

Iowa Power & Light Company

To

Harris Trust and Savings Bank

#589

Fee\$1.50

Filed for record the 11 day of Mar

A. D. 1932 at 10:50 o'clock A. M.

Mildred E. Knott, Recorder

TRUST INDENTURE

THIS INDENTURE made and entered into as of the 29th day of February, A. D. 1932, by and between IOWA POWER AND LIGHT COMPANY, a corporation organized under the laws of the State of Iowa, party of the first part (hereinafter called the "COMPANY") and HARRIS TRUST AND SAVINGS BANK, a corporation organized under the laws of the State of Illinois, and M. H. MacLEAN, of Chicago, Illinois, as Trustees, parties of the second part (hereinafter called the "TRUSTEES"),

WITNESSETH

WHEREAS, In and by a certain Trust Indenture (hereinafter termed the "Original Indenture") dated March 1, 1928, executed and delivered by the Company unto the Trustees, the Company conveyed unto the Trustees all of the property which it then owned and which it might thereafter acquire, to secure payment of any and all series of bonds issued and to be issued by the Company, unlimited as to amount under Original Indenture, which Original Indenture has been duly recorded in the offices of the respective recorders of the several Counties in the State of Iowa in which the Company owns real estate, to which Original Indenture and record thereof reference is hereby made and the same made a part thereof as fully as though herein set forth at length; and

WHEREAS, It was provided in and by the Original Indenture that the Company from time to time would make, execute, acknowledge and deliver such further and supplemental instruments and take such action as might reasonably be required to effectuate the intention of the Original Indenture or better to assure or confirm unto the Trustees upon the trusts and for the purposes in the Original Indenture expressed the property conveyed and to be conveyed unto the Trustees, or intended so to be, whether owned by the Company at the time of execution and delivery of the Original Indenture of thereafter acquired by it and

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WHEREAS, The Company since execution and delivery of the Original Indenture, or since the date thereof, has acquired certain property as hereinafter described, which in conformity with the above mentioned provisions of the Original Indenture the Company desires specifically to subject to the lien of the Original Indenture;

NOW, THEREFORE, In consideration of the purchase and acceptance of the bonds mentioned in the Original Indenture and any Supplemental Indenture thereto by the several persons who have and will by such purchase and acceptance from time to time become the holders thereof and in compliance with the covenants in that behalf contained in the Original Indenture and any Supplemental Indenture thereto, and in further consideration of the sum of One Dollar (\$1.00) by the Trustees to the Company paid, receipt whereof is hereby acknowledged, the Company has granted, bargained, sold, aliened, remised, released, conveyed, confirmed, transferred, mortgaged and set over and by these presents does grant, bargain, sell, alien, remise, release, convey, confirm, transfer, mortgage, pledge and set over unto the Trustees and their successors in the trust created by the Original Indenture all and singular the following described properties, to-wit:

## I.

Its certain real estate described as follows, to-wit:

In Madison County, Iowa:

The east twenty-six (26') feet of the south eight-two (82') feet of lot four (4) in block two (2) in Clanton's Addition to the original town of St. Charles.

In Warren County, Iowa:

Commencing at the southwest corner of the southeast quarter of the southwest quarter of section twenty-five (25) township seventy-six (76) North, range twenty-four (24) west of the 5th P. M., Iowa; thence east seventy (70') feet; thence north fifty (50') feet; thence west seventy (70') feet; thence south fifty (50') feet to the place of beginning.

Together with all of the right, title and interest of the Company now owned or hereafter acquired in and to any and all plants, buildings, structures, erections and constructions, with their fixtures and appurtenances, now or hereafter placed on any of the real estate described or referred to in this subdivision I, and the tenements, hereditaments and appurtenances appertaining or belonging to such real estate, and the reversion and reversions, remainder and remainders thereof.

## II.

Its certain distribution systems described as follows, to-wit:

In Jasper County, Iowa:

Electric distribution and street lighting systems located in and adjacent to the Towns of Monroe, Mingo and Valeria.

