

The Merchantile Trust Company to Northern Pacific Railway Comp.

This Indenture, made this twelfth day of May A.D. 1903 between the Merchantile Trust Company, a corporation under the laws of the State of New York, Trustee, hereinafter called "The Trustee"; party of the first part, and the Northern Pacific Railway Company, party of the second part: Witnesseth: Whereas, the Northern Pacific Railway Company, a corporation under the laws of the State of Wisconsin (which has succeeded to the lands and rights to lands granted by Congress to the Northern Pacific Railroad Company, a corporation created and existing by and under an act of Congress of the United States of America entitled "An act granting lands to aid in the construction of a railroad and telegraph line from Lake Superior to Puget Sound on the Pacific Coast by the 'Northern Route', approved July 2, 1864) in and by a certain mortgage bearing date the tenth day of November, A.D. 1896, did mortgage unto the said party of the first part, as Trustee, certain railways and other property including the lands hereinafter described, which mortgage was given to secure the payment of the prior lien railway and land grant gold bonds of said Northern Pacific Railway Company to be issued to an amount not exceeding \$130,000,000; and

Whereas, The said The Merchantile Trust Company as Trustee, is authorized in and by said mortgage by itself, or by its authorized attorney, to release from the lien of said mortgage any lands which may be sold upon payment to said Trustee of the net sum received from such sales, so that the purchaser, or purchasers thereof shall take and hold the same free from any incumbrances existing by reason of said mortgage; and

Whereas, All the lands hereinafter described have been sold and conveyed by the Northern Pacific Railway Company (which has succeeded to the right, title and interest in said lands of the Northern Pacific Railroad Company) by several deeds in various parcels; and

Whereas, The said Trustee has received the net proceeds arising from the sale of the lands hereinafter described, as provided in said mortgage.

Now Therefore, This Indenture Witnesseth that the party of the first part, as Trustee, as aforesaid, in consideration of the premises and the payment to it of the net proceeds arising from the sale of said lands, the receipt whereof is hereby acknowledged, does hereby release from the lien of said mortgage the following described pieces and parcels of land, situate in the County of Platte and State of Washington and herein described according to the United States Survey.

Township Three (3) North of Range Seven (7) (Unsurveyed).

The northeast quarter of the northwest quarter and the south half of the north west quarter of section twenty-eight (28);

The southeast quarter of the northeast quarter, the east half of the south west quarter and the southeast quarter of section thirty (30);

The northwest quarter of the northeast quarter, the north half of the north west quarter, the southwest quarter of the northwest quarter, the north west quarter of the southwest quarter and the south half of the southwest quarter of