

and

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WHEREAS, said Third Supplemental Indenture, dated as of February 1, 1951 was indexed and cross-indexed in the real and chattel mortgage records in various Counties in the States of North Carolina and South Carolina; and

WHEREAS, said Mortgage and said First Supplemental Indenture, Second Supplemental Indenture and Third Supplemental Indenture, dated as of February 1, 1951, were or are to be recorded in all counties in the States of North Carolina and South Carolina, in which this Fourth Supplemental Indenture is to be recorded; and

WHEREAS, in addition to the property described in the Mortgage, as heretofore supplemented, the Company has acquired certain other property, rights and interests in property; and

WHEREAS, the Company has heretofore issued, in accordance with the provisions of the Mortgage, bonds of a series entitled and designated First Mortgage Bonds, 3¾% Series due 1965 (hereinafter called the bonds of the First Series), in the aggregate principal amount of Forty-six Million Dollars (\$46,000,000), none of which are now Outstanding; bonds of a series entitled and designated First Mortgage Bonds, 3¼% Series due 1979 (hereinafter called the bonds of the Second Series) in the aggregate principal amount of Fifteen Million Dollars (\$15,000,000), all of which are now Outstanding; bonds of a series entitled and designated First Mortgage Bonds, 3¼% Series due 1979 (hereinafter called bonds of the Third Series) in the aggregate principal amount of Forty-three Million Nine Hundred Thirty Thousand Dollars (\$43,930,000), all of which are now Outstanding; and bonds of a series entitled and designated First Mortgage Bonds, 2⅞% Series due 1981 (hereinafter called bonds of the Fourth Series) in the aggregate principal amount of Fifteen Million Dollars (\$15,000,000), all of which are now Outstanding; and

WHEREAS, Tide Water Power Company, a corporation of the State of North Carolina, entered into an Agreement of Merger with the Company, dated December 12, 1951, pursuant to which Tide Water Power