Indenture, made the 30th day of October, A.D. 1900, between The Southern Kansas Railway Company, a corporation organized under the laws of the State of Kansas, party of first part; The Atchison, Topeka and Santa Fe Railway Company, a corporation created and existing under the laws of the State of Kansas (hereinafter termed the "Atchison Company"), party of the second part; and Union Trust Company of New York, a corporation created and existing under the laws of the State of New York (hereinafter termed the "Union Trust Company"), as trustee under the mortgage of the party of the first part, hereinafter described, and as trustee under the General Mortgage of the Atchison Company hereinafter described, party of the third part. Whereas, the party of the first part executed its certain mortgage or deed of trust termed Income mortgage dated April 1st A.D. 1887 to Arthur F. Luke, George A. Nickerson and Josiah D. Bennett as trustees, to secure certain bonds of said party of the first part, in said mortgage described, of which bonds there are now outstanding bonds for the aggregate principal sum of $1,499,400. and in accordance with the provisions of said mortgage the Union Trust Company was appointed successor trustee thereunder and now is the sole successor trustee under said mortgage; and Whereas, the Atchison Company owns all said outstanding bonds, but the same have been pledged with and are now held by the Union Trust Company, as trustee under a certain mortgage or deed of trust dated December 12, 1895 (herein termed "General Mortgage") executed by the Atchison Company to said Union Trust Company as trustee, to which General Mortgage reference is hereby made; and whereas, the party of the first part, by its deed dated February 15th A.D. 1899, sold and conveyed to the Atchison Company all and singular its railroads, telegraph lines, estates, properties, rights, franchises and privileges, subject, however, to the lien of said above recited mortgage executed by the party of the first part; and Whereas, by the terms of said General Mortgage of the Atchison Company the railroad and property formerly of said party of the first part have become subject to the lien of said General Mortgage, and the Atchison Company has executed an instrument of further assurance, dated May 9, 1900, expressly subjecting said railroad and property to the lien of said General Mortgage; and Whereas, the party of the first part and the Atchison Company, by these presents, agree with and warrant to the Union Trust Company, as trustee under said General Mortgages that the railroad and property formerly of the party of the first part have been vested in the Atchison Company and subjected to the lien of said General Mortgage free from any charge or lien prior thereto, except bonds of the party of the first part pledged with said Union Trust Company, as trustee under said