

Including the full and perpetual right to impound, store, hold back, divert, dry up and use the entire flow of the streams of the Pigeon River, or any portion thereof, and all tributaries thereto, so far as said lands are concerned, or are in any way involved.

(32) The following rights, rights-of-way, easements and privileges over, upon, across those certain tracts or land situated in Haywood County, North Carolina, described in the following mentioned deeds:

Deed from D. G. Parker to Thomas Hume, dated the 14th day of February, 1907, and recorded in the office of the Register of Deeds for Haywood County, North Carolina, in Record of Deeds No. 24, on page 409, conveying what is known as the "Twelve Mile Strip";

Deed of conveyance from Frank N. Overdeer and wife, to Haywood Land and Timber Corporation, dated the 29th day of January, 1924, and recorded in the office of the Register of Deeds for said Haywood County in Record of Deeds No. 65, on page 445, conveying what is known as the "Mt. Sterling" tracts of land;

Deed of conveyance executed by C. Boice, et al, to Haywood Land and Timber Corporation, dated the 27th day of July, 1914, and recorded in said county in the Record of Deeds No. 43, on page 122 et seq., conveying the Haywood Land and Timber Corporation tracts.

Deed of conveyance from Samuel Leatherwood and wife to Pigeon River Power Company, dated the 3rd day of October, 1924, and registered in the office of the Register of Deeds for Haywood County, North Carolina, in Book 67, page 383;

Deed of conveyance from J. B. Philips and wife to Pigeon River Power Company, dated the 3rd day of October, 1924, and registered in the office of the Register of Deeds for Haywood County, North Carolina, in Book 67, page 385;

Deed of conveyance from W. T. McGaha and wife to Pigeon River Power Company, dated the 3rd day of October, 1924, and registered in the office of the Register of Deeds for Haywood County, North Carolina, in Book 57, page 370, to wit:

(a) The perpetual right, rights-of-way, privilege and easement to construct, maintain and use upon and over said lands and all of them, transmission lines for the transmission of electric light and power, and for other purposes, including the erection, use and maintenance of poles, towers, guys and other appurtenances, telephone lines and telegraph lines, used, or intended to be used, in whole or in part in connection with any development of water power, or water powers, or other improvements, upon said lands, or any of them, and the right to occupy said lands with construction camps, buildings and other temporary structures, and to construct, locate and maintain roads, railways and tramways, during the course of the construction of any dams, public works, buildings, improvements, or any other developments of any kind whatsoever, on said lands, or any of them, and also the right to quarry and remove stone, gravel and sand from said lands for use in the development during the construction period, and the perpetual right to pipe and use the springs of water on said lands for domestic purposes in connection with said developments.

(b) All those rights, privileges and easements in addition to those above enumerated, granted to the Pigeon River Power Company by Thomas Hume, executor, by deed dated the 6th day of February, 1924, and recorded in Haywood County, North Carolina, in Record of Deeds No. 65, on page 460, on the 7th day of February, 1924.

(c) All riparian rights, water and water rights appurtenant to, connected with or on the several tracts or parcels of land described in this Subsection 32, including the full, complete, unrestricted and perpetual right with respect to Pigeon River and any or all of its tributaries, to impound, store, hold back, divert, dry up, fluctuate and use the entire flow of the waters of Pigeon River, or any portion thereof, and any and all tributaries thereto, so far as said tracts or parcels of land are concerned, or are in any way involved;

(d) The right, privilege and easement to use said tracts of land for the building, construction and maintenance of any water power plant or plants on the Pigeon River for the development of electricity or electric power, or for use in any way or manner in connection with the generation of electricity or electric power for public use, including also the perpetual right, easement and privilege to build, construct and maintain all such dams, races, diversion works, tunnels, power houses, buildings and structures, or other improvements on said lands as may be necessary and useful for the generating, using and transmitting of electric current, together with the right to build, construct and maintain transmission lines, towers, poles, wires for the transmission of electric currents, or electric power, telegraph lines, telephone lines and the appurtenance thereof, the right to locate construction camps and to locate and maintain roads, railways and highways across said land during the period of construction, and the right to quarry and remove stone, gravel and sand from said lands for use in said developments or any of them, together with all such other rights, easements and privileges as were conferred upon the Pigeon River Power Company by the judgments of the Superior Court of Haywood County, North Carolina, in the Proceedings for condemnation in this subdivision 32, referred to;

