

2-562 - Partial Release

PARTIAL RELEASE, dated as of October 17, 1961, made by THE SOUTH CAROLINA NATIONAL BANK OF CHARLESTON (hereinafter called the "Trustee"), a banking corporation existing under the laws of United States of America, as trustee, and UNITED STATES OF AMERICA (hereinafter called the "Government"), to BLUE RIDGE ELECTRIC COOPERATIVE, INC. (hereinafter called the "Corporation"), an electric membership corporation existing under the laws of the State of South Carolina.

WHEREAS, the Corporation has heretofore duly authorized and executed and delivered to the Government, certain mortgage notes (hereinafter collectively called the "Outstanding Notes"), all payable to the order of the Government, representing loans to the Corporation; and

WHEREAS, certain of the Outstanding Notes were issued under and pursuant to an indenture of deed of trust, dated as of January 25, 1941, as amended and supplemented by a certain supplemental indenture dated as of July 5, 1944 and a deed of trust, dated as of January 30, 1947 all heretofore made by and between the Corporation and the Trustee (said indentures of deeds of trust, as so amended and supplemented, being hereinafter called the "Indenture"); and

WHEREAS, the remainder of the Outstanding Notes were issued under and pursuant to, and the Outstanding Notes are secured by, a certain mortgage, dated as of August 22, 1958, made by the Corporation to the Government (said mortgage, as so amended, being hereinafter called the "Mortgage"); and

WHEREAS, the Government is the holder of the Outstanding Notes and the Mortgage; and

WHEREAS, the indebtedness evidenced by the Outstanding Notes is the only indebtedness as of the date hereof secured by the Indenture and the Mortgage; and

WHEREAS, the Corporation desires to sell certain property which is included in the property covered by the Indenture and the Mortgage and has requested that such property, hereinafter more particularly described, be released from the liens thereof; and

WHEREAS, the Government, as holder of the Outstanding Notes and the Mortgage, has consented that the property hereinafter described be released and discharged from the liens of the Indenture and the Mortgage and joins the Corporation in requesting the Trustee to give up, surrender and release unto the Corporation the lien of the Indenture on such property, without, however, in any way affecting the lien of the Indenture or the Mortgage on the residue of the property described in the Indenture and the Mortgage.

NOW, THEREFORE, THIS PRESENTS WITNESSETH that, in consideration of the sum of one dollar (\$1.00) each in hand paid at the time of the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, the Trustee and the Government do hereby release, release and discharge unto the Corporation, its successors and assigns, all right, title, interest, claim or demand whatsoever which they may have acquired in, through, or by the Indenture or the Mortgage in and to the following described property, and do hereby quitclaim said property unto the Corporation, its successors and assigns, forever:

Those certain easements and rights of way of the Corporation for the construction, maintenance, and operation of electric aerial cable and electric aerial wire and associated poles, cross-arms and appliances appurtenant thereto, and such other interests and rights of the Corporation pertaining to certain strips or parcels of land within the Hartwell Dam and Reservoir Project Area, in the State of South Carolina, which were conveyed