

#589  
Metropolitan Trust Co. (4)  
to  
Chicago, St Paul and  
Kansas City Ry. Co. (4)

(Filed for Record June 24th A.D. 1902 at 8:30 o'clock P.M.)  
Release  
W. H. Vance,

Recorder.

This Indenture, dated this fifteenth day of April, in the year of our Lord, One Thousand Nine Hundred and Two, WITNESSETH,

That whereas, the Chicago, St Paul & Kansas City Railway Company, a railway corporation incorporated, organized and existing under and by virtue of the General Statutes of Iowa, did, under date of July 1st, 1898, make, execute and deliver to the Metropolitan Trust Company of the City of New York, a Corporation duly created and organized under the laws of the State of New York, and Robert H. Benson, of London, England, as Trustees, a Mortgage or Deed of Trust, to secure the first Mortgage Five Per Cent. Gold Bonds of Railway Company, which said Bonds were dated July the 1st, A.D. One Thousand Eight Hundred and Eighty six, payable on the first day of July, One Thousand Nine Hundred and Thirtly Six, bearing interest at the rate of 5 per cent. per annum according to interest coupons thereto attached.

That there were issued by said railway Company under said mortgage and deed of Trust \$9,328,000 of said bonds.

That all said bonds issued under and by virtue of said mortgage or deed of Trust, together with all the coupons paid and unpaid, have been delivered to the Metropolitan Trust Company and Robert H. Benson, as Trustees, and duly cancelled and destroyed.

That said Mortgage conveyed to said Metropolitan Trust Company of the City of New York and Robert H. Benson of London, England, and their successors, in Trust, all and singular the railroad of the Railway Company which it was authorized by law to construct, as the same should be thereafter constructed, and all railways and railway property which the Railway Company then owned, or might thereafter acquire or create in the State of Iowa, and in all other States or Territories, or in either or any of said States or Territories by purchase, construction, consolidation, or otherwise, and all other interests which the Railway Company should have or acquire in and to any railways or railway property in all or any of said States or Territories by its purchase of the stock or other securities of any railway company; including also all its leasehold interest then existing, or thereafter to arise in and to any railway or railway property in any of the said states or territories; also including all the railway, right of way, depot, grounds, and all lands used in connection with operation and maintenance of said railway then owned by the Railway Company, or thereafter in anywise to be acquired, and all tracks, bridges, viaducts, culverts, fences, and all other structures, all depots, station houses, engine houses, car houses, freight houses, wood houses, and other buildings, and all machine shops and other shops then held or acquired, or to thereafter to be held or acquired, by said Company, its successors or assigns, in any of the said States or Territories for use in connection with said Railway, or of any part thereof, or of any such railway as it should thereafter acquire in any of said territories; and including also all locomotives, tenders, cars, and all other rolling stock or equipments, and all machinery, tools, implements, fuel, supplies, and all material for constructing, maintaining, operating, repairing and replacing the said railway acquired, or to be acquired, or any part thereof, or any of the equipment or appurtenances thereof, or any part thereof; and also including all revenues, rates, tolls, sums of money and income arising or to arise from said railway, or other premises hereinbefore expressed to be conveyed, or any of them; and also all corporate and other franchises, rights privileges and immunities then owned, held and enjoyed by the Railway Company, or thereafter to be owned held and enjoyed or conferred upon the said Railway Company in any of the said States or territories connected with or relating to said railways acquired, to be acquired, constructed, or to be constructed in any of said states or territories; including all telegraph lines, poles and instruments, telegraph offices and materials, and all appurtenances, privileges, franchises and immunities connected therewith. That said Railway Company did acquire by purchase, construction, lease and otherwise, a line or lines of railway extending from the City of Chicago, in the state of Illinois, through the states of Illinois, Iowa and Minnesota to the Cities of St. Paul and Minneapolis in said last named state, and in a South-westwardly direction from Oelwein, in the State of Iowa, through the Cities of Des Moines, Iowa; St Joseph Missouri; and Leavenworth, Kansas, to Kansas City, Missouri; together with the equipment and appurtenances therewith; and

WHEREAS, said Chicago, St. Paul & Kansas City Railway Company did, on the Seventh day of September, A.D. 1893, duly convey all its said railway property to the Chicago Great Western Railway Company, a corporation duly created and organized under and by virtue of the Laws of the State of Illinois, and the Chicago Great Western Railway Company has by instrument in writing requested the said Metropolitan Trust Company and Robert H. Benson, Trustees as aforesaid, to satisfy and discharge said mortgage and to release, quit-claim and reconvey the property therein to the said Chicago Great Western Railway Company, as provided by the terms and conditions of said mortgage and deed of trust; and

