

Record No.

County,

CAROLINA POWER & LIGHT COMPANY TO IRVING TRUST COMPANY AND

RICHARD H. WEST, (successor to Frederick G. Herbst), as trustees under Carolina Power & Light Company's Mortgage and Deed of Trust, Dated as of May 1, 1940

FIRST SUPPLEMENTAL INDENTURE

Dated as of January 1, 1949

Filed for record this 7th day of March

A. D. 1949, at 10:00 o'clock A. M.

Ollie Farmer with Register of Deeds or Clerk of Court Nellie M. Smith, Deputy

Fee \$ Printing Form \$5.75 County's Fee \$6.25 Total \$12.00

FIRST SUPPLEMENTAL INDENTURE

INDENTURE, dated as of the first day of January, 1949, made and entered into by and between CAROLINA POWER & LIGHT COMPANY, a corporation of the State of North Carolina, whose post office address is Raleigh, North Carolina (hereinafter sometimes called the Company), party of the first part, and IRVING TRUST COMPANY, a corporation of the State of New York, whose post office address is One Wall Street, New York 15, New York (hereinafter sometimes called the Corporate Trustee), and RICHARD H. WEST (successor to Frederick G. Herbst), whose post office address is 38 East 37th Street, New York 16, New York (hereinafter sometimes called the Individual Trustee), parties of the second part (the Corporate Trustee and the Individual Trustee being hereinafter together sometimes called the Trustees), as Trustees under the Mortgage and Deed of Trust, dated as of May 1, 1940 (hereinafter called the Mortgage), which Mortgage was executed and delivered by Carolina Power & Light Company to Irving Trust Company and Frederick G. Herbst to secure the payment of bonds issued or to be issued under and in accordance with the provisions of the Mortgage, reference to which said Mortgage is hereby made, this Indenture (hereinafter sometimes called First Supplemental Indenture) being supplemental thereto;

WHEREAS, said Mortgage was recorded in Counties in the States of North Carolina and South Carolina, as follows:

NORTH CAROLINA

Table with 3 columns: Counties, Book, Page. Lists counties like Alamance, Anson, Avery, Bladen, Buncombe, Caswell, Chatham with their respective book and page numbers.

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SOUTH CAROLINA

Table with 3 columns: Counties, Book, Page. Lists counties like Berkeley, Chesterfield, Clarendon, Darlington, Dillon, Florence, Georgetown, Greenville, Horry, Kershaw, Lee, Lexington, Marion, Marlboro, Richland, Sumter, Williamsburg with their respective book and page numbers.

WHEREAS, said Mortgage was indexed and cross-indexed in the real and chattel mortgage records in various counties of the States of North Carolina and South Carolina; and

WHEREAS, an instrument dated as of June 25, 1945, was executed by the Company appointing Richard H. West as Individual Trustee in succession to said Frederick G. Herbst (deceased) under said Mortgage and by Richard H. West accepting the appointment as Individual Trustee under said Mortgage in succession to the said Frederick G. Herbst, which instrument was recorded in Counties in the States of North Carolina and South Carolina, as follows:

NORTH CAROLINA

Table with 3 columns: Counties, Book, Page. Lists counties like Alamance, Anson, Avery, Bladen, Buncombe with their respective book and page numbers.

Table with 3 columns: Counties, Book, Page. Lists counties from Columbus to Yancey with their respective book and page numbers.

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Table with 3 columns: Counties, Book, Page. Lists counties from Caswell to Yancey with their respective book and page numbers.