

provided that the failure of the Grantee to exercise any of the rights herein granted shall not be construed as a waiver or abandonment of the right thereafter at any time and from time to time to exercise any or all of same.

RESERVING AND SAVING unto West Virginia, its successors and assigns, the right to plant crops and maintain fences on said strip of land and to construct streets or roads across but not lengthwise of same, provided that such planting, fences, streets or roads, or any other use of said strip of land by West Virginia shall not, in the opinion of Grantee interfere or conflict with the use of said strip of land by Grantee for the purposes hereinabove mentioned.

TO HAVE AND TO HOLD, all and singular, the easement and the rights herein granted unto Grantee, forever, subject to the following conditions:

1. The electric transmission line, or lines, and all accessories thereto shall be continuously used for transmitting electrical energy through or along said line, or lines, and only for such purposes. The non-user of such line, or lines, for a period of five (5) years continuously at any time and the removal of the facilities from the easement premises shall constitute an abandonment of all the rights, privileges and authority herein or hereby granted; and West Virginia, its successors or assigns, may immediately revoke, cancel and annul this instrument.

2. Grantee shall not at any time obstruct, impede or in any other way interfere with West Virginia's fire lines or fire breaks, nor with the maintenance and upkeep of said fire lines or fire breaks by West Virginia, its successors and assigns, provided, however, that such fire lines or fire breaks shall not interfere or conflict with the proper construction, maintenance or operation of the electric and telephone lines above mentioned. Grantee shall not leave any tops, laps, brush or other debris in any such fire line or fire break. Grantee shall take all reasonable precautions to prevent and use all reasonable efforts to extinguish forest fires or brush fires caused by Grantee in the construction, operation and maintenance of the said electric transmission line or lines.

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