

THAT IT WAS SO AFFIXED BY AUTHORITY OF THE BOARD OF DIRECTORS OF THE SAID CORPORATION, AND THAT HE SIGNED HIS NAME THERETO BY LIKE AUTHORITY; THAT HE WAS AUTHORIZED TO EXECUTE THE SAID INSTRUMENT, AND THAT THE SAID INSTRUMENT WAS SIGNED AND SEALED IN BEHALF OF THE SAID CORPORATION, AS TRUSTEE, BY AUTHORITY OF ITS BOARD OF DIRECTORS.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL, THE DAY AND YEAR FIRST IN THIS MY CERTIFICATE ABOVE WRITTEN.

(NOTARIAL)
(SEAL)

J. F. DONOVAN
NOTARY PUBLIC, NEW YORK COUNTY NEW YORK
COUNTY CLERK'S No. 150 NEW YORK COUNTY
REGISTER'S No. 8131
COMMISSION EXPIRES MARCH 30TH, 1928.

FILED FOR RECORD JULY 21, 1926, AT 8-30 O'CLOCK A.M. BY GEO. J. KELLY

Wm. A. Mitchell
COUNTY AUDITOR,
BY *Edw. J. Mitchell* DEPUTY

BANKERS TRUST COMPANY, TRUSTEE TO NORTHERN PACIFIC RAILWAY CO.

THIS INDENTURE, MADE THIS NINTH DAY OF JULY A.D. 1926 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 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~~ 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 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 RAILWAY COMPANY TO BE ISSUED TO AN 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 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 SUM RECEIVED FROM SUCH SALES, SO THAT THE PURCHASER, OR PURCHASERS THEREOF, SHALL TAKE AND HOLD THE SAME FREE FROM ANY ENCUMBRANCE EXISTING BY REASON OF SAID MORTGAGE, AND