

TO HAVE AND TO HOLD the same to the said Cape Horn Railroad Company, its executors, administrators and assigns for the term of Fifteen years, from the 9th day of June 1909, the said Cape Horn Railroad Co. paying therefor the sum of One Thousand (\$1000.00) Dollars in gold coin for said term of Fifteen years.

It is agreed, however, that upon the termination of said lease by expiration of the time herein limited, that the said Railroad Company, its heirs, executors, administrators and assigns, unless said lease is continued in force for a longer period will remove the said railroad iron and ties, and other railroad property from said premises.

And it is further agreed that if the said Railroad, its heirs, executors, administrators and assigns shall cease to operate said railroad prior to the expiration of this lease, and shall remove all railroad property from said premises that this lease shall then be considered at an end, and the said right of way immediately revert to the lessors herein.

It is agreed that the right of way hereby leased becomes a part of the continuous right of way over which to build railroads from the Columbia River to to the timbered lands of the Oregon-Washington Logging Co., and that the same shall be appurtenant to the said timbered lands, and a sale thereof shall carry with it this right of way for the term herein fixed.

And upon the terms and conditions herein stated, it being further understood that a failure on the part of the said Cape Horn Railroad Co., its executors, administrators or assigns, to pay the said One Thousand (\$1000.00) Dollars, on or before the 1st day of August, 1910, shall operate to forfeit all its rights hereunder.

In Witness Whereof the said parties have hereunto set their hands and seals this 9th day of June 1909.

In the presence of:

J.E. Blazier

E.H. Prindle

J.A. Fletcher (Seal)

Mary Fletcher (Seal)

State of Washington )  
County of Skamania ) ss

This Certifies that on this 9th day of June 1909, before me, a notary public in and for said county and state, personally appeared the within named J.A. Fletcher and Mary Fletcher to me known to be the individuals described in and who executed the within instrument, and they acknowledged to me that they signed and sealed the same freely and voluntarily, for the uses and purposes therein mentioned.

In Testimony Whereof I have hereunto set my hand and notarial seal the day and year last above written.

E.H. Prindle,

(NOTARIAL SEAL)

Notary Public for Washington.

Filed for record by J.E. Blazier on June 11th 1909 at 1:15 P.M.

A. Fleischhauer,  
Co. Auditor.

105