

(v) Lot 1 of Allotment No. 11, beginning at a point on the West line of Water Street, as the same is marked and designated by the plat of Old Kansas City, and in an addition to the estate of Silas Armstrong, deceased, in Kansas City, Wyandotte County, Kansas, which plat is recorded in Plat Book No. 1 at pages 9 and 21 in the office of the Register of Deeds in and for Wyandotte County, Kansas, 541 feet North (North 28° 30' West) from the point where the Southern boundary line of Allotment No. 11, in certain proceedings had in Cause No. 911 in the District Court in and for Wyandotte County, Kansas, wherein Thomas Ewing, et al. were plaintiffs and William Weir, et al. were defendants, wherein said Allotment No. 11 was allotted to the heirs of Silas Armstrong, deceased, strikes the West line of Water Street, thence North (North 28° 30' West) along the West line of Water Street 60 feet, thence South 61° 30' West 240 feet to the East bank of the Kansas River; thence up the East bank of said river to a point, South 61° 30' West of point of beginning, thence Easterly (North 61° 30' East) and parallel to the Southern boundary line of said Allotment No. 11 to point of beginning, according to and hereby describing Lot 1 in Partition Suit No. 11054 in the District Court of Wyandotte County, Kansas, wherein George W. Tourtellot and Llewellyn E. James were plaintiffs and R. W. Hilliker, et al. were defendants.

Also, Lot 2 of Allotment No. 11, lying North of Central Avenue, beginning at a point on the West line of Water Street, as the same is marked and designated in the plat of Old Kansas City, Wyandotte County, Kansas, and in an addition to the estate of Silas Armstrong, deceased, in Kansas City, Wyandotte County, Kansas, which plat is recorded in Plat Book No. 1 at pages 9 and 21 in the office of the Register of Deeds in and for Wyandotte County, Kansas, 551 feet North (North 28° 30' West) from the point where the Southern boundary line of Allotment No. 11, in certain proceedings had in Cause No. 911 in the District Court in and for Wyandotte County, Kansas, wherein Thomas Ewing, et al. were plaintiffs and William Weir, et al. were defendants, wherein said Allotment No. 11 was allotted to the heirs of Silas Armstrong, deceased, strikes the West line of Water Street, thence North (North 28° 30' West) along the West line of Water Street 145 feet to the North line of Central Avenue as now used and occupied; thence South 66° 19' West 125 feet to a point on the East bank of the Kansas River, 225 feet North (North 61° 30' East) from the point of beginning, thence down the East bank of the Kansas River to a point 61° 30' West of point of beginning, thence Easterly (North 61° 30' East) and parallel to the Southern boundary line of

said Allotment No. 11 to the point of beginning, according to and hereby describing that part of Lot 2 in Partition Suit No. 11054 in the District Court of Wyandotte County, Kansas, wherein George W. Tourtellot and Llewellyn E. James were plaintiffs and R. W. Hilliker, et al. were defendants, lying North of Central Avenue as now used and occupied.

Also, that part of Lot 3 of Allotment No. 11, lying North of Central Avenue, beginning at a point on the West line of Water Street, as the same is marked and designated in the plat of Old Kansas City and also in an addition to the estate of Silas Armstrong, deceased, in Kansas City, Wyandotte County, Kansas, which plat is recorded in Plat Book No. 1 at pages 9 and 21 in the office of the Register of Deeds in and for Wyandotte County, Kansas, 437 feet North (North 28° 30' West) from the point where the Southern boundary line of Allotment No. 11 in certain proceedings had in Cause No. 911 in the District Court in and for Wyandotte County, Kansas, wherein Thomas Ewing, et al. were plaintiffs and William Weir, et al. were defendants, wherein said Allotment No. 11 was allotted to the heirs of Silas Armstrong, deceased, strikes the West line of said Water Street, thence North (North 28° 30' West) along the West line of Water Street 114 feet, thence South 61° 30' West (at right angles to Water Street) 145 feet; thence North 66° 19' East to the point of beginning, according to and hereby describing that part of Lot 3 in Partition Suit No. 11054 in the District Court of Wyandotte County, Kansas, wherein George W. Tourtellot and Llewellyn E. James were plaintiffs and R. W. Hilliker, et al. were defendants, lying North of Central Avenue as now used and occupied.

