

This Indenture, made this first day of October in the year of our Lord one thousand eight hundred and eighty nine. Between The Kansas Water and Light Company, a corporation duly organized and existing under and in pursuance of the laws of the State of Kansas, party of the first part, and the American Loan and Trust Company of New York, a corporation duly organized and existing under and in pursuance of the laws of the State of New York, as Trustee, hereinafter called the Trustee, party of the second part.

Witnesseth, whereas, The said party of the first part is authorized to construct, maintain and operate Water Works in the City of Paola in the City of Lawrence and in other Cities in the State of Kansas for the purpose of supplying the said Cities and the citizens of said Cities and the vicinity with water, and also for the purpose of erecting and maintaining the necessary buildings, plant, machinery, fixtures and appurtenances of every sort for supplying the inhabitants of the said Cities and vicinity with water, and also for supplying the said city with gas electric lights and electricity for other purposes and carrying on the business incidental thereto, and the said company is the owner and holder of a grant from the said City of Paola and the City of Lawrence, of the franchise and privilege of constructing and operating such Water Works, Gas and Electric light plant, and the said company in virtue of the powers, rights and privileges vested in it by virtue of the laws of the State of Kansas and the said grant from the City of Paola and City of Lawrence is now operating said Water Works and Electric light plants and Gas Plants in said Cities

And whereas, At a meeting of the stockholders of the said party of the first part held in the City of Paola, on the twenty eighth day of September, A.D. 1889, duly called and notified as required by law, a resolution was adopted by the vote in person of the holders of all the shares of the company then issued, authorizing the Directors of the party of the first part, to borrow the sum of Three hundred thousand dollars, for the purpose of extending and completing its Water Works, and of paying its indebtedness and of buying additional Gas and electric light plants, et cetera, and to issue the bonds of the party of the first part to an amount not exceeding that sum, in such denomination, of such description, payable at such times and place and with such rate of interest not exceeding six per cent. per annum, payable semi-annually, as they might think fit, and to secure the payment of said bonds and the interest thereon by mortgage or deed of trust upon all the property and franchises of the party of the first part acquired and to be acquired, and the appurtenances and income thereof, upon such terms and conditions, restrictions and limitations, as they might deem expedient.

And whereas, The Board of Directors of the said party of the first part, at a meeting held at the office of the company in the City of Paola on the twenty eighth day of September, A.D. 1889 acting under the powers conferred upon them