

Eva V. Nelson & husband to Portland & Seattle Ry. Co.

Right of Way Agreement.

In consideration of the sum of One Dollar to us in hand paid, the receipt of which is hereby acknowledged, and the further sum of \$1300.00 Thirteen hundred Dollars, to be paid on the execution of the deed hereinafter mentioned, we have agreed, and by these presents do agree, on written request within one month from date, to sell and convey to the Portland and Seattle Railroad Company, free and clear of all encumbrance, a right of way for its road over and across the lots two (2) three (3) four (4) and North half of North East quarter (N²NE⁴) of Section Thirty-five (35) and the lot numbered three (3) in Section Thirty six (36) all in Township Two (2) North of Range six (6) East 11th M., consisting of a strip of land One hundred feet wide, being fifty (50) feet on each side of the center line of the road of said Company as located and staked out, across said premises, and upon payment of said sum of \$1300.00 Thirteen hundred Dollars, we agree to make a good and sufficient deed to said Company for said right of way, the Company to have the right to enter and construct its road across said premises in the meantime. Should the said Company fail to exercise this option to purchase said right of way within one month from the date hereof, then this agreement shall be null and void.

In Witness Whereof, We have hereunto subscribed our names this 12th day of Sept. 1905.

In Presence of

O. P. Olds

W. S. Lyons

Eva V. Nelson

J. S. Nelson

State of Oregon

County of Yamhill }
On this 12th day of September before me, the undersigned, a Notary Public in and for said County, personally appeared J. S. Nelson and Eva V. Nelson, his wife, to me personally known to be the individuals named in and who executed the within and foregoing instrument, and acknowledged to me that they signed and sealed the same as their free act and deed, freely and voluntarily for the uses and purposes therein mentioned.
In Witness Whereof, I have hereunto set my hand and official seal the day and date in this certificate first above written.

Notarial

Seal

O. P. Olds

Notary Public in and for the State of Oregon
residing at Lafayette in said County.

Filed for record by O. & S. Railroad Co. on Sept. 15. 1905 at 1:15 o'clock P. M.

A. Plumbhead

Co. Auditor.

0.75