

67852

BOOK 120

Missouri
 STATE OF KANSAS }
Jackson } ss.
 County of Douglas }

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 February 1, 1958, 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 a series of Trustees of the Baker University and Kansas Educational Association of the Methodist Episcopal Church Dormitory and Student Union Bonds, Series 1958A, in the principal amount of \$515,000, dated April 1, 1958, and a series of Trustees of the Baker University and Kansas Educational Association of the Methodist Episcopal Church Dormitory and Student Union Bonds, Series 1958B, in the principal amount of \$350,000, dated April 1, 1958, the bonds of Series 1958A bearing interest at the rate of 2 7/8% per annum and the bonds of Series 1958B bearing interest at the rate of 3% per annum, payable semiannually on October 1 and April 1 in each year, the bonds of each series becoming due serially on April 1 in the years 1961 to 1998, inclusive; 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 144 men students and 3 supervisor apartments and a student union building with dining facilities, both complete with appurtenant facilities, on land owned in fee simple by the University and the Association, respectively; that said agreement provided that said loan should be secured by a first mortgage on said dormitory and student union building, including the sites 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 April 1, 1958, with THE FIRST NATIONAL BANK OF TOPEKA, a national banking association, of Topeka, Kansas, as Trustee, said Indenture of Mortgage and Deed of Trust securing \$515,000 principal amount of Dormitory and Student Union Bonds, Series 1958A, and \$350,000 principal amount of Dormitory and Student Union Bonds, Series 1958B, 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 and student union building are to be constructed; that said mortgage has been executed solely to secure said loan in the aggregate principal amount of \$865,000 which the University and 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