

This Indenture Made and entered into this 23rd day of November 1878, between Kentucky University party of the first part and the City of Lexington party of the second part; Witnesseth: that whereas said University and City have made a compromise of the controversy between them concerning certain money collected and received by said University from the United States Government, on which claim a judgment was rendered in favour of said City against said University, which judgment is disputed by an appeal granted to said University to the Court of Appeals of Kentucky, and said Appeal is now pending and undetermined, the terms of which compromise are that said University shall dismiss said Appeal whereby said judgment shall be affirmed, and said City shall enter a release in the Fayette Circuit Court of all of said judgment except the sum of ten thousand dollars, with interest thereon at the rate of eight per cent per annum payable semi annually from the 1st day of December 1878 until the principal sum is paid, and shall release the levy of an execution which issued upon said judgment, upon that part of the real estate of the University known as Ashland, but retaining said levy upon that part of the University's real estate known as Woodlands and the same hereinafter conveyed, and to secure the payment of said ten thousand dollars and interest, said University should execute a mortgage on Woodlands, and hypothecate and pledge the coupons upon ten bonds of the City of Lexington, held by said University, each for one thousand dollars and bearing interest at the rate of eight per cent per annum payable semi annually on the first days of June and December in each year, and that the City should order the said execution upon its judgment now in the Sheriff's hands to be returned without sale, and that the sale of Woodlands should be made either ^{under} said levy or said Mortgage for the space of five years if the interest shall