WHEREAS, in and by the terms of said mortgage it was among other things provided in substance that, immediately after the payment of said bonds and coupons and the due performance and observance of every condition, obligation and requirement of said trust deed, said trustees should reconvey all and singular the property and effects to said Railway Company, its successors and assigns, as it shall direct;

NOW, THEREFORE, in consideration of One Dollar in hand paid by the Chicago Great Western Railway Company to the Metropolitan Trust Company of the City of New York and Robert H. Benson, of London, England, and in consideration of the terms and conditions of said mortgage and deed of trust, the said Metropolitan Trust Company of the City of New York, and Robert H. Benson, of London, England, hereby release, discharge and satisfy the said mortgage and deed of trust in full and authorize the proper officers of the said various states and counties in which said railroad and property is situated to satisfy and discharge the same of record in their several offices, and do hereby release, quit-claim and convey unto the Chicago Great Western Railway Company, its successors and assigns, all of the railway and property conveyed by the said mortgage to the Metropolitan Trust Company of the City of New York and Robert H. Benson, of London, England, as Trustees, in trust for the security of the said bonds so issued under and by virtue of the terms of said deed.

In Witness Whereof, the Metropolitan Trust Company of the City of New York

has caused these presents to be signed by its President and Secretary and sealed with its corporate seal, and the said Robert H. Benson has hereunto set his hand and seal.  
Signed, sealed and delivered  
in the presence of

Corporate  
Seal

Witness to signature of  
Metropolitan Trust Co.:  
John Telford  
Chas. Edgar Mills

Metropolitan Trust Company  
of the City of New York.  
By Brayton Ives President.  
By Alex. S. Webb Secretary.

Robert H. Benson (Seal.)

Witness to signature of  
Robert H. Benson:  
H.D. Jamison) Clerks U.S.  
A. Nitting ) Consulate General  
London.

State of New York, City and County of New York,) ss.:

Be it remembered that on this Second day of June, 1902, before me, Charles Edgar Mills, a commissioner of deeds for the States of Illinois, Iowa, Minnesota, Kansas and Missouri, appointed in and for the State of New York, residing in said City and County of New York, personally came Brayton Ives, to me known to be the President, and Alexander S. Webb, Jr., to me known to be the Secretary, of the Metropolitan Trust Company of New York, who being by me first duly sworn did depose and say, that he, Brayton Ives, resides in the City of New York and State of New York and is such President, and he, Alexander S. Webb, Jr., resides in the City of New York and State of New York, and is such Secretary, of the Metropolitan Trust Company of New York, described in and who executed the foregoing instrument of writing.

And they being duly sworn, as aforesaid, did depose and say that they were personally present at the execution of the foregoing instrument and saw the common seal of said Company duly affixed thereto, and that the seal so affixed is the common seal of said Company, and that said instrument was signed, sealed and delivered by them as and for the free and voluntary act and deed of said Company, for the uses and purposes therein mentioned, by due authority from the Board of Directors of said corporation, and that the names of these deponents so subscribed to said instrument as the President and Secretary of said Company in attestation of the execution and delivery of the said instrument are these deponents' own proper hand writing.

Given under my hand and official seal this June 2nd A.D. 1902.

Charles Edgar Mills.

Commissioner of Deeds for the State of Illinois in New York.  
Commissioner of Deeds for the State of Iowa in New York  
Commissioner of Deeds for the State of Minnesota in New York  
Commissioner of Deeds for the State of Kansas in New York.  
Commissioner of Deeds for the State of Missouri in New York.  
Notary Public for New York State & County in N.Y. City.

Commissioner of Deeds for Illinois  
Commissioner of Deeds for Iowa  
Commissioner of Deeds for Minnesota  
Commissioner of Deeds for Kansas  
Commissioner of Deeds for Missouri

NOTARIAL  
SEAL

Kingdom of Great Britain and Ireland)  
City of London, ) ss:  
County of London, )

I, the undersigned do hereby certify, that on this 18th day of April, 1902, at the City of London, County of London, Robert H. Benson, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me in person and acknowledged, that he signed, sealed and delivered the said instrument to be his free and voluntary act and deed, for the uses and purposes therein mentioned and set forth.

Witness my hand and official seal at London the date aforesaid.

Wm. M. Osborne

Consul General of the United States of America  
at London, England.

Consular  
Seal