

This Indenture, Made this second day of October in the year of our Lord one thousand nine hundred and five, by and between The Kansas Natural Gas, Oil Pipe Line And Improvement Company, a corporation duly created, organized and now existing under and by virtue of the laws of the state of Kansas, hereinafter denominated the "Improvement Company" party of the first part, and the Kansas Natural Gas Company, a corporation duly created, organized and now existing under and by virtue of the laws of the state of Delaware and duly registered and licensed to transact and carry on business under the laws of the laws of the state of Kansas, hereinafter denominated the "Gas Company" party of the second part, due, regular and complete incorporation organization, creation and power to transact business of and by both of the said companies, being hereby fully and mutually admitted and declared;

Whereas the said Improvement Company did heretofore contract with and hire the said Gas Company to build, lay and construct for it the lines of pipe hereinafter mentioned and described and the pumping stations and appliances connected therewith; and

Whereas the Gas Company in pursuance of its said contract and hiring did build, lay and construct for the Improvement Company the said pipe lines, pumping stations and appliances and likewise did advance certain sums of money sufficient to purchase certain lands and acquire certain rights of way, all necessary for the operation of the said pipe lines and which sums of money the Improvement Company did agree to return and repay; and

Whereas there is now due and owing by the Improvement Company to the Gas Company under the said contract and for the said sums of money so advanced the aggregate sum of Two Million Six Hundred and Fifty six Thousand dollars, and which has been and now