

## TITLE TO REAL ESTATE

## LEASEHOLDS

LESSOR	DATE	LOCATION
Town of Summerville	January 20, 1939	Summerville, S. C.
C. S. Power Company	June 9, 1927	Summerville, S. C.
Consumers Coal Company	April 4, 1940	Central Wharf, Charleston, S. C.
Mary R. Sahlmann, Trustee		Woolfe Street, Charleston, S. C.
Economy Oil Company	May 1, 1931	King and Romney Streets Charleston, S. C.
Atlantic Coast Line Railway Company	August 9, 1939	Drainage Siding, Charleston, S. C.
William H. A. Halsall and Arctic Ice & Coal Company	March 17, 1932	Columbus Street, Charleston, S. C.
J. H. Bruce and J. C. Carey	November 1, 1933	Pickens, Easley, S. C.

## AGREEMENTS AND RIGHTS OF WAY

1. All interest of the Company under a certain agreement between Consumers Ice Company and Southern Railway Company dated December 14, 1901, and under a certain agreement between Consumers Ice Company and Southern Railway Company dated, 1901.

2. Right of way from Southern Railway Company, dated April 13, 1916, covering spur track at Consumers Plant in Charleston, S. C.

3. Right of way from Southern Railway Company, dated June 1, 1928, covering an icing platform on Line Street, Charleston, S. C.

4. Right of way from Southern Railway Company, dated July 31, 1925, covering the use of coal yard, etc., at Greer, S. C.

5. Right of way from Southern Railway Company, dated December 10, 1929, covering use of track and trestle at Greer, S. C.

6. Right of way of Southern Railway Company, dated March 7, 1927, covering drain pipe location under main track of the Railway Company at Easley, S. C.

7. Agreement with Southern Railway Company, dated July 1, 1931, covering the location of an ice station on the Railway's right of way at Central, S. C.

8. Agreement with Southern Railway Company, dated June 18, 1922, covering the location of a coal bin on the Railway's right of way at Summerville, S. C.

9. Agreement with Southern Railway Company, dated August 15, 1938, covering location of coal pocket on the Railway's right of way at Wellford, S. C.

## PART V.

Pending the discharge of the Indenture of Mortgage dated as of October 1, 1933, made by Southern Ice Company securing an issue of First Mortgage and Refunding 8% Bonds, due April 1, 1942, (sometimes referred to herein as the "Underlying Bonds") (a) \$384,100 principal amount of Underlying Bonds with the October 1, 1940, and all subsequent coupons attached and (b) such additional Underlying Bonds as shall hereafter be deposited in pledge hereunder as provided in § 1.02 and Article 6 hereof.

TO HAVE AND TO HOLD all and singular, the premises, property, rights, privileges and immunities before mentioned and all property that shall become subject to this Indenture unto the said The South Carolina National Bank of Charleston, as Trustee, as herein provided, and its successors in the trust hereby created and its and their assigns, to its and their own use and behoof forever, subject, however, to the permitted liens as provided and recited in § 1.02 hereof.

BUT IN TRUST, NEVERTHELESS, for the equal and prorata benefit of all lawful holders of said bonds and coupons hereby secured and for the enforcement of the payment of said bonds and coupons, when payable, according to their tenor and effect, without preference, priority or distinction upon the following terms and conditions:

## ARTICLE I.

## DESCRIPTION AND ISSUE OF BONDS.

§ 1.01. All bonds to be issued hereunder are to be designated as First Lien and Refunding Mortgage 5½% Bonds and the authorized Aggregate principal amount thereof which may be executed by the Company and authenticated by the Trustee hereunder is limited to not exceeding three hundred fifty-seven thousand seven hundred dollars (\$357,700) aggregate principal amount at any one time outstanding (except as hereinafter provided in respect of mutilated, destroyed, lost or stolen bonds).

The bonds shall be coupon bonds registered as to principal in the denominations of one thousand dollars (\$1,000), five hundred dollars (\$500) and one hundred dollars (\$100) each, numbered respectively, M-1, D-1 and C-1, consecutively upwards, in substantially the form