

MORTGAGE RECORD 75

until said principal sum shall be paid as evidenced by and upon presentation and surrender of the annexed interest coupons as they severally become due.

This bond is one of a series of 114 bonds of the obligor of like date and tenor, except as to denomination and maturity, aggregating the principal sum of \$550,000.00 all of which bonds are issued under and in pursuance of and are equally secured by a first mortgage or deed of trust dated December 1928, executed by the obligor to Fidelity National Bank and Trust Company of Kansas City, a corporation, as Trustee, being of and upon the property in said mortgage described, to which reference is hereby made for a description of the mortgaged property, the nature and extent of the security the rights of the holders of the bonds issued thereunder and the terms upon which said bonds are issued. In the event of default by the obligor as defined in said mortgage, the principal of this and all other outstanding bonds issued under said mortgage may be declared due and payable in the manner and with the effect provided in said mortgage. This bond shall not be valid or become obligatory for any purpose until it shall have been authenticated by the execution by the Trustee of the certificate hereon endorsed.

IN WITNESS WHEREOF, The Bowersock Mills & Power Company, a corporation, has caused this bond to be signed in its name by its President, and its corporate seal to be hereto affixed, attested by its Secretary, and the interest coupons hereto annexed to be authenticated by the fac-simile signature of its President, and this bond to be dated this first day of January, 1929.

THE BOWERSOCK MILLS & POWER COMPANY,

BY

President

ATTEST:

Secretary.

FORM OF COUPON.

NO. _____

\$ _____

On the first day of January, 19____, The Bowersock Mills & Power Company will pay to the bearer, at the office of Fidelity National Bank and Trust Company of Kansas City, in the City of Kansas City, Missouri, \$_____, in gold coin, being the interest then due on its First Mortgage Gold Bond, dated January 1, 1929, No. _____.

President.

FORM OF TRUSTEE'S CERTIFICATE.

Fidelity National Bank and Trust Company of Kansas City, as Trustee, hereby certified that this bond is one of the series of bonds described in the within mentioned mortgage or deed of trust of The Bowersock Mills & Power Company.

FIDELITY NATIONAL BANK AND TRUST COMPANY OF KANSAS CITY, AS TRUSTEE.

BY

Vice-President.

AND WHEREAS, the Board of Directors of the obligor has duly authorized and directed its officers to make, execute, acknowledge and deliver to the Trustee a first mortgage deed of trust covering the property of the obligor hereinafter described, for the purpose of securing the payment of the series of bonds heretofore described, and the performance of the covenants therein and hereinafter contained:

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That in order to secure the payment of the principal and interest of all of the bonds of the obligor hereinafter described according to their tenor and effect, and the performance of all the covenants, agreements and conditions in said bonds and herein contained, and to declare the terms upon which said bonds are issued and delivered, party of the first part, in consideration of the premises, and of the purchase and acceptance of said bonds by the holders thereof, and of the sum of One Dollar, to it duly paid by the Trustee, the receipt of which is hereby acknowledged, has given, granted, bargained and sold, conveyed, released, assigned, transferred and set over, and by these presents does hereby give, grant, bargain and sell, convey, release, confirm, assign, transfer and set over unto the party of the second part, as Trustee, and to its successors in this trust, and to its assigns forever, all and singular the property of the party of the first part described as follows, to wit:

1. A certain leasehold or grant from the City of Lawrence to Orlando Darling, dated September 30, 1872, and recorded October 1, 1872, in Book 8, at page 51 of the records in the office of the Register of Deeds in and for Douglas County, Kansas covering all the rights, privileges, and interest of the City of Lawrence, in and to all that tract or parcel of land in said City, and in said County of Douglas, State of Kansas, lying South of the Kansas River, East of Massachusetts Street, and West of Reserve Lot No. 8, and designated on the map or plot of said City then on file in the office of the Register of Deeds of said County of Douglas as "Levee", except a strip 50 feet wide off the South side of said Levee to be used and occupied for a street, as modified by a certain contract between said City and The Lawrence Land & Water Power Company, dated October 12, 1875, and recorded in Book _____ at page 510 of the records in the office of the City Clerk of Lawrence, Kansas; excepting, however, all that part of said Levee lying east of a line beginning at a point 591.4 feet north, 270.6 feet east, and 10.5 feet north of the center of the intersection of Seventh Street and Massachusetts Street; thence north 131.5 feet more or less to the center line of the main track of the Atchafalaya, Sopch & Santa Fe Railway; thence west on said center line 6.5 feet to a point in line with the west side of the west wall of the building owned by the Lawrence Paper Manufacturing Company; thence north 14 degrees, 7 minutes east along the west side of said wall to the Kansas River, and excepting also the right of way of the Atchafalaya, Sopch & Santa Fe Railway extending across said Levee.

2. The water power adjoining and appurtenant to the above leasehold, including the dam across the Kansas River, the flume, penstocks, water wheels and equipment.

3. A. The flour mills, elevators, warehouses, bakery, and all other buildings, and (b) all machinery, tools, trucks, automobiles and equipment situated upon that portion of said leasehold transferred in Paragraph One hereof, or constituting part of the assets of The Bowersock Mills & Power Company.