

which said system is or may be operated, including that certain franchise granted by the Board of Commissioners of Buncombe County, North Carolina, to T. W. Weaver Power Company, dated the 3rd day of March, 1903.

(91) The Distributing System as constructed, equipped and maintained in Henderson County, North Carolina, supplying the communities of Brickton and Fletcher, in said Henderson County, and all franchises and consents under which said system is or may be operated, including the franchise and consent granted by the Board of Commissioners of the County of Henderson to the North Carolina Electrical Power Company, on the 28th day of February, 1899.

(92) The Distributing System as constructed, equipped and maintained extending from Biltmore, North Carolina, up the Valley of the Swannanoa River and to Black Mountain and in the Town of Black Mountain and the communities surrounding the same, in said Buncombe County, North Carolina, and all franchises and consents under which said system is or may be operated, including the following:

That certain franchise granted by the Town of Black Mountain to Frank Silliman, Jr., by ordinance passed on the 13th day of October, 1924.

(93) The Distributing System as constructed, equipped and maintained supplying the communities of Craggy, Leicester and Woodfin, in Buncombe County, North Carolina, and all franchises and consents under which said system is or may be operated, including the following:

That certain franchise granted to the W. T. Weaver Power Company by the Board of Commissioners of Buncombe County, North Carolina, by resolution adopted the 3rd day of March, 1903.

(94) The Canton Distributing System as constructed, equipped and maintained in the Town of Canton and in the vicinity thereof, in Haywood County, North Carolina, and all franchises and consents under which said system is or may be operated, including the following:

That certain franchise or consent granted to Frank Silliman, Jr., his successors and assigns, by the Town of Canton by ordinance passed and adopted the 25th day of March, 1924.

(95) The Clyde Distributing System as constructed, equipped and maintained in the Town of Clyde in the County of Haywood and State of North Carolina, and along the highways leading from Canton to said Town of Clyde, and all franchises and consents under which said system is or may be operated, including the franchise granted by the Town of Clyde to Frank Silliman, Jr., his successors and assigns, by ordinance passed on about the 31st day of March, 1924, and the franchise granted to the North Carolina Electrical Power Company by the Board of Commissioners of Haywood County, North Carolina, by resolution adopted the 28th day of February, 1899.

(96) The Weaverville Distributing System as constructed, equipped and maintained in the Town of Weaverville and in the vicinity thereof, in the County of Buncombe and State of North Carolina, and all franchises and consents under which said system is or may be operated, including the following:

That certain franchise or consent granted to North Carolina Electrical Power Company by the Town of Weaverville by ordinance passed on or about the 1st day of September, 1925.

(97) The Marshall Distributing System as constructed, equipped and maintained in the Town of Marshall and in the vicinity thereof, in Madison County, North Carolina, and all franchises and consents under which said system is or may be operated, including the following:

That certain franchise or consent granted to the North Carolina Electrical Power Company by the Town of Marshall by ordinance adopted the 7th day of June, 1910.

(98) The Distributing System as constructed, equipped and maintained in Madison County, North Carolina, extending from Marshall to the Hydro Electric Plant on the Ivy River in Madison County, North Carolina, and extending to the community known and referred to as Mars Hill, in Madison County, North Carolina, together with all franchises and consents under which said system is or may be operated.

Including all the Company's right, title and interest in and to the Distributing Systems in the Towns of Apex, Benson, Fayetteville, Fremont, LaGrange, Laurinburg, Lumberton, Pikeville, Pinehurst, Selma and Smithfield, North Carolina, and in the Town of Camden, South Carolina (but excluding all distributing systems in said towns owned by the municipalities or other parties) together with the following franchises owned by the Company and granted by ordinances passed by the following towns in North Carolina on or about the following dates: Town of Apex, August 11, 1917; Town of Benson, July 28, 1919; Town of Fayetteville April 19, 1900; Town of Fremont December 4, 1917; Town of LaGrange February 6, 1917; Town of Laurinburg May 6, 1925; Town of Lumberton, August 6, 1915; Town of Pikeville December 5, 1917; Town of Selma September 13, 1913 and the Town of Smithfield September 23, 1912; also the franchise owned by the Company and granted by ordinance, passed by the Town of Camden, South Carolina, on or about June 15, 1922.

