

# 96903  
STATE OF IDAHO )  
                  ) : ss.  
County of Custer )

I hereby certify that this instrument was filed for record at the request of Harold W. McKean at minutes past 2 o'clock P. M., this 17th day of April, 1946 in my office, and duly recorded in Book 27 of Deeds at page 261.

John Boyd  
Ex-Officio Recorder.

By \_\_\_\_\_ Deputy.

Fees \$1.40  
Indexed  
Compared

STATE OF IDAHO )  
                  ) : ss.  
County of Lemhi, )

I hereby certify that this instrument was filed for record at the request of John Boyd at 50 minutes past 8 o'clock A. M., this 19th day of April, 1946 in my office, and duly recorded in Book 39 of Deeds at pages 115-116.

W. W. Simmonds  
Ex-Officio Recorder.

By *Norothy M. M. Fredrick*  
Deputy.

Fees, \$1.50 Paid

-----Instrument No. 63318-----  
IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI

In the Matter of the Voluntary  
Dissolution of the Gilmore and  
Pittsburgh Railroad Company,  
Limited )

ORDER OF DISSOLUTION  
No. 2999

This matter coming on to be heard before me this 11th day of April, 1946, on application of The Gilmore and Pittsburgh Railroad Company, Limited, a corporation organized and existing under and by virtue of the laws of the State of Idaho, for an order of voluntary dissolution of said corporation; said corporation being represented by its attorneys, Verner R. Clements, of Lewiston, Idaho, and F. J. McKeivitt, of Spokane, Washington; and it appearing from the records and files herein that said application was filed according to the statutes of the State of Idaho in such cases made and provided for; and it further appearing that The Gilmore and Pittsburgh Railroad Company, Limited, is a corporation duly organized and existing under and by virtue of the laws of the State of Idaho for a term of fifty years, its articles of incorporation being dated February 20, 1907, and filed with the Secretary of State of the State of Idaho on the 11th day of March, 1907; and it further appearing from the files and records therein that The Gilmore and Pittsburgh Railroad Company, Limited, constructed and operated a line of railroad extending from Armstead, Montana, to Salmon, Idaho, with a branch line from Leadore to Gilmore, Idaho, and that pursuant to authority of the Interstate Commerce Commission dated March 22, 1940, The Gilmore and Pittsburgh Railroad Company, Limited, ceased operations of its railroad, removed its rail and disposed of all its property; and it further appearing from the files and records herein that pursuant to the statutes of the State of Idaho the holders of all of the shares of the capital stock of The Gilmore and Pittsburgh Railroad Company, Limited, have authorized the voluntary dissolution of said company; and it further appearing from the files and records herein that due and proper notice of said application for voluntary dissolution of said company has been given by the Clerk of the above entitled Court in accordance with the statutes of the State of Idaho in such cases made and provided for; and it further appearing from the files and records herein that no objections have been filed in the above entitled Court against the granting of said application for voluntary dissolution of said company and that there are no claims or demands of any kind or nature outstanding against said corporation; and the Court being fully advised in the premises, it is

ORDERED, ADJUDGED AND DECREED that The Gilmore and Pittsburgh Railroad Company, Limited, a corporation, be and the same is hereby dissolved.  
Done in open Court this 11th day of April, 1946.

Guy Stevens  
Judge

Presented by Attorney:

Filed April 11th, 1946  
Book D of Judgments Page 635  
W. W. Simmonds, Clerk

State of Idaho, )  
                  ) : ss  
County of Lemhi )

I, W. W. Simmonds, Clerk of the District Court in and for the County aforesaid, do hereby certify that the above and foregoing is a full, true and complete copy of an Order of Dissolution as the same appears of record in my office in Book D of Judgments at page 635 thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 18th day April, 1946.

(SEAL)

W. W. Simmonds  
Clerk of the District Court  
Lemhi County, Idaho

THIS INDENTURE, Made the 15th day of August 1944, by THE GILMORE AND PITTSBURGH RAILROAD COMPANY, LIMITED, a corporation of the State of Idaho, party of the first part, and MATTHIAS W. AUSTIN, of Salmon, County of Lemhi, State of Idaho, party of the second part, WITNESSETH:

F. J. G. WHEREAS, by a contract in writing entered into on the fifteenth day of January 1940, the party of the first part contracted to sell and convey to the party of the second part, the premises hereinafter described for the consideration hereinafter expressed, which contract has been duly performed, and the party of the second part has become entitled to a conveyance of the premises.

