

## Acceptance of Trust

by

Substituted Trustee.

Whereas, Carolina Public Service Company entered into a First Mortgage with American Trust Company (now by change of name American Bank & Trust Company of Richmond) and Clinton L. Williams, Trustees, dated April 1, 1922, and recorded in Spartanburg, S. C., R. M. C. Office in Chattel Mortgage, Book 76, Page 477, and in Real Estate Mortgage Book 130, Page 107, and recorded in Charleston County, S. C., R. M. C. Office in Real Estate Mortgage Book B-31, Page 288 and in Chattel Mortgage Book C-31, Page 91; and recorded in Greenville County, S. C., R. M. C. Office, in Volume No. 42 of Chattel Mortgages, at Pages 214 to 256, both inclusive, and in Volume No. 26 of Real Estate Mortgages at Pages 277 to 319, both inclusive, and recorded in Richland County, S. C., Office of C. C. C. P. & G. S., in Chattel Mortgage, Book 90, page 14, and in Real Estate Mortgage Book CJ at Page 361, which is supplemented by an Indenture between said parties dated June 14, 1927 and recorded in Charleston, S. C., R. M. C. Office, in Real Estate Mortgage Book W-31, Page 671 and in Chattel Mortgage Book -P-33, Page 172; and recorded in Richland County, S. C., Office of C. C. C. P. & G. S. in Real Estate Mortgage Book F. G. Page 332, and in Chattel Mortgage Book 133, Page 27; and recorded in Greenville County, S. C., R. M. C. Office, in Chattel Mortgage Book 147, Page 261, and in Vol. 194, of Real Estate Mortgages at Page 207; and recorded in Spartanburg County, S. C., R. M. C. Office in Chattel Mortgage Book 105, Page 554 and in Real Estate Mortgage Book 171, Page 125, and which is further supplemented by an Indenture dated February 15, 1928, between Southern Ice Company and American Trust Company (now by change of name American Bank & Trust Company of Richmond) and Clinton L. Williams, Trustees, and recorded in Spartanburg, S. C., R. M. C. Office in Real Estate Book 171, Page 200 and indexed as a Chattel Mortgage; and recorded in Greenville County, S. C., R. M. C. Office, in Vol. 204 of Real Estate Mortgages at Page 209, et seq.; and recorded in Charleston, S. C., R. M. C. Office in Real Estate Mortgage Book R-34, page 541 and in Chattel Mortgage Book Z-34, Page 641; and recorded in Richland County, S. C., Office of C. C. C. P. & G. S. in Book Deed D. B. Page 183 and entered upon proper indexes, (whenever the word "Trustee" is hereinafter used in this certificate, it shall be deemed to mean and refer solely to American Bank & Trust Company of Richmond, Trustee), and

Whereas, Southern Ice Company is the successor in interest of Carolina Public Service Company under the said First Mortgage, having assumed the payment of the bonds secured by the same and standing in the place and stead of the said Carolina Public Service Company, and

Whereas, Section 2 of Article VIII of the aforesaid First Mortgage dated April 1, 1922, provides that the Trustee thereunder may resign and discharge itself from the trust thereby created by giving notice in writing to the Company thirty days before such resignation shall take effect, or such shorter notice as the company may accept as adequate, and in the event of the resignation of the Trustee, or should the said American Trust Company, its successor or successors in the trust, refuse, fail or in any way become incapacitated to execute the trust thereby created, then the Board of Directors of the Company shall select a Trustee or Trustees in the place and stead of the then existing Trustee, and, upon the acceptance in writing of said trusts by such selected Trustee or Trustees, and delivery thereof to the President of the Company, the same shall be recorded in the same office in which the aforesaid First Mortgage is recorded, which acceptance and recordation shall have the effect of substituting the thus selected Trustee or Trustees in the place and stead of the retiring Trustee or Trustees with all the powers, rights and duties, therein conferred and imposed upon the American Trust Company (now by change of name American Bank & Trust Company of Richmond) as such Trustee; and all the estate, rights, powers and duties of the said Trustee shall be and become vested in such substituted successor or successors; and said Trustee so selected shall always be a well established Trust Company in the State of South Carolina or in the State of Virginia, and

Whereas, the said American Bank & Trust Company of Richmond and its Receivers have resigned and discharged itself and themselves from the trust created under the aforesaid First Mortgage, dated April 1, 1922, and Indentures supplemental thereto, dated June 14, 1927 and February 15, 1928, respectively, by giving notice in writing to Southern Ice Company (successor in interest to Carolina Public Service Company), as provided by said Section 2 of Article VIII of the aforesaid First Mortgage, and

Whereas, the said American Bank & Trust Company of Richmond is now in receivership, and is in consequence incapacitated to execute the trust created under the said First Mortgage and Indentures supplemental thereto, and