

struction or partially completed construction work, so far as actually constructed or erected; and

(4) property of the character above described required to replace a unit of property whose retirement has been credited to plant account.

If the Company shall, as provided in *Article Thirteen*, consolidate with or merge into or convey all or substantially all of the Trust Estate as an entirety to any other corporation, and such successor corporation shall execute a supplemental indenture of the character described in *Paragraph A of Section 134*, all property of the character herein described as Property Additions and owned by such successor corporation at the time of such consolidation, merger or conveyance, or acquired by it by such consolidation, merger or conveyance (excluding Bonded Property acquired from the Company), shall be deemed to be Property Additions acquired by such successor corporation at the date upon which it became such successor corporation. The term "Property Additions" shall *not* be deemed to include, and no Bonds shall be authenticated and delivered under this Article upon the basis of the acquisition or construction of:

(5) any property acquired or constructed by the Company prior to November 1, 1938; or

(6) any gas and/or oil leases and/or interests or royalties therein, mineral rights, gas and/or oil production, and any equipment, appliances or other property used for the development of gas and/or oil acreage or for the drilling for and production of gas and/or oil, all such property of the character described in this subparagraph (6) being herein referred to as "*Production Property*";

or

(7) any property used or intended for use primarily in the business of distributing, supplying and/or selling natural or artificial gas at retail for domestic or public use, or in the business of any local gas distribution system; or