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EIGHTH.

Franchise. All franchises, permits and rights to construct, maintain or operate electric, gas, water, steam heating or hot water heating system of the Company on, over or under public highways, streets, alleys, roads or other public property.

NINTH.

Leases. All leases and leaseholds of the Company, except the last day of the term of each lease and leasehold.

TENTH.

Also, subject to the provisions of Article XIII hereof, all property, real and personal, tangible and intangible, of every kind, character and description and whatsoever situated, hereafter acquired by the Company, excepting always all property hereinafter referred to and defined as excepted property.

ELEVENTH.

Property And also all property which at any time hereafter, by delivery or by an instrument in writing, may be expressly conveyed, mortgaged or pledged to the Trustee hereunder, or either of them, by the Company or by a successor corporation, or by anyone in its behalf and with its written consent, as and for additional security hereunder; the Trustee and each of them being hereby authorized at any and all times to accept and receive any such conveyance, mortgage, pledge or delivery and to hold and apply any such property upon and subject to the terms and provisions upon which such conveyance, mortgage, pledge or delivery shall be made.

TWELFTH.

Together with all and singular the tenements, hereditaments and appurtenances belonging or in anywise appertaining to the property hereby granted or any part thereof, with

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Sections 4, 5, 6, 7, 8, 9 and 10, Township 54, Range 16, and Sections 21, 28, 29, 32 and 33, Township 52, Range 16, in Chariton County, Missouri; and Sections 2, 3, 10, 11, 12, 13, 14, 15, 22 and 27, Township 55, Range 16, and Sections 1 and 10, Township 54, Range 16, in Randolph County, Missouri.

(I) The last day of the term of any lease or leasehold which may be or become subject to the lien hereof.

(II) The fee plant and property of the Company located in the City of Carrollton, Carroll County, Missouri, including all buildings, structures, tanks, pipes, machinery, equipment and other property now owned or hereafter acquired by the Company for use in the manufacture, storage or sale of ice.

(I) Certain parcels of land, together with all buildings and improvements thereon and appurtenances thereto, more particularly described as follows:

(i) Lot 2, Block 8, in Carrollton, Carroll County, Missouri.

(ii) The following described parcels of land in the City of Carrollton, Carroll County, Missouri: Commencing 742.5 feet South of the Northwest corner of the Southwest quarter of the Northeast quarter of Section 5, Township 52, Range 23, thence East 250 feet, thence South to the center of Wakanda Creek, thence up said creek variation 50° 15' to the intersection with the North and South center line of said Section 5, thence North on said center line 38 feet to the place of beginning; also, commencing at a point on the North and South center line of Section 5, Township 52, Range 23, 440 feet South of the Northwest corner of the Southwest quarter of the Northeast quarter of said Section 5, thence East 220 feet, thence South 202.5 feet, thence West 220 feet to the aforesaid center line, thence North along said center line 202.5 feet to the place of beginning; also, commencing at a point 20 feet South of the Southwest corner of a certain parcel of land owned by Joseph C. Galt (colored), on the 31st day of August, 1881, by Alexander Trotter by deed recorded in Book 21, Page 203, thence East 100 feet, thence South 175 feet, thence West 100 feet, thence North 175 feet to the place of beginning, the said lot being situated in the Southwest quarter of the Northeast quarter of Section 5, Township 52, Range 23, and being all of Outlot 105 and part of Outlot 75, Ward 3, Carrollton;

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the reversion and reversions, remainder and remainders, and (subject to the provisions of Section 7.01 hereof) the income, revenues, rents, issues and profits thereof; and all of the estate, right, title, interest and claim whatsoever which the Company now has or may hereafter acquire in and to the aforesaid property and every part and parcel thereof, excepting always the property hereinafter excepted and excluded from the lien hereof.

EXCEPTED PROPERTY.

The following described property, whether now owned or hereafter acquired by the Company, is expressly excepted and excluded from the lien and operation of this Indenture:

(A) All cash on hand and in banks, all shares of stock and certificates or evidences of interest therein, all bonds, notes and other evidences of indebtedness or obligations, all other securities, all bills, notes and accounts receivable, and all judgments, choses in action, contracts and operating agreements, unless hereafter specifically mortgaged and pledged hereunder or required as to be.

(B) All merchandise, equipment, materials and supplies held for the purpose of sale or lease in the ordinary course of business or for consumption in the operation of any properties of the Company or held in advance of use thereof for maintenance or fixed capital purposes.

(C) All electricity, gas, steam, water, ice and other materials or products generated, manufactured, produced or purchased by the Company for sale, distribution or use in the ordinary course of its business.

(D) All airplanes, automobiles, trucks, tractors, trailers and other vehicles.

(E) All office furniture and office equipment.

(F) All timber, all natural gas, oil, coal and other minerals, and all coal and other mineral rights and royalties, including, without limiting the generality of the foregoing, the coal owned in fee and the rights to mine the same owned by the Company in the following described lands in the State of Missouri:

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and also, all of the West 100 feet of Outlot 75, Ward 3, that lies South of West Holden Avenue and East of Waterworks Street and North of the old channel of Wakanda Creek, Carrollton; *excepting* from the aforesaid parcels certain land described as commencing at a point 664.56 feet South of and 159.53 feet East of the Northwest corner of the Southwest quarter of the Northeast quarter of Section 5, Township 52, Range 23, thence East 100.47 feet to the East line of Waterworks Street, thence South 142.7 feet, thence West 140.53 feet, thence Northwesterly along a line that deflects to the East 92° 39' 40", a distance of 68.58 feet, thence Southeasterly at right angles to the last described course 20.9 feet, thence Northwesterly at right angles to the last described course 78.16 feet to the point of beginning.

(iii) Block 38 in Brinkley's Addition, in Brunswick, Chariton County, Missouri.

(iv) The South half of the Southeast quarter of Section 32, Township 55, Range 16, in Chariton County, Missouri.

Also, the West half of the Southwest quarter, and the West half of the East half of the Southwest quarter of Section 33, Township 55, Range 16, and 20.41 acres in the North half of the Northeast quarter of the Northwest quarter, and 1.221 acres in the West half of the North half of the Northwest quarter of the Northeast quarter of Section 4, Township 54, Range 16, in Chariton County, Missouri, as described in deed from Edwin P. Sears and Mary A. Sears to Glasgow Mining and Manufacturing Company recorded February 12, 1923, in Book 117, Page 315.

Also, the Southeast quarter of the Southwest quarter of Section 32, Township 55, Range 16, in Chariton County, Missouri, *excepting* therefrom two parcels of land described as follows: (a) Beginning at a point 304 feet West of the Southwest corner of the Southwest quarter of Section 32, Township 55, Range 16, thence West 418.26 feet, thence North 418.26 feet, thence East 418.26 feet, thence South 418.26 feet to place of beginning; and (b) Beginning at the Southeast corner of the Southeast quarter of the Southwest quarter of Section 32, Township 55, Range 16, thence West 264 feet, thence North 418.26 feet, thence East 264 feet, thence South 418.26 feet to place of beginning.

Also, a lot of ground beginning at the Northeast corner of Section 5, Township 54, Range 16, thence South West 62 chains and 54 links, thence West 27 chains and 62 links, thence North 27 chains and 54 links, thence East 27 chains and 62 links to place of beginning.