

at and before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, released, conveyed, assigned, transferred and set over and by these presents does grant, bargain, sell, alien, release, convey, assign, transfer and set over unto THE TRUST COMPANY OF NORTH AMERICA, party of the second part as Trustee, and to its successors and assigns forever, all of the estates, properties, real, personal and mixed, rights, privileges, franchises and choses in action of every nature and kind and wheresoever situate, now or hereafter owned or possessed by or belonging to the Mortgagor Company, or to which it is or may or might or could now or at any time hereafter be in any manner entitled in law or in equity; including all of its railroad, street railway, water power and electric light and power lines and plants, and property, rights, privileges and appurtenances used in connection therewith, real estate, power houses, sub-stations, car barns, offices and other buildings, structures and improvements, rolling stock, equipment and machinery, boilers and engines, tracks, sidings, poles, wires and overhead construction motors, lamps and electrical equipment, cables, conduits, dams, locks, bridges, viaducts, docks, wharves, boats and ferries, water-wheels, break-waters, flumes, sluices, canals and basins, cribs and bulkheads, fixtures, tools and appliances, rights of way and contract rights, riparian and water rights and water power rights, situated in the Cities of Portland, Oregon City and Salem and in the Counties of Multnomah, Clackamas and Marion in the State of Oregon and in the City of Vancouver and the County of Clarke in the State of Washington, and all cash on hand and in bank; securities, bills and accounts receivable, debts, dues and demands and all ordinances, consents, licenses, easements, franchises, privileges, and immunities.

It is expressly understood and agreed, however, by and between the parties to this Indenture, that no stocks, bonds or other corporate securities, now owned or hereafter acquired by the Mortgagor Company shall be assigned to the Trustee herein, or be in any way subject to the lien of this Indenture, except such stocks, bonds and other corporate securities as the Mortgagor Company may acquire to the extent of eighty-five per cent. (85%) of the actual cash cost thereof, with bonds or with the proceeds derived from the sale of bonds hereby secured and issued for such purpose under the provisions of Article I of this Indenture.

The following described properties situate in the County of Multnomah, in the State of Oregon, are included in the properties conveyed by this Indenture, to wit:

1. All of that certain tract or parcel of real property now within the present corporate limits of the City of Portland, and described as follows, to wit: Commencing at a point in the west line of the right of way of the Oregon and California Railroad Company, thirty (30) feet south of the north line of V street, in Stephens Addition to East Portland (now named East Market Street); thence southerly along the west line of said right of way to a point two hundred and ninety (290) feet south of the north line of said East Market Street; thence west on a line parallel with north line of said East Market Street to the Willamette River; thence northerly along the meanders of said River to a point thirty (30) feet south of the north line of said East Market Street; thence east on a line parallel with north line of said East Market Street to the place of beginning, being the same premises described in and conveyed by deed recorded in Book one hundred and eighteen (118), page thirty-three (33) of record of deeds of said Multnomah County. Including the easements or right of way conveyed to The Oregon Water Power and Railway Company (of which Company the Mortgagor Company is the successor) by deed of date July first, 1903.

2. Also all of lots one (1), two (2) three (3), four (4), five (5), six (6), seven (7), eight (8), and nine (9) in block (2) in Villa Heights, now within the present corporate limits of said City of Portland; also a parcel of land in said Villa Heights, bounded on the east by