

(c) *Beginning* at the mouth of a small branch on Main Broad River, and runs thence along Richard Scruggs' line N. 45 E., 72 poles to a forked Old Field Pine; thence E. 20 poles to a Red Oak; thence N. 42 E. 20 poles to a Pine by an old fence; thence N. 7 W. 40 poles to a small Pine; thence N. 60 W. 20 poles to a Chestnut; thence N. 33 E. 56 poles to a Pine knot and Post Oak; thence S. 53 E. 98 poles to a Pine, Burgess' and McComb's corner; thence S. 35 W. 82 poles to a stake and pointers on the old line; thence S. 36 E. 18 poles running nearly with the Spring branch to its junction with the river; thence up the river as it meanders to the *Beginning*, containing 80 acres, more or less, and being in No. 2 Township on the north side of Main Broad River, and known as the Marion Scruggs' Old Home Place.

(d) Situate and lying on the waters of Second Broad River near the Rutherford and Cleveland County line, adjoining lands of Romeo Ruppe and J. W. Harris, *Beginning* at a stone, corner of J. W. Harris Home Tract, and also corner of his purchase from A. J. Crawley, and running thence a new line S. 85½ W. 18.15 chains to an iron stake on west bank of branch and in the old line; thence with old line 3.37½ W. (va. 1) 12.35 chains to Pine, Harris' and Ruppe's corner; thence with Harris' own line S. 67½ E. (va. 1) 13.87 chains to a Red Oak; thence N. 37½ E. (va. 1) 21 chains to the *Beginning*, containing 21.85 acres, more or less.

(e) *Beginning* at a Pine stump on North edge of wagon road, Harris' and McComb's corner; thence with Harris' own line N. 85 W. 10 poles to a stone; thence with his own line N. 47½ W. 106 poles to a stone and pointers (formerly a Post Oak stump); thence a new line N. 86 E., 66 poles to a stone on west side of road; thence a new line S. 81½ E. 42¼ poles to a small Pine and stone in old line; thence with old line S. 32 W., 34 poles to a stone; thence S. 3 W. (va. ¾) 42½ poles to the *Beginning*, containing 25¾ acres, more or less, and being the southern part of the John Burgess' old original tract.

And being in all respects the land conveyed to Duke Power Company by deed of J. W. Harris and wife, dated March 1, 1939, recorded in the office of the Register of Deeds of Cleveland County in Book 4-U, page 398.

ALSO INCLUDING the steam electric generating plant located upon the above described property, which plant was constructed by Duke Power Company in the years 1939-1940, and which at present has an installed capacity of eighty thousand (80,000) kilowatts, and being known as the CLIFFSIDE STEAM PLANT of the Duke Power Company.

CLIFFSIDE RAILROAD

The railroad constructed by Duke Power Company in 1939 located in Cleveland and Rutherford Counties, North Carolina, extending from the Cliffside Steam Plant of said Company to the main line of the Carolina, Clinchfield and Ohio Railway, a distance of approximately 6.38 miles, together with the following lands and rights of way:

(a) Those two tracts of land lying and being in Rutherford County, adjoining the lands of Dr. S. D. Reid, the Hicks heirs and others, and more particularly described as follows, to-wit:

FIRST TRACT: *Beginning* at a stone, a corner of land of John B. Watkins et al and of the Hicks heirs; thence with the line of the Hicks heirs S. 5—16 W. 348.5 feet; thence a new line S. 52—00 W., 262.4 feet; thence another new line N. 83—22 W., 580.6 feet to the line of the land of Dr. S. D. Reid; thence with the line of the land of Dr. S. D. Reid and a line of the land of the Hicks heirs N. 61—34 E., 927.3 feet to the point of *Beginning*, containing 4.33 acres.

SECOND TRACT: *Beginning* at a stake in the dividing line between the land of John B. Watkins et al and the land of Dr. S. D. Reid, which stake is S. 61—34 W., 384.7 feet from the fourth corner of the First Tract above described, and runs thence S. 29—19 W., 975 feet to the line of the land of Carolina Clinchfield Railway, formerly South and Western Railroad Company; thence with the line of said Railroad Company N. 24—37 E., 296 feet; thence with another line of said Railroad Company with a curve to the left of radius 2010.1, 496 feet to a corner of the lands of Dr. S. D. Reid; thence with a line of the S. D. Reid land N. 61—34 E., 233 feet to the point of *Beginning*, containing 1.07 acres.

And being in all respects the lands conveyed to Duke Power Company by deed of John B. Watkins et al, dated January 16, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 169 at page 563.

(b) That right of way granted to Duke Power Company by deed of S. D. Reid and wife, dated January 20, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 169 at page 541.

(c) That right of way granted to Duke Power Company by deed of Eleanor Hicks, dated January 18, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 169 at page 39, and that right of way granted to Duke Power Company by deed of Wm. D. Edwards, Commissioner, dated February 24, 1939, recorded in said Register of Deeds' office in Book 169 at page 607.

(d) That right of way granted to Duke Power Company by deed of I. P. Hines and wife, dated January 17, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 171 at page 248.

(e) That right of way granted to Duke Power Company by deed of M. J. Lancaster and wife, dated January 17, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 171 at page 249.

(f) That right of way granted to Duke Power Company by deed of A. S. Hill, dated January 17, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 171 at page 246.

(g) That right of way granted to Duke Power Company by deed of G. W. Bird et al, dated January 17, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 169 at page 626.

(h) That right of way granted to Duke Power Company by deed of J. N. Goode and wife, dated January 19, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 169 at page 550.

(i) That right of way granted to Duke Power Company by deed of J. P. Durham and wife, dated January 17, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 169 at page 551.

(j) That right of way granted to Duke Power Company by deed of S. S. Durham and wife, dated January 17, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 171 at page 250.

(k) That right of way granted to Duke Power Company by deed of Allison Hines and wife, dated January 17, 1939, recorded in the office of Register of Deeds of Rutherford County in Book 169 at page 587.

(l) That right of way granted to Duke Power Company by deed of Sara Haynes Love, dated January 14, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 169 at page 553.

(m) That right of way granted to Duke Power Company by deed of Rachel Lawson, dated January 12, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 169 at page 545.

(n) That right of way granted to Duke Power Company by deed of B. J. Phillips and wife, dated January 12, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 169 at page 547.

(o) That right of way granted to Duke Power Company by deed of Rosa Humphries and husband, dated January 12, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 169 at page 546.

(p) That right of way granted to Duke Power Company by deed of J. M. Phillips and wife, dated January 12, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 169 at page 543.

(q) That right of way granted to Duke Power Company by deed of G. T. Harmon and wife, dated January 27, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 169 at page 556.

(r) That right of way granted to Duke Power Company by deed of Florence Haynes Jenkins, dated January 14, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 169 at page 554.

(s) That right of way granted to Duke Power Company by deed of Ruth M. Morris and husband, dated January 19, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 169 at page 542.

(t) That right of way granted to Duke Power Company by deed of Fay Mosteller and wife, dated January 18, 1939, recorded in the office of the Register of Deeds of Rutherford County in Book 169 at page 549.