then thence line to be restricted to half mile on the surface from the top of the hill, thence West ten degrees North to the Arroyo Seco thence up and around the Arroyo Seco to the place of Beginning; (Being the same premises described in an Indenture made and Executed by James M Jones and others on the Seventh day of September Eighteen hundred and fifty and Recorded in the Recorders office of the County of Santa Clara in Book C. of Deeds pages 429. 430. 431. 432 and 433.) Also a certain other portion of land bounded and described as follows, to wit, being a portion of the North West end of the Rancho de los Capitan cillos containing six hundred and fifty superficial acres more or less and bounded on the North and West by the Arroyo Seco on the South by the land of the Guadalupe Mining Company and on the East by the line drawn through the middle of the range of low hills running nearly parallel with the Arroyo Seco (excluding two hills next adjoining the land of the Guadalupe Mining Company) and from the North erly end of said hills running in a line nearly Easterly to the Arroyo Seco) being the same land described in an Indenture executed by James M Jones and others on the twenty sixth day of November Eighteen hundred and fifty and recorded in the Records office of the County of Santa Clara in Book C. of Deeds pages 427 and 428.) together with all and singular the buildings and improvements upon the said described lands erected made or being and all and every the rights, privileges advantages and appurtenances to the same belonging or in any wise appertaining and the reversion and reversions, remainder and remainders rents, issues and profits thereof and all the Estate right title interest property claim and demand whatsoever both at law and Equity of the said James Eldredge in unto and out of all the said described lands and premises (being the same premises that are described and mentioned in a Deed of Conveyance from Isaac Taffard and B. of the City and County of San Francisco aforesaid receiver as therein set forth to the said James Eldredge bearing date the sixth day of February A.D. one thousand Eight hundred and fifty four and duly recorded in the Recorder office of the County of Santa Clara and State of California aforesaid in Book A. of Deeds in pages 23. 24. 25 and 26) To Have and To Hold the said described tracts or parcels of land and premises with all the rights, privileges, advantages and appurtenances thereto belonging or appertaining as aforesaid unto the said parties hereto of the second part their heirs and assigns as tenants in common and not as joint tenants to their proper use and benefit as tenants in common forever.

And the said James Eldredge for himself his heirs Executors and administrators doth hereby covenant with the said parties hereto of the second part their heirs and assigns in manner following that is to say, that the hereby granted and conveyed lands and premises are free and clear of all incumbrances unpaid committed or suffered thereon by him the said James Eldredge — that he and his heirs shall

and will at any time and all times hereafter well and sufficiently warrant and defend the title to the said lands and premises unto the said parties of the second part their heirs and assigns against the claims and demands of all and every persons and person whomsoever legally and Equitably having claiming or to claim any Estate or interest therein or right or title thereto or in or to any part or parcel thereof through by or under him and also that the said James Eldredge and his heirs shall and will at any time or times hereafter at the reasonable request and proper cost and charge of the said parties of the second part their heirs or assigns do make execute acknowledge and deliver or cause and procure to be done made executed acknowledged and delivered all such further or other acts deeds conveyances and assurances in the law as shall or may be reasonably advised or devised and required by the said parties of the second part their heirs or assigns or their counsel learned in the law for the confirmation of these presents according to the particular true intent and meaning hereof.

In Witness whereof the said James Eldredge hath hereunto subscribed his name and affixed his seal on the day and year first above written.

Signed James Eldredge (Seal)

Signed Sealed and Delivered in the presence of
Signed H. P. Townsend
Signed J. B. Latimer

State of Maryland
City of Baltimore } To wit,

On this fourth day of April in the year of our Lord one thousand Eight hundred and fifty five personally appeared before me a Commissioner duly appointed by the Governor of the State of California in and for the State of Maryland aforesaid James Eldredge satisfactorily proved to me to be the person described in and who executed the within conveyance by the oath of Henry P. Townsend a competent and credible witness for that purpose duly sworn and he the said James Eldredge acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

In Testimony whereof I hereunto subscribe my name and affix my Seal of office at the City of Baltimore aforesaid on the day and year above written.

(Signed) Jas. B. Latimer
Commissioner.

(L.S.)

Mortgage.

From.
Robert Clinton Wright and others
To
James Eldredge

This Indenture made this twenty first day of April in the year of our Lord one thousand Eight hundred and fifty five between