

and appurtenances thereto belonging and in any wise appertaining.

Also all and singular the entire property of the said party of the first part, situated in the City of Lawrence, County of Douglas, State of Kansas, or elsewhere, and all erections and buildings, all machinery, engines, reservoirs, pumps, wells, hydrants, plugs, pipes, stand pipes, main and distribution pipes, water works plant, fixtures and other constructions, and all the equipments, and also all the tools, implements and fixtures of every kind and nature manufactured, constructed, built, laid, purchased, or in any way acquired in or about the construction, maintenance and operation of the water works plant of the said party of the first part in said County of Douglas. Also all rights, privileges, powers and franchises which may have been granted to or conferred by the State of Maine, or the City of Lawrence, Kansas upon the said party of the first part, or upon any of the prior owners of the water works plant now or hereafter owned or operated by the said party of the first part in and near the said City of Lawrence, in the State of Kansas, or which may hereafter be so granted or conferred, and all the franchises of every name and nature rights of way and privileges for supplying the inhabitants of Lawrence and the vicinity thereof with water, for public, private and domestic use and other purposes, and all the income, rents, profits, emoluments and moneys derived or to be derived from the said water works plant and property. And all and singular the entire estate and property, real, personal and mixed, now owned or which may be hereafter acquired by the said party of the first part, and all the rights and franchises of every name, nature and kind of the said party of the first part, the Lawrence Water Company, now owner, or which may hereafter be acquired by the said party of the first part.

To have and to hold the above described premises, property, rights, franchises and appurtenances unto the said party of the second part and its successor or successors forever, to the only proper use, benefit and behoof of the said party of the second part, its successor and successors, in trust, nevertheless, for the equal pro rata benefit and security of all the holders of the above mentioned bonds, to be issued as in this indenture provided.

Article First. It is hereby covenanted that no bond shall be deemed secured by these presents unless and until there shall be enclosed thereon a certificate signed by the Trustee to the effect that the same is one of the bonds described in the mortgage mentioned in such bond. The certificate as hereinbefore provided, upon such bond signed by the Trustee, shall be the sole and conclusive proof that said bond is properly issued and secured by this indenture. Upon the execution and delivery of this mortgage, the said Trustee shall certify and deliver to the President of the said Water Company, party of the first part, as many bonds as the board of directors of said Water Company, shall by resolution determine to be necessary to be used in the payment for the property and franchises herein and hereby conveyed and acquired from Newman, Erb, J. B. Richardson, D. U. Newman and W. J. Pine Coffin, the Re-organiza-

certificate of Trustee sole
proof that bonds are properly
issued