THEREFORE, the said party of the first part, for and in consideration of the sum of Six Thousand Dollars (\$6,000.00) lawful money of the United States of America, to it in hand paid by the said party of the second part, according to said contract, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in the County of Lemhi, State of Idaho, to-wit:

The Southeast quarter of the Southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section thirty-one (31), and Lots three (3), six (6) and eight (8), Section thirty-two (32), in Township twenty-two (22) North, Range twenty-two (22) East of the Boise Meridian, containing one hundred ten and eighty-three hundredths (110.83) acres, more or less; also all that part of the Northeast quarter of the Southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ ), and the Southeast quarter of the Northeast quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section thirty-one (31), in said Township more particularly described as follows: From the southwest corner of the Northeast quarter of the Southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section thirty-one (31), running East along said line of forty (40) acre tract, thirteen (13) rods to the place of beginning; thence North twenty (20) degrees East one hundred sixty-five (165) rods, more or less, to the Northwest corner of Lot three (3), Section thirty-two (32), in said Township; thence South along the West line of said Section thirty-two (32) one hundred sixty (160) rods to the southeast corner of the Northeast quarter of the Southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section thirty-one (31); thence west along the south line of said forty (40) acre tract, sixty-seven (67) rods, more or less, to the place of beginning, containing thirty-three and one-half (33 $\frac{1}{2}$ ) acres, more or less; also that part of Lot one (1), Section six (6), in Township twenty-two (22) North, Range twenty-two (22) East of Boise Meridian, in Lemhi County, State of Idaho, described as follows: Beginning at a point ninety-two (92) rods twelve (12) links East of the northwest corner of the Northeast quarter (NE $\frac{1}{4}$ ) of Section six (6) aforesaid, running thence East along the North side line of said Township fifty-three (53) rods to West side of Salmon River; thence South along West side of Salmon River seven (7) rods ten (10) links; thence North eighty-five (85) degrees West, fifty-two (52) rods fifteen (15) links to East side County road on the West side of Salmon river as said road is now located; thence North ten (10) degrees thirty (30) minutes West three (3) rods fifteen (15) links to place of beginning, containing one (1) acre and one hundred thirty (130) rods; being part of Lot one (1) of said Section six (6).

Approved as to Description  
F.C.S.

Also commencing at the northwest corner of the Southwest quarter of the Northeast quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section thirty-one (31) in Township twenty-two (22) North of Range twenty-two (22) East of the Boise Meridian, run thence East along the North line of said subdivision, eighty (80) rods, more or less, to the center of the highway, the place of beginning of the description of land hereby conveyed; thence southerly along the center of said highway to the south line of the North half of the Southeast quarter (SE $\frac{1}{4}$ ) of said Section thirty-one (31); thence East ninety-four and five tenths (94.5) feet, more or less, to the southwest corner of the land of William S. Andrews, conveyed to him by or less, to the southwest corner of the County Recorder of said County; thence north about "L" at page one hundred sixty-three (163) Records of said County; thence north about twenty (20) degrees East, one hundred sixty-five (165) rods, more or less, to the northwest corner of Lot three (3) in Section thirty-two (32) in said Township; thence west eighty (80) rods, more or less, to the place of beginning, excepting from the tract last above described that portion thereof heretofore conveyed by The Gilmore and Pittsburgh Railroad Company to Fred W. Randolph by Deed R.W. 4027 dated December 30, 1939, being all that portion of the tract last above described lying westerly of the westerly line of the State Highway F.A.P. 90-B as now located.

The total area of the parcels of land above described is one hundred ninety-four and seventy-eight hundredths (194.78) acres, more or less.

This conveyance is subject, however, to easements and permits heretofore granted by the party of the first part and subject to an easement in the public for any public roads heretofore laid out or established or now existing over and across any part of the land above described.

