42285-B

Book 99

RELEASE OF MORTGAGE-TRUSTEE

Indenture of Release, dated, September 19th 1950, made by CENTRAL HANOVER BANK AND TRUST COMPANY, a corporation of the State of New York (hereinafter referred to as the Trustee), party of the first part, and The Kansas Power and Light Company

(hereinafter, whether one or more persons or corporations referred to as the Grantee), party of the second part;

WHEREAS, The Atchison, Topeka and Santa Fe Railway Company (hereinafter called the "Atchison Company"), by deed dated August 18, 1950, conveyed to said Grantee certain property hereinafter described, and

WHEREAS, the Union Trust Company of New York was heretofore and up to the 18th day of June, 1918, Trustee under a certain mortgage or deed of trust, hereinafter called the General Mortgage, dated December 12th, 1893, executed by the Atchison Company to said Union Trust Company of New York, as Trustee, and duly recorded; and

WHEREAS, the Central Trust Company of New York was heretofore and up to the 18th day of June, 1918, Trustee under a certain mortgage or deed of trust, hereinafter called the Adjustment Mortgage, dated December 12th, 1893, executed by the Atchison Company to said Central Trust Company of New York, as Trustee, and duly recorded; and

WHEREAS, on or about the 18th day of June, 1918, said Union Trust Company of New York, pursuant to proceedings duly and regularly taken in accordance with the laws of the State of New York in such case made and provided, was duly merged into said Central Trust Company of New York, which by and under the name of Central Union Trust Company of New York thereupon and thereby became duly and lawfully vested with all the rights, privileges, franchises, property, powers, trusts, relations and obligations of said Union Trust Company of New York, including all rights, privileges, franchises, property, powers, trusts, relations and obligations of said Union Trust Company of New York, as Trustee under said General Mortgage dated December 12th, 1893, executed by the Atchison Company to said Union Trust Company of New York, as Trustee; and

WHEREAS, on or about the 15th day of May, 1929, said Central Union Trust Company of New York, pursuant to proceedings duly and regularly taken in accordance with the laws of the State of New York, merged into itself The Hanover Bank of the City of New York, a New York corporation, and simultaneously changed its name to Central Hanover Bank and Trust Company, and said Central Hanover Bank and Trust Company since the 15th day of May, 1929, has been and now is Trustee under both said General Mortgage dated December 12th, 1893, executed by said Atchison Company to said Union Trust Company of New York, as Trustee, and under said Adjustment Mortgage dated December 12th, 1893, executed by said Atchison Company to said Central Trust Company of New York, as Trustee; and

WHEREAS, a release from said mortgagee or deeds of trust is necessary in order to vest in the Grantee an unincumbered title to the property described in and conveyed by said deed, and hereinafter described, and the Atchison Company has furnished to said Trustee a written request of the Atchison Company in accordance with the requirements of said mortgages or deeds of trust, together with a copy of a resolution of ~~the Board of Directors or of the Executive Committee of~~ the Board of Directors of the Atchison Company approving of such request, to release the said property as conveyed from the lien and operation of said mortgages or deeds of trust.

NOW, THEREFORE, for and in consideration of One Dollar ($1.00) and other good and valuable considerations, said Central Hanover Bank and Trust Company, as Trustee under said General Mortgage dated December 12th, 1893, and as Trustee under said Adjustment Mortgage dated December 12th, 1893, does hereby release to the Grantee above named from the lieu of said General Mortgage and said Adjustment Mortgage, under which it is Trustee as aforesaid, that certain tract or parcel of land situate, lying and being in the County of Douglas and State of Kansas, and particularly described as follows:

All that part of Reserve No. 6 and Reserve No. 7 in the City of Lawrence and County of Douglas, State of Kansas, described as follows: Beginning at a point on the northwest line of Reserve No. 7 the intersection of a line fifty (50) feet northeasterly of the center line of the located spur track known as Track No. 2 of The Atchison, Topeka and Santa Fe Railway Company, measured perpendicularly to said center line; thence southeasterly parallel to said center line to where the foundation of the mill was formerly located (said foundation being that referred to in that certain report of Commissioners of Condemnation filed in County Clerk's office and in Register of Deeds' office of said county on September 15, 1887), at a point perpendicularly opposite and northeasterly of location station 5 plus 59 feet of said center line; thence west with the line of said foundation twelve and forty-five hundredths (12.45) feet to the northwest corner of said foundation; thence south with the line of said foundation thirty-six and seventy-five hundredths (36.75) feet to the southwest corner of said foundation; thence east with said foundation six and forty-seven hundredths (6.47) feet to a point twenty-five (25) feet perpendicularly northeasterly of said located center line of track; thence southeasterly parallel to said center line to the north line of Sixth Street, being Pinckney Street as referred to in said report of Commissioners of Condemnation; thence west along said north line of Sixth Street, being also the south line of said Reserve No. 7, to a point fifty (50) feet