

said bonds as in this Indenture provided has been in all respects duly authorized;

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and of the mutual covenants herein contained, and for the sum of Ten Dollars (\$10.00) to it in hand paid by the Continental Trust Company and for other good and valuable considerations, the receipt of which is hereby acknowledged, and in order to secure the payment of the principal and interest of the bonds aforesaid according to the terms of said bonds and of the coupons attached thereto and to declare the terms and conditions upon which said bonds are to be issued, received and held, THE McAleer Lime Company, a body corporate of aforesaid, has bargained, granted, sold, aliened, remised, released, enfeoffed, conveyed, assigned, transferred, pledged and set over, and does hereby bargain, grant, sell, alien, remise enfeoff, convey, assign, transfer, pledge and set over unto the Continental Trust Company of the City of Washington, District of Columbia, as Trustee, and unto its assigns forever, all of its right, title and interest in and to the following described properties, rights, franchises and choses in action, to wit;:-

DESCRIPTION.

1. All of that tract or parcel of land situate, lying and being in Frederick County, State of Maryland, heretofore conveyed to the McAleer Lime Company by J. Stuart McAleer and others by a deed dated the 18th day of November, 1926, and containing twenty-five (25) acres, three (3) roods, and ten (10) square perches of land more or less,
2. All of that tract or parcel of land situate, lying and being in Frederick County, State of Maryland, heretofore conveyed to the McAleer Lime Company, et al, by J. Roger McSherry and wife, by a deed dated the 16th day of November, 1916, and containing four (4) acres, two (2) roods and three (3) square perches of land, more or less.

To Have and To Hold the same together with all and singular the tenements, and appurtenances thereto belonging or in anywise appertaining, with the rents, issues, income, products and profits thereof, and all the estate, right, titles, interest and claim whatsoever at Law as well as in equity, which the McAleer Company now has or may hereafter acquire in and to the aforesaid properties, rights and franchises and every part or parcel thereof, unto the Trustees and its successors and assigns forever.

IN TRUST, NEVERTHELESS, for the benefit and security of all present and future holders of the bonds and coupons attached thereto, issued hereunder, and for the enforcement of the payment of said bonds and of the interest thereon when payable, and to secure the performance of this Indenture so that every bond issued hereunder shall have the same right, lien and privilege under and by virtue of this Indenture and so that the principal and interest of every such bond shall be equally and proportionately secured as if all has been duly executed, delivered, sold and negotiated simultaneously with the execution and delivery of this Indenture, it being intended that the lien and security of this Indenture shall take effect from the execution hereof without regard to the time of actual execution, delivery, sale or negotiation of said bonds, and as though upon such date all of said bonds were actually executed, sold and negotiated to and in the hands of innocent holders thereof, for value. And it is hereby expressly covenanted and declared by The McAleer Lime Company that all such bonds shall be executed and delivered and the mortgage premises are to be held by the Trustee subject to and upon the further covenants, conditions, uses and trusts hereinafter set forth and it is hereby covenanted and agreed by and between the parties hereto and for the benefit of the respective holders from time to time of bonds issued <sup>here</sup> under as follows, to-wit;:-