The lands over which said rights, privileges and easements exist are situated in Haywood County, North Carolina, and on the West side of the Pigeon River, and are described in the several proceedings herein mentioned as follows:

In that proceeding entitled Pigeon River Power Company vs. James Lackey, *et al*, in which judgment was entered on the 10th day of October, 1924, in the Superior Court of Haywood County, North Carolina, one tract of said land is described as follows:

Situated in Haywood County, North Carolina, in Cattaloochee Township, and bounded by a line running as follows:

Beginning on a Locust stump and runs South 46 deg. 15' West 234 feet to a stake; thence North 41 deg. West 1050 feet to a stake; thence North 47 deg. 7' East 159 feet to a stake, the corner between the James Lackey tract and the tracts belonging to the White heirs; thence South 45 deg. 15' East 1042 feet to the beginning. Containing 4.7 acres as surveyed by A. H. Vanderhoof, Engineer.

In that proceeding entitled Pigeon River Power Company vs. Nora Maynor, *et al*, in which judgment was entered on the 10th day of October, 1924, in the Superior Court of Haywood County, North Carolina, one tract of said land is described as follows:

Situated in Haywood County, North Carolina, in Cattaloochee Township, and bounded by a line running as follows:

Beginning at a stake, the corner between the James Lackey tract and the tract of land belonging to the White heirs, and runs South 47 deg. 7' West 159 feet to a stake; thence North 41 deg. West 1042 feet to a stake; thence North 48 deg. East 84 feet to a stake in a hollow; thence South 45 deg. 15' East 1042 feet to the beginning. Containing 2.9 acres as surveyed by A. H. Vanderhoof, Engineer.

In that proceeding entitled Pigeon River Power Company vs. Great Mountain Power Company, Elizabeth Hopkins, *et al*, in which judgment was entered in the Superior Court of Haywood County, North Carolina, on the 19th day of May, 1924, and approved and confirmed by judgment entered at the September Term, 1924, of the Superior Court of said county, in which proceeding said tract of land is described as follows:

Situate, lying and being in Cattaloochee Township, and known as the Levy Sutton lands, and bounded by a line running as follows:

Beginning on a Chestnut and runs thence South 54 deg. 30' West 88.5 poles to a stake in the center of the road; thence South 33 deg. East 186 poles to a Chestnut; thence North 54 deg. 30' East 88.5 poles to a stake; thence North 33 deg. West 186 poles to the beginning. Containing 98.8 acres as laid out on the plat of A. H. Vanderhoof, Engineer.

In that proceeding entitled Pigeon River Power Company vs. Great Mountain Power Company and Jesse Groom, *et al*, in which judgment was entered in the Superior Court of Haywood County, North Carolina, on the 19th day of May, 1924, and approved and confirmed by judgment entered at the September Term, 1924, of the Superior Court of said county, in which proceeding said tract of land is described as follows:

Situated in Haywood County, North Carolina, on the West side of Pigeon River and bounded by a line running as follows:

Beginning on a Spruce Pine on the West bank of Pigeon River and runs thence West to two double Chestnuts on the top of the mountain and thence near Southeast to a Sassafras at the bank of the river; thence down the river to the beginning. Containing 50 acres, being the land described in a deed to the Great Mountain Power Company made by B. J. Sloan and wife, dated August 30, 1920, and recorded in said County in Record of Deeds No. 56, page 507.

Together with all and singular the tenements, hereditaments and appurtenances belonging or in anywise appertaining to the aforesaid property or any part thereof.

PARAGRAPH ELEVEN.

\$106,000 Principal Amount of the First Mortgage Thirty-Year Five Per Cent. Gold Bonds, Due April 1, 1955, of Yadkin River Power Company, with all unmatured coupons attached.

All other property, real, personal and mixed (except cash, shares of stock, obligations, bonds and securities not expressly described or mentioned herein and specifically pledged hereunder or covenanted so to be), now owned or hereafter acquired by the Company and wheresoever