

remotely, to the presence of the said pipe on the right of way or premises of the Power Company, or whether it may be attributable to any extent to the negligence of the Power Company or otherwise and this contract shall run with the license herein granted.

Fifth: That in the event the license shall be at fault in the performance of any one or more of its covenants in this agreement contained, or in the event that the said pipe shall, by reason of improper maintenance or otherwise, become a source of danger to or be likely to interfere with the operation of the Power Company on its said line of railroad, then at or and if the same or any part of the license hereby granted may at the option of the Power Company be deemed to be forfeited and the license shall not be renewed and the expense, upon being notified by the Power Company in writing, so to do, for the removal of the said pipe from the right of way of the Power Company and restoration of said right of way to its condition existing prior to the construction of the said pipe thereupon, in default thereof the Power Company may itself remove the same and restore the condition of said right of way at the expense of the Licensee.

Sixth: The Licensee agrees to pay to the Power Company the expense of the re-erection of the same upon receipt of bill rendered by the Power Company, therefore.

In witness whereof, the parties hereto have executed these presents in duplicate, each part being an original, the day and year first above written.

In the presence of:
L. H. Woods Jr.
D. J. Calder
 As to the Power Company.

Duke Power Company
E. C. Marshall
 Vice President.



Attest:
L. H. Adams
 Asst. Secretary.

John Hater, and seven
 Just. District of Greenville, S. C.
By Carl G. Sullister
 Chairman

In the presence of:
J. Wilbur Hicks
Mary M. East
 As to Licensee.

James F. Howard
 Secretary.

Attest:
James F. Howard
 Secretary.

J. H. G. Wilbur Hicks, 1, 23, 36.
D. H. A. N. Ward.

State of North Carolina
 County of Mecklenburg.

Persons who appears before me D. J. Calder was after being duly sworn, says: That he saw the above named Duke Power Company by E. C. Marshall, its Vice President, and L. H. Adams its Asst. Secretary, sign, seal and as the act and deed of the said corporation deliver the above