In Madison County, Iowa:

Electric plant and distribution system located in and adjacent to the Town of St. Charles.

In Mahaska County, Iowa:

Electric distribution system located in and adjacent to the Town of Leighton.

In Polk County, Iowa:

Electric distribution systems located in and adjacent to the communities of Avondale, Avon Gardens and Avon Lake.

In Warren County, Iowa:

Electric distribution and street lighting system located in and adjacent to the unincorporated Village of Liberty Center and electric distribution systems located in and adjacent to the towns of Cumming, Norwalk, Prole, St. Marys, Wick, Orilla, Summerset and Martensdale, and electric transformer station at or near the town of Milo.

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Its certain transmission lines described as follows, to-wit:

Line 1. A wood pole electric transmission line commencing at its connection with the line of Des Moines Electric Light Company in the City of Des Moines, Polk County, Iowa, at a point near the intersection of Park Avenue and Millman Road and extending thence westwardly and southwardly through the towns of Norwalk, Prole, Martensdale and St. Marys in Warren County, Iowa, and continuing in a southwesterly direction to its terminus at or near the town of St. Charles, Madison County, Iowa, together with lateral lines extending westwardly to the towns of Orilla and Cumming in said Warren County, Iowa.

Line 2. A wood pole electric transmission line commencing at its connection with the line of Des Moines Electric Light Company near the south boundry of the City of Des Moines, Polk County, Iowa and extending southeastwardly through the towns of Summerset and Ackworth to its terminus at or near the town of Liberty Center in Warren County, Iowa, together with lateral lines extending to Avon Lakes in Polk County, Iowa, and the town of Milo in Warren County, Iowa.

Line 3. A wood pole electric transmission line extending from its connection with Line 2 hereinbefore described at a point north of the town of Summerset in Warren County, Iowa, eastwardly and northwardly through the town of Hartford in said County to its terminus at or near the town of Runnells in Polk County, Iowa.

Line 4. A wood pole electric transmission line extending from the town of Leighton southwestwardly to a point at or near the City of Oskaloosa, all in Mahaska County, Iowa.

Line 5. A wood pole electric transmission line extending from the town of Colfax to the towns of Mingo and Valeria, all in Jasper County, Iowa.

TO HAVE AND TO HOLD all of said properties, rights and interests hereinabove conveyed or intended so to be unto the Trustees and their successors in the trusts created by the Original Indenture for the uses and purposes and subject in all respects to the terms, conditions, provisions, reservations, rights, powers, privileges, duties, immunities and obligations in favor of or resting upon the Company as set forth in the Original Indenture, with the same force and effect to all intents and purposes as though said properties, rights and interests had been specifically included in the Original Indenture and conveyed and mortgaged by force and virtue thereof.

Said properties, rights and interests hereinabove described are conveyed free and clear from any and all liens of every kind and character whatsoever, with the exception of the liens of taxes not in default, and such other liens of underlying mortgages, if any, as are permissible under the Original Indenture.

IN WITNESS WHEREOF, the Company, said IOWA POWER AND LIGHT COMPANY, has caused this Indenture to be executed in its name and behalf by its Vice-President, and its Corporate Seal to be hereunto affixed and attested by its Secretary or an Assistant Secretary, and said HARRIS TRUST AND SAVINGS BANK, Trustee, in evidence of its acceptance of the trusts hereby created, has caused this Indenture to be executed in its name and behalf by one of its Vice-Presidents and its Corporate Seal to be hereunto affixed to attested by its Secretary, and said M. H. MacLEAN to evidence his acceptance of the trusts hereby created has hereunto set his hand and seal, all as of the day and year first above written.

(CORPORATE SEAL)

ATTEST:

D.H. Holmes, Secretary

IOWA POWER AND LIGHT COMPANY  
By H. L. Hanley, Vice-President  
OK, H.R.D.

