

which mortgage is recorded in the office of the Register of Deeds for Mecklenburg County, North Carolina, in Book 520, at page 568, and in the office of the Register of Deeds for Gaston County, North Carolina, in Book 173, at page 434, and in the office of the Register of Deeds for Lincoln County, North Carolina; and,

WHEREAS, since the execution and delivery of said last mentioned mortgage dated November 30, 1923, as aforesaid, the Company has acquired certain properties constituting enlargements and extensions of and additions to the property described in the mortgages hereinbefore referred to, and certain other real and fixed properties, which properties are hereinafter described; and

WHEREAS, there have been heretofore issued under said First and Refunding Mortgage, pursuant to the provisions of Article Two thereof and are now outstanding under and secured by said First and Refunding Mortgage, Eight million four hundred eighty-seven thousand dollars (\$8,487,000) face amount of said First and Refunding Mortgage Five Per Cent. Thirty-Year Gold Bonds, dated July 1, 1913, due July 1, 1943, of the Company, said bonds being in the form set forth in the First and Refunding Mortgage; and,

WHEREAS, it is provided in said Article Two of said First and Refunding Mortgage that additional bonds up to an aggregate amount of not exceeding Thirty million dollars (\$30,000,000) face value (including the bonds originally issued thereunder), may be executed by the Company and, as provided in and subject to the limitations and conditions of said Article Two, be authenticated and delivered by the Trustee from time to time, and that such additional bonds shall be secured by said First and Refunding Mortgage; and,

WHEREAS, the company has taken all corporate action, and has complied or will comply with all the provisions of said First and Refunding Mortgage prerequisite to the issue of Eight million dollars (\$8,000,000) face amount of additional First and Refunding Mortgage Five Per Cent. Thirty-Year Gold Bonds, dated July 1, 1913, due July 1, 1943, making a total of Sixteen million four hundred eighty-seven thousand dollars (\$16,487,000) face amount of said First and Refunding Mortgage Five Per Cent. Thirty-Year Gold Bonds, issued and to be presently issued and outstanding under said First and Refunding Mortgage; and,

WHEREAS, all acts, proceedings and things necessary and required by law and the by-laws of the company; to make said Eight million dollars (\$8,000,000) face amount of additional First and Refunding Mortgage Five Per Cent. Thirty-Year Gold Bonds, when signed and sealed by the Company and authenticated by the Trustee, the valid, binding and legal obligations of the Company, and to constitute and make this Supplemental Mortgage a valid and effective Indenture of Mortgage, have been done and taken and have happened and the execution and issue of said Eight million dollars (\$8,000,000) face amount of additional bonds and the execution and acknowledgment of these presents having in all respects been duly authorized by the Board of Directors of the Company and otherwise as provided and required by law.

NOW, THEREFORE, THIS SUPPLEMENTAL MORTGAGE WITNESSETH that Southern Public Utilities Company, for and in consideration of the premises and of the sum of One Dollar to it duly paid by the Trustee at or before the sealing or delivery of these presents, the receipt whereof is hereby acknowledged, has executed these presents, and has given, granted, bargained, sold, aliened, remised, released, conveyed, assigned, confirmed, transferred and set over, and by these presents does give, grant, bargain, sell, alien, remise, release, convey, assign, confirm, transfer and set over unto The Farmers' Loan and Trust Company, as Trustee, and to its successor or successors and its or their assigns the following properties, privileges and franchises, situate, located and being, partly in the State of South Carolina and partly in the State of North Carolina, to wit:

PARCEL NO. 1.

The following described property situated in Henderson County, North Carolina, and described as follows:

1. A 11,000 volt, single circuit line extending from the Big Hungary Plant to Hendersonville, 7.75 miles in length.
2. A 2,200 volt, single circuit line extending from the Lower Big Hungary Plant to the Upper Big Hungary Plant, .30 of a mile in length.
3. That certain franchise granted by the City of Hendersonville to the Broad River Power Company in June, 1927; and the distribution system in the City of Hendersonville and vicinity, extending to the Towns of Brickton, Horse Shoe, Mill River, Laurel Park, Kanuga, Flat Rock, Fruitland, and other points.
4. That franchise granted by the Town of East Flat Rock to the Blue Ridge Power Company, dated September 13, 1926; and the distribution system in and around East Flat Rock.
5. The distribution system at and near the Town of Tuxedo and extending around and about Lake Summit, and adjacent to Green River Mill.
6. The distribution system leading off from the Big Hungary Transmission Line to the Towns of Dana and Upwards.

And being the same property conveyed to the Company by Wateree Power Company by deed dated June 12, 1929, duly recorded in the office of the Register of Deeds of Henderson County, North Carolina, in Book 190, at page 48.

PARCEL NO. 2.

That lot of land in the County of Henderson, State of North Carolina, near the City of Hendersonville, and described as follows:

BEGINNING at the southeast corner of a tract of land sold by G. H. Valentine, Trustee for P. F. Patton and Brownlow Jackson, to J. O. Bell, and conveyed by deed recorded in Book 101, at page 198, Register of Deeds for Henderson County, North Carolina; and running thence along the Eastern boundary line of said tract, N. 17-46 E. 662 $\frac{1}{4}$ feet to the point of intersection of said boundary with the south margin of a road or street leading from the bridge or underpass in the Southern Railway Company's track eastward; thence along the south margin of said street or road, N. 72-45 W. 350 feet; thence parallel with the first mentioned boundary line S. 17-46 W. 353 $\frac{1}{2}$ feet to an intersection with the center line of the aforesaid track of the Southern Railway Company, which forms the southwestern boundary line of the said Bell's land; thence, along said center line or track S. 14-11 E. 365 $\frac{1}{2}$ feet to the southeast corner of said Bell's land; thence along the southern boundary line of said land, S. 72-45 E. 154 $\frac{1}{2}$ feet to the beginning, saving and excepting so much of the land herein described, adjoining the railroad, as may be rightfully owned by the Southern Railway Company, its successors and assigns, containing exclusive of a strip of land 50 feet in width adjacent to said railroad, 4.155 acres, more or less, and being the same conveyed to Blue Ridge Power Company November 25, 1922 by J. O. Bell and wife, as shown by deed recorded in Book 117, page 171, and by the Broad River Power Company to Wateree Power Company by deed dated July 29, 1927, and recorded in the Office of the Register of Deeds for Henderson County in Book 175, page 408, being therein described as parcel No. 1, first lot, to which said deed and all the deeds therein mentioned reference is hereby made.

Being the same property conveyed to the Company by deed of Wateree Power Company, dated June 12, 1929, duly recorded in the office of the Register of Deeds of Henderson County, North Carolina, in Book 190, at page 47.

PARCEL NO. 3.

That property located in Polk County, North Carolina, and described as follows: