

## BANKERS TRUST COMPANY TO NORTHERN PACIFIC RAILWAY COMPANY

THIS INDENTURE, Made this second day of January A.A.1913 between BANKERS 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 the 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 of the tenth day of November, A.D. 1896, did mortgage unto the Mercantile Trust Company, 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 the amount not exceeding \$130,000,000; and.

WHEREAS, said The Mercantile Trust Company has been merged into and with Bankers Trust Company, party of the first part, which has thereby become the corporate successor of the said The Mercantile Trust Company, and the Northern Pacific Railway Company, the mortgagor in said mortgage, did on the eleventh day of October 1911, duly appoint Bankers Trust Company trustee of said mortgage above described in the place of and as successor to The Mercantile Trust Company, which it was authorized to do by the terms of said mortgage, and

WHEREAS, The said Bankers 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 received from such sales, so that the purchaser, or purchaser thereof, shall take and hold the same free from any incumbrance, 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 mortgage has not been satisfied and the money required for the payment of all the bonds secured thereby have not been deposited by means of operation of the sinking fund of said mortgage or otherwise, 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 receipts 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 Skamania and State of Washington, and herein described according to the United States Survey: South half of Southeast quarter of Section five (5) in Township one (1) North of Range five (5);

Lots one (1), two (2) and North half of Southeast quarter Section nine (9) in township two (2) North of range seven (7) All of the foregoing lands are East of the Willamette Principal Meridian. And the said party of the first part hereby covenants and agrees with the said party of the second part that the said several grantees of the said party of the second part shall hold the respective pieces and parcels of land so conveyed to them by the said party of the second part, free and clear and discharged from the lien and incumbrance of said mortgage, and the payment of the sum or sums of money therein expressed, and every part thereof.

IN WITNESS WHEREOF, The said party of the first part has caused this release to be signed by one of its Vice-Presidents and attested by its Secretary or Assistant Secretary the day and year first above written

Witness  
O.D. Settle (Corporate Seal)  
I. Michael

BANKERS TRUST COMPANY, Trustee.  
By H.B. Thorne  
Attest: G. Fredrick

STATE OF NEW YORK )  
County of New York ) ss

On this 28th day of January A.D. 1913, before me personally appeared H.B. Thorne to me personally known, who, being by duly sworn, did say that he is one of the Vice-Presidents of The Bankers Trust Company, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by the authority of the Board of Directors of said corporation, and that he signed his name thereto by like authority, and he acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last aforesaid.

(Notarial Seal)  
I. Michael  
Notary Public, New York County, N.Y.  
My commission expires March 30th, 1914  
Filed for record by G.H. Plummer on Mar. 6 1913 at 1:30 P.M.

H. Swisher  
Co. Auditor.

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