

Mortgage, provided that the property of such other corporation is subjected to the lien of the Mortgage, and that such bonded debt is secured by lien or charge on such property prior to the lien of the Mortgage; and

WHEREAS, in Article Eleven of the Mortgage it is provided that the Company and the Trustees may enter into a Supplemental Indenture or Indentures for the purpose of conveying, transferring and assigning to the Trustees and subjecting to the lien of the Mortgage, with the same force and effect as though included in the granting clauses thereof, additional property then owned by the Company; and

WHEREAS, the former Charleston and Western Carolina Railway Company, a South Carolina corporation, hereinafter sometimes referred to as "Charleston Company", was merged with and into the Company as of December 31, 1959; and

WHEREAS, the Charleston Company previously had made, executed and delivered to Safe Deposit and Trust Company of Baltimore (now Mercantile-Safe Deposit and Trust Company), as Trustee, its First Consolidated Mortgage, dated February 12, 1914, to which the Charleston Company made, executed and delivered Supplemental Indentures dated as of July 1, 1946 and July 1, 1956, and to which the Company made, executed and delivered a Supplemental Indenture dated as of March 16, 1961 (the First Consolidated Mortgage as so supplemented being hereinafter referred to as the "First Consolidated Mortgage"); and

WHEREAS, there are now outstanding under the First Consolidated Mortgage \$1,589,000 principal amount of Series A 5% Bonds and \$3,063,000 principal amount of Series C 4¼ % Bonds, and there are held in the Treasury of the Company \$2,779,150.79 of Series B 5% Bonds; and

WHEREAS, the Company, pursuant to resolutions duly adopted by its Board of Directors, at a meeting of said Board duly called and held, has now determined under and in accordance with provisions of the Mortgage and of this Sixth Supplemental Indenture to convey, transfer and assign to the Trustees and to subject to the lien of the Mortgage all the property now owned by the Company described or referred to in the First Consolidated Mortgage securing or intended to secure such bonded debt outstanding thereunder so that the Company may avail itself of and have reserved bonds as