Executed, signed, sealed and delivered by  
Iowa Power and Light Company in the presence of  
W. D. Gale  
M. M. Lewis  
Witnesses.

HARRIS TRUST AND SAVINGS BANK  
By E. B. Hall, Vice-President.

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ATTEST:

W. H. Milsted, Ass't Secretary.

Executed, signed, sealed and delivered by  
Harris Trust and Savings Bank in the presence of

C. P. Nongard  
A. T. Guhson

M. H. MacLean (SEAL)

Executed, signed, sealed and delivered by M. H. McLean,  
in the presence of :

C. P. Nongard  
A. T. Guihson  
Witnesses

Executed in six Counterparts

STATE OF ILLINOIS, )  
County of Cook ) SS.

I, Roy W. Chase, a Notary Public in and for said County, in the State aforesaid, do hereby certify that on this day personally appeared before me H. L. Hanley and D. H. Holmes, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, and personally known to me to be the Vice-President and Secretary, respectively, of IOWA POWER AND LIGHT COMPANY, a corporation, and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act as such Vice-President and Secretary, respectively, and as the free and voluntary act of said IOWA POWER AND LIGHT COMPANY, for the uses and purposes therein set forth, and the said H. L. Hanley and D. H. Holmes so appearing before me, being to me personally known, and being by me duly sworn, did say that the said H. L. Hanley is the Vice-President and the said D. H. Holmes is the Secretary, of IOWA POWER AND LIGHT COMPANY, the corporation that executed the foregoing instrument, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed, sealed and delivered in the name and behalf of said corporation by authority of its stockholders and board of directors, and said H. L. Hanley and D. H. Holmes acknowledged said instrument to be the free and voluntary act and deed of said corporation.

Given under my hand and Notarial Seal this 7th day of March, A. D. 1932.

My Commission Expires:  
March 19, 1932 (NOTARIAL SEAL)

Roy W. Chase  
Notary Public, Cook County, Illinois.

STATE OF ILLINOIS, )  
COUNTY OF COOK. ) SS.

I, James K. Goodwine, a Notary Public in and for said County, in the State aforesaid, do hereby certify that on this day personally appeared before me E. B. Hall and W. H. Milsted personally known to me to be the same persons whose names are subscribed to the foregoing instrument, and personally known to me to be the Vice-President and Assistant Secretary, respectively, of Harris Trust and Savings Bank, a corporation, and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act as such Vice-President and Assistant Secretary, respectively, and as the free and voluntary act of said Harris Trust and Savings Bank, for the uses and purposes therein set forth, and the said E. B. Hall and W. H. Milsted so appearing before me, being to me personally known, and being by me duly sworn, did say that the said E. B. Hall is the Vice-President and the said W. H. Milsted is the Assistant Secretary of Harris Trust and Savings Bank, the corporation that executed the foregoing instrument, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed, sealed and delivered in the name and behalf of said corporation by authority of its board of directors, and said E. B. Hall and W. H. Milsted acknowledged said instrument to be the free and voluntary act and deed of said corporation.

Given under my hand and Notarial Seal this 8th day of March, A. D. 1932.

My Commission Expires:  
February 4, 1933

James K. Goodwine  
Notary Public, Cook County, Illinois.

(NOTARIAL SEAL)

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DOONE BLANK BOOK CO., DOONE, IOWA. 23012-30

STATE OF ILLINOIS,     )  
COUNTY OF COOK.        ) SS.

I James K. Goodwine, a Notary Public in and for said County, in the State aforesaid, do hereby certify that on this day personally appeared before me M.H. MacLean, personally known to me to be the same person whose name is subscribed to the foregoing instrument, and to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed, signed, sealed and delivered said instrument as his free and voluntary act and deed for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 8th day of March, A. D. 1932.

NOTARIAL

My Commission Expires:

February 4, 1933.

James K. Goodwine  
Notary Public, Cook County, Illinois.