

railroad, together with the grants of said lands and all rights under such grants and all the estate, right, title, interest, claim and demand whatsoever which the Northern Pacific Railway Company had or thereafter acquired or became entitled to, of, in and to any of the said land grant lands, and also of, in and to all indemnity lands wheresoever the same may be situated that have been or may be acquired by said Company to supply deficiencies in the quantity of granted or mortgaged lands in pursuance of and in accordance with the terms and provisions of said grant, and

Whereas, said Northern Pacific Railway Company has filed, or is about to file, in accordance with Sec. 321, Part II, Title III of the Transportation Act of 1940, and the rules and regulations issued thereunder by the Secretary of the Interior, a release to the United States of America of any and all claims of whatever description to lands, interests therein, compensation or reimbursement therefor, on account of lands or interests granted, claimed to have been granted, or claimed should have been granted, by any act of the Congress to the Northern Pacific Railway Company, or to any predecessor in interest in aid of the construction of any portion of its railroad, there being excluded from said release rights of way or station grounds of said Railway Company, lands sold by said Railway Company to innocent purchasers for value prior to September 18, 1940, lands embraced in selections made by said Railway Company and approved by the Secretary of the Interior prior to September 18, 1940, or lands which have been patented or certified to said Railway Company or any predecessor in interest in aid of the construction of its railroad, and

Whereas, in accordance with said Sec. 321 of said act and the rules and regulations issued thereunder by the Secretary of the Interior which require that in the filing of said release all mortgage liens and encumbrances shall be released, and the Northern Pacific Railway Company has made application to the parties of the first part, and the second part as trustees of the mortgages above mentioned for a release from the liens of said mortgages, in accordance with and as required by said Sec. 321 and the rules and regulations above mentioned.

Now Therefore this Indenture Witnesseth That Bankers Trust Company, Trustee of said Prior Lien Mortgage, party of the first part, and City Bank Farms Trust Company, Trustee of said General Lien Mortgage, party of the second part, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, do hereby forever release and discharge from the lien of said mortgages respectively, any and all claims of whatever description to lands, interests therein, compensation or reimbursement therefor, on account of lands or interests granted, claimed to have been granted, or claimed should have been granted, by any act of the Congress to the Northern Pacific Railway Company or to any predecessor in interest in aid of the construction of any portion of its railroad.

This release does not embrace and there are expressly excluded therefrom the rights of way or station grounds of the Northern Pacific Railway Company, lands sold by said Railway Company to innocent purchasers for value prior to September 18, 1940, lands embraced in selections made by the Northern Pacific Railway Company and approved by the Secretary of the Interior prior to September 18, 1940, or lands which have been patented or certified to the Northern Pacific Railway Company or any predecessor in interest in aid of the construction of of its railroad.

Nothing herein contained shall in anywise affect, alter or diminish the lien or encumbrance of the aforesaid mortgages on any of the properties covered by them respectively which are not hereby specifically released. This release is executed by said mortgage trustees without covenant of warranty, either express or implied, and shall be without