And also all branches, extensions, improvements and developments of or appertaining to or connected with said distributing systems, or any of them, and all other distributing systems of the Company and parts thereof wherever situated whether connected or not connected with any of the foregoing system, and whether now owned or hereafter acquired, as well as all of the Company's rights-of-way, easements, privileges, permits, municipal or other franchises, consents and rights for or relating to the construction, maintenance or operation thereof or any part thereof, through, over, under or upon any public streets or highways, or public or private lands.

PARAGRAPH FIVE.

The Gas Manufacturing Plants and Plant Sites of the Company, including all gas holders, expansion tanks, gas mains, buildings and structures owned by the Company and all lands of the Company on which the same are situated and all of the Company's lands and easements, rights-of-way, rights, permits, privileges, licenses, machinery, engines, equipment, appliances, appurtenances and sites forming a part of said plants or sites, or any of them, used or enjoyed, or capable of being used or enjoyed in connection therewith, including all of the Company's right, title and interest in and to the following property situated in the state of North Carolina:

(1) The Raleigh Gas Manufacturing Plant situated in Raleigh Township, Wake County, including all buildings, holders and other structures and all of the Company's right, title and interest in and to said lands, rights-of-way, easements, rights and privileges owned, used or enjoyed in connection therewith.

(2) The Durham Gas Manufacturing Plant situated in the City of Durham, Durham Township, Durham County, including all buildings, holders and other structures and all of the Company's right, title, and interest in and to the lands, rights-of-way, easements, rights, privileges and franchises owned, used or enjoyed in connection therewith.

(3) The Asheville Gas Manufacturing Plant situated in the City of Asheville, Buncombe County, North Carolina, and on Avery Street, including all buildings, holders, structures and equipment, and all the Company's right, title and interest in and to the lands, rights-of-way, easements, rights and privileges owned, used or enjoyed in connection therewith, which plant is situated on those certain lots or parcels of land described in the following deeds of conveyance:

(a) One deed of conveyance executed by Asheville Electric Company to Asheville Power and Light Company, dated March 30, 1912 and recorded in Buncombe County, North Carolina, in Record of Deeds No. 173, on page 541 *et seq.*, in which said lands are described as "Division IV, 2nd Parcel".

(b) One deed of conveyance from Robert L. Niles and wife, Roma Niles, to Asheville Power and Light Company, dated April 23, 1921, and recorded in Record of Deeds for Buncombe County, North Carolina, in Book No. 250, at page 58 *et seq.*

Also all other gas manufacturing plants and plant sites or parts thereof owned by the Company, whether developed or undeveloped, or partially developed and whether now equipped and operating, or not, and wherever situated and the property acquired for use in connection therewith; all machinery, gas holders, expansion tanks, gas mains, buildings and structures and all of the Company's lands on which the same are situated and whether now owned by the Company or hereafter acquired, and also all rights-of-way, easements, permits, franchises and privileges owned, used or enjoyed in connection therewith, whether now owned or hereafter acquired.

PARAGRAPH SIX.

The Gas Distributing Systems of the Company, including gas holders, expansion tanks, tunnels, conduits, gas mains and pipes, service pipes, fittings, gates, valves, connections, meters and all appurtenances, appliances, devices and equipment and all the Company's other property, real, personal or mixed forming a part of or used, occupied or enjoyed in connection with or in anywise appertaining to said distributing systems, or any of them, together with all of the Company's rights-of-way, easements, privileges, permits, municipal or other franchises, licenses, consents and rights for or relating to the construction, maintenance or operation thereof, through, over, under, or upon any public streets or highways, or any public or private lands, including the following situated in North Carolina: