

THIS INDENTURE, Made this 22nd day of April A.D. 1910, between the UNION PACIFIC RAILROAD COMPANY, (hereinafter called the "Railroad Company"), a corporation organized and existing under and by virtue of the laws of the State of Utah, party of the first part, and THE EQUITABLE TRUST COMPANY OF NEW YORK (hereinafter called the "Trustee"), a corporation organized and existing under and by virtue of the laws of the State of New York, party of the second part;

Whereas, heretofore and under date June 1, 1908, the Railroad Company executed its First Lien and Refunding Mortgage to the trustee (and thereafter, pursuant to section 2 of Article Second of said mortgage, executed to the trustee a supplemental indenture under date October 15, 1908) to secure an issue of bonds for an aggregate principal sum not exceeding \$200,000,000 at any one time outstanding; and

Whereas it is provided by the said mortgage that said bonds to the aggregate amount of \$50,000,000 shall be certified and delivered by the trustee from time to time to the Railroad Company, to reimburse the Railroad Company for expenditures made by it after the date thereof, for some one or more of the purposes set forth in Section 4 of Article Second of said Mortgage; and

Whereas, since the date of said mortgage the Railroad Company has expended the sum of \$7, 574,368.84 for purposes set forth in said Section 4 of Article Second of said Mortgage namely, in the construction or acquisition of the property, rights privileges and franchises hereinafter more particularly mentioned and described; and

Whereas the Railroad Company has requested the Trustee to certify and deliver to it, to reimburse it for expenditures made on account thereof, \$7, 574,000, in face value, of said bonds, being a portion of the \$50,000,000 of bonds reserved to be issued under said section 4 of Article Second of the said Mortgage; and

Whereas, it is provided by the said mortgage, that in order to procure ^{the} certification and delivery by the trustee of bonds for the purpose of reimbursing the Railroad Company as aforesaid, there shall be delivered to the Trustee the instrument therein specified, and in case the expenditures certified to the Trustee, as therein provided, shall have been made for the construction or acquisition of additional railroads or branches or extensions or main track, or for the acquisition of real property, or for the purchase of rolling stock or other equipment then in actual use by the Railroad Company there shall be delivered to the trustee a Supplemental Indenture, duly executed by the Railroad Company to the Trustee, specifically subjecting such railroads branches or extensions or main track, or real property, or rolling stock or equipment as the case may be, to the lien of the said mortgage, and that at any and all times, the Railroad Company will execute and deliver to the trustee

For release see Report 83 Page 347