Also an undivided one-fourth of an undivided one-third interest or share of and in that certain ditch and water right taken out of the West side of the Salmon River at a point thereon about two hundred twenty (220) yards below the Salmon River Bridge at a Salmon, Idaho, conveying water to and upon the above described land, less fifty (50) inches of said water heretofore conveyed by Chester C. Willis to William S. Andrews. Also the right to the use of twenty-five (25) inches of the waters of Salmon River located and appropriated by William S. Andrews, John H. Wheeler and C. C. Willis, record of which is in the office of the County Recorder of said County of Lemhi in Book "A" of Water Rights at page 327, said twenty-five (25) inches to be taken out of the ditch conveying same at any point along said ditch. None of the decreed waters of Jesse Creek are conveyed by this deed.

Reserving, however, unto the party of the first part, its successors and assigns, the right to construct, maintain and operate ditches across the above described land for conveying water to the South half South half Southwest quarter (S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ ) and South half (S $\frac{1}{2}$ ) of Lot seven (7), Section twenty-nine (29), South half Southeast quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section thirty (30), Northeast quarter Northeast quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) and Lot One (1) of Section thirty-two (32), all in Township twenty-two (22) North, Range twenty-two (22) East, B.M.

The party of the first part, for the consideration above stated, also grants to the party of the second part, his heirs and assigns, the right to construct, maintain and operate ditches across the south half South half Southwest quarter (S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ ) and South

SE $\frac{1}{4}$ SE $\frac{1}{4}$   
NE $\frac{1}{4}$ SE $\frac{1}{4}$   
T-22-22

POD  
75-0009

POD 25-000

half (S½) Lot seven (7), Section twenty-nine (29), South half Southeast quarter South-east quarter (S½SE¼SE¼) Section thirty (30), Northeast quarter Northeast quarter (NE¼NE¼) Section thirty-one (31), and Northwest quarter Northwest quarter (NW¼NW¼) and Lot one (1) Section thirty-two (32) all in Township twenty-two (22) North, Range twenty-two (22) East, B.M., for the purpose of conveying water to the land conveyed by this deed.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances there- unto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part, excepting however all improvements, if any, placed on the above described land by others than the parties hereto.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said party of the first part, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said party of the first part, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND, except as to liens, charges and incumbrances originating after the date of the aforesaid contract of sale.

Should title to the premises fail, the party of the first part shall be liable for the amount received hereunder and no more, with interest at four per cent (4%) per annum from date of such failure; should title to a portion of the premises fail such liability is limited to the acreage as to which title fails.

IN WITNESS WHEREOF, the party of the first part has caused this instrument to be sealed with its corporate seal and signed by its Vice President the day and year first above written.

(SEAL)

Signed, Sealed and Delivered  
in Presence of:  
N.O. Steiner

THE GILMORE AND PITTSBURGH  
RAILROAD COMPANY, LIMITED,  
By J.H. Poore Vice President

Attest: C.W. Gottschald  
Secretary

Selma Oestreich

DOCUMENTARY STAMPS \$6.60 Canceled S.O. 8/15/44

State of MINNESOTA )  
                                  : ss  
County of Ramsey )

On this 15th day of August 1944, before me, G.T.C. PETERSON a Notary Public, for the State of Minnesota, personally appeared J.H. Poore known to me to be the Vice President of the Gilmore and Pittsburgh Railroad Company, Limited, the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year in this certificate first above written.

(SEAL)

G.T.C. PETERSON, Notary Public,  
Ramsey Co., Minn.  
My Commission Expires Oct. 21, 1949

Recorded at the request of Matthias Austin Sept. 5th. 1944 at 30 minutes past 11 o'clock A.M., in Book 37 of Deeds page 615-6 Records of Lemhi County, Idaho.

Fee \$3.40

\_\_\_\_\_  
County Recorder.

STATE OF IDAHO  
COUNTY OF LEMHI

I ALBERTA WIEDERRICK, CLERK OF THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI, DO HEREBY CERTIFY THAT THE PROCEEDING IS A TRUE AND CORRECT COPY OF THE ORIGINAL FILE IN THIS OFFICE.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS 24 DAY OF JUL 1944

ALBERTA WIEDERRICK, CLERK

BY *Alberta Wiederrick*