

MORTGAGE RECORD 85

STATE OF KANSAS)
COUNTY OF DOUGLAS)SS

On this twenty-eighth day of June, 1940, before me, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared George Docking, to me known to be the identical person who signed the name of the maker thereof to the within and foregoing instrument as its Vice President and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

(SEAL) My Commission Expires April 17, 1943

Rose Gieseman
Notary Public

Recorded June 28, 1940 at 2:15 P.M.

Harold A. Beck Register of Deeds

Receiving No. 10387 <

ASSIGNMENT

(The following is endorsed on the back of the original mortgage, recorded book 84, page 167)

For Value Received, the undersigned owners of the within mortgage, does hereby assign and transfer the same to M. Faye Woodward

Russell J. Woodward
Nettie Faye Woodward
As Executors of the Estate of
E. G. Woodward, deceased

District of Columbia)
City of Washington)SS:

BE IT REMEMBERED, that on this day of June A.D. 1940 before me, the undersigned, a Notary Public in and for said County and State, came Nettie Faye Woodward, as executrix of the Estate of E. G. Woodward, deceased, one of the mortgagees named in the foregoing mortgage to me known to be the same person who as such executor executed the foregoing assignment of such mortgage, and such person duly acknowledged the execution of said assignment, as such executrix.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year last above written.

(SEAL) My Commission Expires 2-1-1941

Howard W. Woerner
Notary Public

STATE OF KANSAS)
DOUGLAS COUNTY)SS:

BE IT REMEMBERED, that on this 15 day of June, 1940, before me, the undersigned, a Notary Public in and for said County and State, came Russell J. Woodward, as executor of the Estate of E. G. Woodward, deceased, one of the mortgagees named in the foregoing mortgage, to me known to be the same person who as such executor executed the foregoing assignment of such mortgage, and such person duly acknowledged the execution of said assignment, as such executor.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year last above written.

(SEAL) My Commission Expires July 5, 1941.

C. C. Stewart
Notary Public

Recorded June 29, 1940 at 9:50 A.M.

Harold A. Beck Register of Deeds

Receiving No. 10404 <

UNION PACIFIC RAILROAD COMPANY
TO
THE CHASE NATIONAL BANK OF THE CITY OF
NEW YORK, AS TRUSTEE.

REFUNDING MORTGAGE
DATED JUNE 1, 1940

Reg. Fee
Paid in
Shawnee
County

THIS INDENTURE, dated the first day of June, one thousand nine hundred and forty, by and between UNION PACIFIC RAILROAD COMPANY, a corporation duly organized and existing under and by virtue of the laws of the State of Utah (hereinafter called the "Railroad Company"), party of the first part, and THE CHASE NATIONAL BANK OF THE CITY OF NEW YORK, a corporation duly organized and existing under and by virtue of the laws of the United States of America (hereinafter called the "Trustee"), party of the second part.

WITNESSETH:
WHEREAS, the Railroad Company now owns the several lines of railroad and other property hereinafter in the granting clauses described; and

WHEREAS, the Railroad Company desires to provide for the refunding or retirement of its existing mortgage indebtedness; and

WHEREAS, the Railroad Company has heretofore created an issue of bonds known as its First Mortgage Railroad and Land Grant Four Per Cent. Gold Bonds (hereinafter called the "First Mortgage Bonds"), maturing July 1, 1947, secured by a mortgage dated July 1, 1897, to The Mercantile Trust Company (now Bankers Trust Company), and supplements thereto, (hereinafter together called the "First Mortgage"), limited to the principal amount of One Hundred Million Dollars (\$100,000,000), all of which are now issued and outstanding; and

WHEREAS, the Railroad Company has heretofore created also an issue of bonds known as its First Lien and Refunding Mortgage Bonds, secured by a mortgage dated June 1, 1908, to The Equitable Trust Company of New York (now The Chase National Bank of the City of New York), and supplements thereto, (hereinafter together called the "First Lien and Refunding Mortgage") limited to Two Hundred Million Dollars (\$200,000,000), principal amount, of which \$85,902,000, principal amount, are outstanding in the hands of the public, \$100,000,000, principal amount, are reserved for refunding or retiring the First Mortgage Bonds, and \$14,098,000, principal amount, are held by the Railroad Company in its treasury; and

WHEREAS, by resolutions duly adopted by its Board of Directors at a meeting of said Board duly held, the Railroad Company determined, for the purpose of borrowing money for its lawful corporate purposes, to create an issue of bonds (both coupon and registered) to be designated as its "Refunding Mortgage Bonds"