Also, that part of Allotment No. 12 in Partition Suit No. 911 in the District Court of Wyandotte County, Kansas, described as follows: Beginning at a point which is South 28° 10' East along said West line of Water Street 200 feet from a point where the West line of Water Street intersects the North line of said Allotment No. 12; thence South 28° 10' East along said West line of Water Street 207 feet; thence South 61° 50' West 252 feet, more or less, to a point on the right bank of the Kansas River as now used and occupied; thence down said bank of said river 237 feet to a point South 61° 50' West 214 feet, more or less, from the point of beginning; thence North 61° 50' East 214 feet, more or less, to the point of beginning, together with all accretions, reversionary rights, and all rights in any and all rivers, streams and alleys, and the land covered by the same.

(vi) Beginning at a point 46275 feet North from a point 70 feet East and 60 feet North of the Southwest corner of the Southeast quarter of Section 10, Township 11, Range 25, in Kansas City, Wyandotte County, Kansas, thence East 59 feet; thence South 60 feet; thence West 59 feet; thence North 60 feet to point of beginning.

(vii) A triangular lot of ground lying on the East side of the Kaw River adjoining James Street on the Southwest side thereof, in Kansas City, Wyandotte County, Kansas, and recorded June 14, 1898, in Book 274, Page 341, Wyandotte County, Kansas, described as follows: Beginning at a point where the South line of Lot 17 intersects the center line of the public highway which runs from the North end of James Street to and connects said James Street with the wagon bridge across the Kansas (Kaw) River; thence South 61° 30' West along the South line of said Lot 17 550 feet, more or less, to the right bank of the Kansas (Kaw) River; thence down the right bank of said river with the meanderings thereof, 406 feet, more or less, to a point where the center line of said public highway which connects the North end of James Street with said bridge intersects said river bank; thence South along the center of said public highway that connects the North end of James Street with said bridge 321 feet, more or less, to the point of beginning.

(viii) A parcel of land in Floyd County, Iowa, described as follows: Beginning at the Southeast corner of the Southeast quarter of Section 7, Township 36 North, Range 18 West of the 5th principal meridian; thence West 8 rods; thence North 2 rods; thence East 8 rods; thence South 2 rods to point of beginning.

(ix) All the right, title and interest of the Company in and to Lots 29, 30 and 31 in Block 13 in the Highlands Addition to Maple City, Cass County, Iowa, according to the recorded plat thereof.

The properties so excepted and excluded from the lien and operation of this Indenture, or during the time and to the extent so excepted and excluded, are elsewhere in this Indenture sometimes referred to collectively as "excepted property."

If, upon the happening and continuance of an event of default as defined in Section 9.02 hereof, the Trustees or either of them or any receiver appointed hereunder shall

enter upon and take possession of the mortgaged property, the Trustees or such receiver may, to the extent permitted by law, at the same time likewise take possession of any and all of the excepted property described herein then on hand which is used or useful in connection with the business of the Company, and use and administer the same, to the extent permitted by law, to the same extent as if such property were part of the mortgaged property, unless and until such event of default shall be remedied or waived and possession of the mortgaged property restored to the Company, its successors or assigns.

The Company, however, expressly reserves the power at any time and from time to time, by indenture supplemental hereto, to subject to the lien and operation of this Indenture any part or all of the property so excepted and excluded from the lien and operation hereof, upon such terms and conditions and subject to such restrictions, limitations and reservations as it may determine.

To HAVE AND TO HOLD the trust estate unto the Trustees, their successors or successors in trust, and their assigns forever:

SUBJECT, HOWEVER, to the exceptions and reservations and matters hereinabove recited; to the lien of the mortgage referred to in Section 5.03 hereof; to existing leases; to alleys, streets and highways which may run across or encroach upon the trust estate; to permissible encumbrances, as the term "permissible encumbrances" is defined in Article I hereof; and, with respect to every hereafter acquired, to all defects and limitations of title and to all encumbrances existing at the time of or created in connection with the acquisition of such property.

IN TRUST NEVERTHELESS, for the equal and proportionate benefit and security of all the holders of the bonds and con-