

BOOK 133

(One copy to be recorded)

BOOK

82771

STATE OF MISSOURI,)
) ss.
 County of Jackson.)

C. Y. THOMAS, 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, incorporated under the laws of the State of Kansas, located at Baldwin City, in the County of Douglas, State of Kansas (hereinafter referred to as the "University"); that, under date of June 1, 1961, said TRUSTEES OF THE BAKER UNIVERSITY and KANSAS EDUCATIONAL ASSOCIATION OF THE METHODIST EPISCOPAL CHURCH, a not-for-profit corporation incorporated under the laws of the State of Kansas, located at Baldwin City, in the County of Douglas, State of 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 Student Housing System Bonds of said University and Association, designated as Series 1961D, in the principal amount of \$582,000, said Bonds to be dated October 1, 1961, to become due serially on October 1 in the years 1964 to 2001, inclusive, and bearing interest at the rate of 3 1/2% per annum, payable semiannually on April 1 and October 1 in each year; that the Government agreed to make said loan for enabling the University and the Association to construct a new dormitory for approximately 148 students and one supervisor, on land owned in fee simple by the University and/or Association; that by said Loan Agreement the Government further agreed to exchange certain outstanding bonds of the University and the Association previously issued and sold to the Government for equal principal amounts of Student Housing System Bonds of the University and the Association to be evidenced by three series of Bonds described as Series 1961A in the principal amount of \$295,000, Series 1961B in the principal amount of \$493,000, and Series 1961C in the principal amount of \$330,000, said Bonds to be dated October 1, 1961; that said Agreement provided that the Bonds aforesaid should be secured equally and ratably by a first mortgage on the new dormitory to be constructed with the proceeds of the Bonds of said Series 1961D and on certain buildings previously constructed by the University and the Association with the proceeds of the Bonds owned by the Government and to be exchanged and refunded by the issuance of the Bonds of said Series 1961A, 1961B and 1961C, including the sites thereof, said mortgage to be made to a corporate trustee.

Affiant states that, pursuant to said Loan Agreement, the University and the Association have executed a certain mortgage designated "Trust Indenture," dated as of October 1, 1961, with The First National Bank of Topeka, of Topeka, Kansas, as Trustee, said Trust Indenture securing four series of Student Housing System Bonds of the University and the Association, being Series 1961A in the principal amount of \$295,000, Series 1961B in the principal amount of \$493,000, Series 1961C in the principal amount of \$330,000, and Series 1961D in the principal amount of \$582,000; that said mortgage has been executed solely to secure the loans aforesaid evidenced by the Bonds of said four series; that the loans evidenced by said Bonds have been or are being made directly to the University and the Association by the Federal Government; that no private individual or corporation is making said