

63496

BOOK 116

STATE OF KANSAS,

County of Douglas.

ss.

Hugh P. Hartley, of lawful age, being duly sworn, on oath states that he is President of the Board of Trustees of TRUSTEES OF THE BAKER UNIVERSITY, an educational not for profit corporation of higher learning, duly incorporated under the laws of the State of Kansas, located in the City of Baldwin, Kansas (hereinafter referred to as the "University"); that, under date of December 1, 1956, said TRUSTEES OF THE BAKER UNIVERSITY and KANSAS EDUCATIONAL ASSOCIATION OF THE METHODIST EPISCOPAL CHURCH, a not for profit corporation duly incorporated under the laws of the State of Kansas, located in the City of Baldwin, Kansas, (hereinafter referred to as the "Association"), by authority of their respective governing bodies, entered into a Loan Agreement with the United States of America (hereinafter referred to as the "Government"), acting by and through the Housing and Home Finance Administrator, under and by the terms of which the Government agreed to purchase \$318,000 aggregate principal amount of Dormitory Bonds, Series 1956, of the University and the Association, said Bonds to be dated October 1, 1956, to become due serially on October 1 in the years 1959 to 1996, inclusive, to bear interest at the rate of $2\frac{3}{4}\%$ per annum, payable semiannually on April 1 and October 1 in each year; that the Government agreed to make said loan for the purpose of enabling the University and the Association to construct a dormitory to house approximately 96 women students and two house mothers, to be located on land owned in fee simple by the University; that said agreement provided that said loan should be secured by a first mortgage on said dormitory, including the site thereof, such mortgage to be made to a corporate trustee.

Affiant states that, pursuant to said Loan Agreement, TRUSTEES OF THE BAKER UNIVERSITY and KANSAS EDUCATIONAL ASSOCIATION OF THE METHODIST EPISCOPAL CHURCH have executed an Indenture of Mortgage and Deed of Trust dated as of October 1, 1956, with NATIONAL BANK OF TOPEKA, a national banking association, of Topeka, Kansas, as Trustee, said Indenture of Mortgage and Deed of Trust securing the \$318,000 principal amount of Dormitory Bonds, Series 1956, of the University and the Association to be issued as aforesaid; that said mortgage covers the real estate situated in the City of Baldwin, County of Douglas, State of Kansas, on which said dormitory is constructed; that said mortgage has been executed solely to secure said loan in the principal amount of \$318,000, which the University and the Association are borrowing from the Government through its Housing and Home Finance Agency, as aforesaid; that said loan is being made directly to the University and the Association by the Federal Government; that no private individual or corporation is making said loan either directly or indirectly; that under the decision of Home Owners Loan Corporation v. Anderson, 145 Kan.209, 64 P. 2d 14, affiant is informed and believes that said mortgage is not subject to the Kansas mortgage registration tax.

Dated at Baldwin, Kansas, this 6th day of August, 1957.

Subscribed and sworn to before me this 6th day of August, 1957.

Notary Public within and for said County and State.

My commission expires

June 27, 1960