

of the County Clerk of Multnomah County, State of Oregon, in Book 293 of Records of Mortgages of Real Property, page 291, to secure an issue of Five Per Cent General Mortgage Sinking Fund Gold Bonds of the Mortgagor Company not to exceed in the aggregate Fifteen Million Dollars (\$15,000,000), which mortgage stated:

(1) That (page 36) the Mortgagor Company proposed to acquire the properties and franchises of the Portland Railway Company, and (page 39) to execute and deliver a supplemental mortgage upon such properties and franchises to The New York Trust Company, Trustee of the First and Refunding Mortgage of the Portland Railway Company, dated November 1, 1905, and recorded in the office of the County Clerk of Multnomah County, State of Oregon, in Book 259, page 388 of Records of Mortgages of Real Property, as provided in said First and Refunding Mortgage, in order to further secure the payment of the Ten Million Dollars (\$10,000,000) of Portland Railway Company First and Refunding Bonds issued and to be issued, and secured by said mortgage of November 1, 1905; and

(2) That (pages 40 and 41) the Mortgagor Company further proposed, upon the acquisition of said properties and franchises of the Portland Railway Company, to execute and deliver another supplemental mortgage in favor of The Trust Company of America, Trustee herein, in order to comply with the provisions of the aforesaid mortgage of the Mortgagor Company to the Trustee of July 2, 1906, and to further secure the payment of the aforesaid Three Million Dollars (\$3,000,000) of Twenty-five Year Sinking Gold Bonds heretofore issued by the Mortgagor Company; and

(3) That (pages 45 and 48) the lien of said mortgage of the Mortgagor Company of September 1, 1906, should be deferred to the lien of the aforesaid two supplemental mortgages upon the properties and franchises covered thereby respectively; and

Whereas, the Portland Railway Company has heretofore transferred and conveyed all of its properties and franchises to the Mortgagor Company by deed dated the 30th day of April, 1908, and recorded in the office of the County Clerk of Multnomah County, State of Oregon, in Book 415 of Records of Deeds, page 313; and

Whereas, the Mortgagor Company in pursuance of and in accordance with the terms and provisions of said mortgage of the Portland Railway Company of November 1, 1905, and said mortgage of the Mortgagor Company of September 1, 1906, has heretofore executed and delivered a supplemental mortgage dated September 18, 1908, and recorded in the office of the County Clerk of Multnomah County in Book 325, page 408 of Records of Mortgages of Real Property, transferring and conveying the properties and franchises acquired from the Portland Railway Company as aforesaid to The New York Trust Company, Trustee under the aforesaid First and Refunding Mortgage of the Portland Railway Company, dated November 1, 1905, as further and additional security for the aforesaid First and Refunding Mortgage Bonds of the Portland Railway Company; and

Whereas, both the Mortgagor Company and the Trustee desire that this Indenture shall be executed, acknowledged, delivered and recorded for the purpose of more fully and certainly vesting in and confirming to the Trustee the properties and franchises hereinafter described as further and additional security for the Twenty-five Year Sinking Fund Gold Bonds of the Mortgagor Company, in pursuance of and in accordance with the terms and provisions of the aforesaid mortgages of the Mortgagor Company of July 2, 1906 and September 1, 1906;

Now, therefore, this indenture witnesseth, that the Portland Railway, Light and Power Company in consideration of the premises and of the sum of One Dollar (\$1.) to it duly paid by The Trust Company of America at and before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, and in order to further secure the payment of the principal and interest of all of the Twenty-five Year Sinking Fund Gold Bonds of the