

and Lena Burcheding his wife, to me known to be the same persons named in, and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Com. Ex. 7/1/1915.(SEAL)

J. S. Becker, Notary Public, in and for said County

Recorded July 5th., A.d. 1916, at 9:45 o'clock A.M.

Royal L. Lawrence
Register of Deeds,
Geo. B. Mottel
Deputy.

(p 1.)

THIS INDENTURE, dated as of the first day of August, A.D. 1914, by and between The Kansas City, Kaw Valley and Western Railway Company, a corporation organized and existing under the laws of the State of Kansas, (hereinafter termed the "Company"), party of the first part, and Commerce Trust Company, Kansas City, Missouri, a corporation organized and existing under the laws of the State of Missouri, as Trustee (hereinafter termed the "Trustee"), party of the second part, WITNESSETH:

Whereas, the company for the purpose of paying its indebtedness and of securing money for additions to its road, equipment and for extensions and betterments has duly resolved and determined, by proper action of its stockholders and directors, to create a series, and make an issue, of eight hundred and thirteen (813) GENERAL MORTGAGE SIX PER CENT. GOLD BONDS, dated as of August first, 1914, bearing interest at the rate of six per centum (6%) per annum, payable semi-annually, on the first days of February and August in each year, said bonds to be numbered consecutively from one (1) to eight hundred and thirteen (813), both inclusive, eight hundred and twelve (12) of said bonds, numbers (1) to eight hundred and twelve (812), both inclusive, to be of the same denomination of One thousand dollars (\$1,000) each and one (1) bond numbered 813 to be of the denomination of Five Hundred Dollars (\$500.00), and to secure the payment of said bonds and interest thereon has also by like proper action duly resolved and determined to execute, acknowledge and deliver this indenture:

Recitals of
purpose of
bond issue
and action of
stockholders
and directors

(p.2)
And Whereas, each of the said bonds to be secured hereby is to be in substantially the following form, the number and denomination of each bond to be inserted in the appropriate blanks therefor, viz:

(Form of Bond) \$ _____
No. _____ UNITED STATES OF AMERICA, STATE OF KANSAS.
THE KANSAS CITY, KAW VALLEY AND WESTERN RAILWAY
COMPANY.

Form of Bond

GENERAL MORTGAGE SIX PER CENT. GOLD BOND.

THE KANSAS CITY, KAW VALLEY & WESTERN RAILWAY COMPANY, a corporation organized and existing under the laws of the State of Kansas acknowledges itself to owe, and for value received hereby promises to pay to the bearer hereof, or if registered as hereinafter provided, to the registered holder hereof, One Thousand Dollars (\$1000.00) in Gold Coin of the United States of America, of or equal to the present standard of weight or fineness, on the first day of August, 1924; at the Commerce Trust Company of Kansas City, Missouri, together with interest thereof at the rate of six per centum (6%) per annum, payable semi-annually in like Gold Coin, on the first days of February and August in each year, at said Commerce Trust Company of Kansas City, Missouri, upon presentation and surrender of the respective coupons hereto annexed, as they severally become due. Both principal and interest of this bond, payable without deduction for taxes or charges in the nature thereof hereon, or on the debt of interest evidenced hereby which the undersigned Company or its assigns, or anyone acting in behalf of it or them, may be required to pay or retain therefrom, because of any present or future law.

This bond is one of a duly authorized series and issue of eight hundred and thirteen (813) bonds of like tenor and date, numbered consecutively from one (1) to eight hundred and thirteen (813) both inclusive; eight hundred and twelve (812) of said bonds, numbers one (1) to eight hundred and twelve (812) both inclusive, being of the denomination of One Thousand Dollars (\$1000.00) each, and one (1) of said bonds number eight hundred and thirteen (813), being of the denomination of Five Hundred Dollars (\$500.00) issued or to be issued to an amount not exceeding in the aggregate the principal sum of Eight Hundred and Twelve Thousand, Five Hundred Dollars (\$812,500.00), pursuant to the terms and provision of, and respective of the time of the actual issue, equally secured by the Trust Indenture, dated as of August 1, 1914, duly executed, acknowledged and delivered by the undersigned Company to the Commerce Trust Company of Kansas City, Missouri, as Trustee, to which Trust Indenture reference is hereby made for a description of the property, rights and franchises thereby mortgaged, the nature and extent of the security thereby created, and the terms and conditions upon which said bonds are or may be issued and secured, all with the same effect as if the provisions of said Trust Indenture were herein fully set forth. All rights of the holder and owner hereof in the premises, including any and all rights of action by virtue hereof, or concerning the property mortgaged, or to be mortgaged, for the security hereof, are expressly agreed by said holder and owner to be subject to the provision of said Trust Indenture.

If default shall be made in the payment of the interest on this bond, or in the performance of certain covenants and agreements in said Trust Indenture, then the principal of this bond may be declared and become due and payable as provided in said Trust Indenture.

No recourse shall be had for the payment of any of the principal or interest of this bond against any incorporator or any present or future stockholder, officer or director of the undersigned Company, either directly or through the undersigned Company, by virtue of any statute or by enforcement of any assessment or otherwise;