

## MORTGAGE RECORD No. 79

provisions of this Section 3, shall terminate and shall thereafter remain wholly ineffective so long as no bonds of said series shall be outstanding.

SECTION 4. It is understood and agreed that this Third Supplemental Indenture shall be construed in connection with and as a part of said Original Indenture, dated as of June 1, 1922, and that the covenants, conditions and provisions hereof shall be deemed as covenants, conditions and provisions of said Original Indenture.

SECTION 5. The recitals of fact herein and in the bonds of the 4<sup>th</sup> Series Due 1955 contained shall be taken as statements of the Company and shall not be construed as made by the Trustees. The trustees make no representations as to the value of any of the property described or mentioned in this Third Supplemental Indenture or any part thereof or as to the title of the Company thereto or as to the security afforded thereby and hereby or as to the validity of this Third Supplemental Indenture or of the bonds or coupons issued hereunder and the Trustees shall incur no responsibility in respect of such matters.

The Trustees accept the trust hereby created upon the terms and conditions herein and in the Original Indenture and supplements thereto provided.

IN WITNESS WHEREOF, the Company has caused this instrument to be signed in its corporate name by its President or a Vice-President, and to be sealed with its corporate seal, attested by its Secretary or an Assistant Secretary, and the said Irving Trust Company has caused these presents to be signed in its behalf by its President or a Vice-President and sealed with its corporate seal and attested by its Secretary or an Assistant Secretary, and the said William P. Malburn has hereunto set his hand and seal, all as of the day and year first written above.

(SEAL)

ATTEST: Lloyd S. Purcell, Secretary

THE KANSAS ELECTRIC POWER COMPANY

BY Geo. A. Mills, Vice President

WITNESSES:

C. B. DENDTLER  
IRENE JOHNSON

IRVING TRUST COMPANY

BY John P. G. Moran, Vice President

ATTEST:

W. MO CALISTER, JR., Assistant Secretary.

WITNESSES:

M. E. LEWIS  
D. LORICOT

WM P. MALBURN

(SEAL)

WITNESSES:

ROTH H. FULLER  
W. G. GARNETT

STATE OF ILLINOIS

SS:

COUNTY OF COOK

BE IT KNOWN, that on this 31st day of August, A.D. 1935, before me a Notary Public, in and for said County and State duly commissioned and qualified, appeared Geo. A. Mills, Vice-President and Lloyd S. Purcell, Secretary of the Kansas Electric Power Company, the Corporation described in and which executed the foregoing instrument, personally known to me to be such Vice-President and Secretary, and to be the same persons who executed the foregoing instrument for and on behalf of said The Kansas Electric Power Company, and whose names are subscribed thereto, and having been by me duly sworn, severally acknowledged that they signed, sealed, executed and delivered such instrument as such Vice-President and Secretary, respectively, as and for the free and voluntary act and deed of said The Kansas Electric Power Company for the uses and purposes therein set forth, and that they and each of them did depose and say that they were respectively the Vice-President and Secretary of said The Kansas Electric Power Company; that they and each of them signed the foregoing instrument in the corporate seal of said Company; that it was so affixed by order of the Board of Directors of said Company, and that they signed their respective names thereto as such Vice-President and Secretary by like order.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first in this, my certificate, written.

(SEAL)

OVE B. DENDTLER, Notary Public

My commission expires March 20, 1936.

STATE OF NEW YORK

SS:

COUNTY OF NEW YORK

BE IT KNOWN, that on this 3rd day of September, A.D. 1935, before me a Notary Public in and for said County and State, duly commissioned and qualified, appeared John P. G. Moran, Assistant Vice-President, and W. McCalister, Jr., Assistant Secretary of Irving Trust Company, the Corporation described in and which executed the foregoing instrument, as Trustees, personally known to me to be such Assistant Vice-President and Assistant Secretary, and to be the same persons who executed the foregoing instrument for and on behalf of said Irving Trust Company, and whose names are subscribed thereto, and having been by me duly sworn, severally acknowledged that they signed, sealed, executed and delivered said instrument as such Assistant Vice-President and Assistant Secretary, respectively, as and for their free and voluntary act, and as and for the free and voluntary act and deed of the said Irving Trust Company, for the uses and purposes therein set forth, and that they and each of them did depose and say that they were respectively the Assistant Vice-President and Assistant Secretary of said Irving Trust Company, and that they knew the corporate seal of said Corporation, and that he seal affixed to the foregoing instrument is the corporate seal of said Corporation, and that it was so affixed by order of the Board of Directors of said Corporation, and that they signed their respective names thereto as such Assistant Vice-President and