

Satisfied

Cape Horn Railroad Company to The American Trust & Savings Bank et al.

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7-19-10 This indenture dated the 14th day of November 1908, by and between the Cape Horn Railroad Company, a corporation duly organized and existing under and by virtue of the General Railroad laws of the State of Washington, hereinafter called the Company, and the American Trust and Savings Bank, a corporation created and existing by virtue of the laws of the State of Illinois, and Frank H. Jones of Chicago, Illinois, hereinafter designated as Trustees,

WITNESSETH, That whereas the Board of Directors of said Company and the stockholders thereof, by resolution duly adopted and recorded in the Minute Books of said Company, determined that said Company cause to be issued and executed its certain promissory note in the sum of One Hundred and Fifty Thousand (\$150,000) Dollars, due on demand, with interest at the rate of six per cent. per annum, payable semi-annually, and that the same be secured by mortgage of even date therewith upon all of the property, real and personal and mixed, rolling stock, and upon all of the rights of way, privileges, easements, contracts, traffic agreements and franchises now owned or which may hereafter be acquired by said Company.

NOW, THEREFORE, This Indenture Witnesseth, that said Company in consideration of the premises, and of One Dollar (\$1.00) to it in hand paid by said Trustees, receipt whereof is hereby acknowledged, and in order to secure the payment of the principal and interest of the note herein, and every part of said principal and interest as the same shall become due according to the tenor thereof, and of the faithful performance of the covenants herein contained, has granted, bargained, sold, conveyed, released, confirmed, assigned, transferred and set over, and by these presents does hereby grant, bargain, sell, convey, release, confirm, assign, transfer and set over to said Trustees, all of its right, title, interest, right of way, rolling stock, equipment, estate and ownership in and to the following described property, to-wit:

That certain logging railroad extending from Prindle's Landing in the County of Skamania, in the State of Washington, in section twelve (12) township one (1) north, range five (5) east, thence through and over sections thirty-five (35), twenty-six (26), twenty-three (23) fourteen (14), eleven (11), twelve (12), and one (1), township two (2) north, range six (6) east; also sections thirty-one (31) and thirty (30), township three (3) north, range six (6) east; also sections twenty-four (24) and thirteen (13) in township three (3) north, range five (5) east, and terminating in section eighteen (18), township three (3) north, range six (6) east, and being about eighteen (18) miles in length, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining.

The grant is intended to include and shall include all of the franchises, contracts, rights of way, easements, privileges, traffic agreements, rolling stock, cars and engines now owned by said Company or which may hereafter be acquired by it; and also all rents, incomes, tolls, profits, and tariffs accruing and to accrue from its said business;

It is the intention of these presents and it is hereby agreed, that all future acquired property, real or personal or mixed, including all future extensions, improvements or betterments of the property hereafter acquired by said Company, shall be as fully embraced within the provisions hereof, and subject to the lien hereby created for securing payment of all of said note, together with interest thereon, as if the said property were now owned by said Company and were specifically mentioned herein.

TO HAVE AND TO HOLD the same with the appurtenances, unto the said Trustees and their successors and assigns, in trust subject to the possession by the said Company until default as hereinafter provided.

This conveyance is tendered as a Mortgage to secure the payment of the sum of One Hundred and Fifty Thousand Dollars (\$150,000) in accordance with the tenor of one certain promissory note, of which the following is a substantial copy, to-wit:-