

A G R E E M E N T

Between

NEW YORK POWER AND LIGHT CORPORATION

And

HUDSON RIVER REGULATING DISTRICT

Dated: September 21st, 1949

Readjustment - Contract dated November 14, 1927
as amended by Agreement dated
January 5, 1939

THIS AGREEMENT, made this 21st day of September, 1949, between NEW YORK POWER AND LIGHT CORPORATION, a corporation created, organized and existing under the laws of the State of New York, with a principal place of business at No. 126 State Street, in the City and County of Albany, State of New York, party of the first part, hereinafter called Power Company, and HUDSON RIVER REGULATING DISTRICT, a public corporation created, organized and existing pursuant to the provisions of ARTICLE VII-A (now Article VII) of the Conservation Law of the State of New York, party of the second part, hereinafter called District.

W I T N E S S E T H:

WHEREAS, under date of November 14, 1927, Power Company and District entered into an Agreement, a copy of which is hereto annexed for reference thereto herein, which Agreement is hereinafter called Original Agreement; and

WHEREAS, under date of January 5, 1939, Power Company and District entered into an Agreement, hereinafter referred to as the First Amendatory Agreement, modifying and amending the Original Agreement, a copy of which last mentioned Agreement is hereto annexed for reference thereto herein; and

WHEREAS, negotiations have been had between Power Company and District for a readjustment and modification of Paragraph D of the First Amendatory Agreement,

NOW, THEREFORE, Power Company and District mutually covenant and agree that Paragraph D of the First Amendatory Agreement be and the same hereby is amended to read as follows:

"D. That Power Company will pay to District for the purposes of subdivisions (a) and (b) contained in Paragraph 2 on Page 2 of said Original Agreement, under the caption 'Power Company Agrees', the total and fixed sum of ONE HUNDRED TEN THOUSAND (\$110,000) DOLLARS per year, each year during the term of this Agreement, and until such amount may be readjusted as provided in Paragraph E herein, or reversion is had to said Original Agreement as provided in Paragraph G herein; which said sum of \$110,000 shall be paid and be payable in equal monthly installments, each of which said monthly installments shall be paid on or before the 15th day of the month succeeding that for which said installment is due; that said sum of \$110,000 shall not be reduced by any credits or allowances of any name, kind, character or description whatsoever;"

This Agreement shall take effect on January 1, 1949 and shall continue in force and effect for the term set forth in Paragraph 14 on Page 6 of said Original Agreement, subject, however, to the provisions of Paragraph E

and Paragraph G respectively of the First Amendatory Agreement.

IN WITNESS WHEREOF, the parties hereto have caused their respective corporate seals to be hereunto affixed and this Agreement to be signed in duplicate by respective officers thereunto duly authorized, the day and year first above written.

NEW YORK POWER AND LIGHT CORPORATION

By *W. J. Gibson*
President

Attest:

J. P. Keenan
Secretary

HUDSON RIVER REGULATING DISTRICT

By *James Ramsey*
President of the Board

Attest:

Eileen R. Grogan
Secretary

STATE OF NEW YORK)
) ss.:
COUNTY OF ALBANY)

On this 2 day of September, 1949, before me, the subscriber, personally came W. J. GILSON, to me known, who being by me duly sworn, did depose and say, that he resides in the Town of Ballston, Saratoga County, New York; that he is President of New York Power and Light Corporation, the corporation described in and which executed the foregoing instrument; that he knows the corporate seal of said corporation; that the seal affixed to the foregoing instrument is such corporate seal; that the same was so affixed by authority of the Board of Directors of said corporation, and that he signed his name thereto by like authority.

Martha M. Smith

MARTHA M. SMITH
Notary Public State of New York
Qualified in Albany County
My Commission expires March 30, 1951
Certificate filed in Col., Cort., Dut.,
Essex, Fulton, Greene, Ham., Herk.,
Mad., Mont., Oneida, Otsego,
Putnam, Renss., Sar., Scho.,
Warren & Wash. County.

STATE OF NEW YORK)
) ss.:
COUNTY OF Albany)

On this 28th day of September, 1949, before me, the subscriber, personally appeared FRED H. RAMSEY, to me known, who by me duly sworn did depose and say that he resides in the City of Johnstown, New York; that he is President of The Board of Hudson River Regulating District, a public corporation organized and existing under the laws of the State of New York, the corporation described in and which executed the foregoing instrument; that he knows the corporate seal of said corporation; that the seal affixed to the foregoing instrument is such corporate seal; that the same was so affixed by authority of the said Board of Hudson River Regulating District; and that he signed his name thereto by like authority.

Kenneth S. Mac Asier

KENNETH S. MAC ASIER
Notary Public in the State of New York
Resident, Albany County, N.Y.
Cert. filed in Book of Notary Public for Albany County
Commission Expires 1951

