

structed on land owned by the Borrower in fee simple situated in the City of Baldwin City, Douglas County, Kansas (also known as the City of Baldwin, Kansas), said bond being secured by an Indenture of Mortgage and Deed of Trust, dated as of October 1, 1956, made by the Borrower to National Bank of Topeka, of Topeka, Kansas (now The First National Bank of Topeka, of Topeka, Kansas), as Trustee, covering said dormitory building and the land on which it is situated, said Indenture of Mortgage and Deed of Trust having been filed for record in the office of the Register of Deeds of Douglas County, Kansas, on August 13, 1957, and recorded in the records of said office in Book 116, Pages 112 to 205; and

WHEREAS, the Borrower has paid or will pay on the principal of said Series 1956 Outstanding Bond the total amount of Twenty-three Thousand Dollars (\$23,000), together with all interest on said bond becoming due prior to and on October 1, 1961, so that the principal amount of said Series 1956 Outstanding Bond remaining unpaid will be in the amount of Two Hundred Ninety-five Thousand Dollars (\$295,000); and

WHEREAS, the Borrower has deemed it advisable and to the interest of the Borrower that its Series 1956 Outstanding Bond be taken up and refunded by the Borrower and for that purpose the Board of Trustees of TRUSTEES OF THE BAKER UNIVERSITY,

and the Board of Directors of KANSAS EDUCATIONAL ASSOCIATION OF THE METHODIST EPISCOPAL CHURCH have authorized and directed the issuance of the bonds of the Borrower in the aggregate principal amount of Two Hundred Ninety-Five Thousand Dollars (\$295,000), such bonds to be designated "Trustees of the Baker University and the Kansas Educational Association of the Methodist Episcopal Church Student Housing System Bonds, Series 1961A," and have further authorized and directed the execution of this Indenture to secure equally and ratably the payment of said bonds of Series 1961A and the payment of the Borrower's Student Housing System Bonds, Series 1961B, Series 1961C, and Series 1961D, hereinafter referred to, and the issuance of said bonds designated as Series 1961A is for a lawful corporate purpose of the Borrower; and

WHEREAS, the holder of said Series 1956 Outstanding Bond on which the principal amount of Two Hundred Ninety-five Thousand Dollars (\$295,000) will remain unpaid has consented to the refunding of said bond and has agreed to accept in exchange therefor an equal principal amount of the Borrower's said Student Housing System Bonds, Series 1961A, and

WHEREAS, the Borrower has heretofore authorized and issued its "Trustees of the Baker University and Kansas Educational Association of the Methodist Episcopal Church Dormitory