

Nancy E. Shurtz & Husband to P. J. Ry. Co.

Right of Way Agreement Made in Duplicate

In consideration of the sum of One Dollar to the undersigned in hand paid, the receipt of which is hereby acknowledged, and the further sum of Three Thousand Dollars to be paid on the execution of the deed hereinafter mentioned, the undersigned have agreed, and by these presents do agree, on written request within two months from date, to sell and convey to the Portland and Seattle Railway Company, a Washington Corporation free and clear of all incumbrances a right of way for its railroad consisting of a strip of land one hundred feet in width, being fifty feet in width on each side of the center line of the railroad of said Railway Company as located, staked out and to be constructed over and across;

Lot Two (2) and the West two thirds (2/3) of the South West quarter (1/4) of the South East quarter (1/4) of Section Twenty four (24) and all that portion of Lot Two (2) Section Twenty five (25) lying West of the White Salmon road all in Township Three (3) North Range Ten (10) East W.M. and the shore lands adjacent thereto, including the preference right of the undersigned to purchase the portion of said shore lands contained within said strip, together with the privilege of obtaining necessary material for construction of said railroad across said premises from lands outside of and adjacent to the above described strip, west of the highway known as the Cork road, but in no way to interfere with any springs and upon payment of said sum above mentioned agree to make a good and sufficient deed to said Company for said strip, the company to have the right to enter and construct its road across said premises in the meantime. The grantors to be allowed all necessary water pipes across said right of way for irrigation and domestic purposes and shall not be hindered in irrigating during construction of road, or to expense of changing water pipes from and across right of way.

In Witness Whereof we have hereunto subscribed our names this Eleventh day of December 1905

In Presence of
W. H. Macomber
C. R. Upright.

Nancy E. Shurtz
C. E. Shurtz

State of Oregon } ss
County of Tillamook }

On this 11th day of December 1905 before me, the undersigned, a Notary Public in and for said State personally appeared Nancy E. Shurtz, and C. E. Shurtz husband of Nancy E. Shurtz 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, sealed and executed 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 this day and date in this certificate first above written.

Notary
and

James M. Johnson

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

Filed for record by Attorney on Dec. 14, 1905 at 1-15 O'clock P.M.
A. Plummer

C. E. Auditor.