{1}{2}$  of SW $\frac{1}{4}$  of Section four (4)~~, T4S R 39 E W.M., within thirty feet (30') on either side of the center line survey of the Old Oregon Trail highway on the SW side of railroad tracks and ~~sixty five feet (60')~~ 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') S and one hundred and one and five tenths feet (101.5') E of the NW corner of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of section five (5) T4S 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 East (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 curve, thence on a curve bearing to the right whose radius is five hundred and seventy three feet (573') 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 (1855.4') N and nine hundred and eleven and eight tenths feet (911.8') W of the SE corner of said Section five (5) a point known and designated as station four hundred twenty six plus thirty two point eight (426-32.8') of said centerline survey

(2) 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') N and three hundred sixty eight and six tenths feet (368.6') W of SE corner of section five (5) T4S R 39 E W M, said pint being ~~XXXX~~ known and designated as station four hundred thirty four plus two point naught of aforesaid center line survey thence on a line bearing North forty 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 being one thousand eight hundred seventy eight feet (1878.0') N and two thousand five hundred and ninety three feet (2593) W of S $\frac{1}{4}$  corner of section four (4) T4S 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 heretofore dedicated by use, or otherwise as a public road, Tract contains one and ninety seven hundredths (1.97) acres

*Phoenix Land Co*

4/3/25

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Security Land Savings

a corp duly organized and incorporated under the laws of the State of Oregon  
~~XXXXXX~~ for the consideration of Four Hundred

Dollars and other good and valuable considerations,

**BULLOCK**

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330 yk for ...

Security Land & Savings Co

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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 ~~xxxxxxxxxxx~~ 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 preceding 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.

TO HAVE AND TO HOLD the said land, with its appurtenances, for county road purposes to said Union County and the public therein forever, and \_\_\_\_\_, the said **grantor above named**

do hereby covenant to and with the said Union County, and their legal representatives forever, that said corporation is law-  
~~that it is~~ ~~the owner in fee simple of said lands; that they are free from all encumbrances~~  
fully seized in fee simple of the above granted premises, that the above  
~~convey~~ granted premises are free from all incumbrances, and that it will,  
and its successors shall, WARRANT AND DEFEND THE SAME to the said Union  
County, Oregon, against the lawful claims and demands of all persons  
whomsoever.

IN WITNESS WHEREOF, The Security Land & Savings Company, pursuant to a  
resolution of its Board of Directors, duly and legally adopted, has  
caused these presents to be signed by its Vice-President and Secretary  
and its corporate seal to be hereunto affixed this \_\_\_\_\_ day of June, 1921.  
IN WITNESS WHEREOF, \_\_\_\_\_ have hereunto set \_\_\_\_\_ hand and seal this

day of \_\_\_\_\_ 19\_\_\_\_

Done in the presence of

*Earl C. Reynolds*  
*Georgia Ware*

The Security Land & Savings Company,

By, *Ray W. Rogers* (Seal)

Vice-President,  
The Security Land & Savings Comp (Seal)

By, *J. H. [Signature]* (Seal)  
Secretary.

