

STATE OF NORTH CAROLINA)

COUNTY OF CATAWBA)

File No 1053-119-2...
Tr/ 1,2&3 as shown in
Plat Ek 1; pg 32

1275

1053 THE 243

This Indenture. Made this 29th day of July, 1974,

between CRESCENT LAND & TIMBER CORP., a corporation organized under the laws of the State of South Carolina, and DUKE POWER COMPANY, a corporation organized under the laws of the State of North Carolina, parties of the first part; and NELLIE REITZEL, widow party of the second part;

WITNESSETH:

That the said parties of the first part in consideration of the mutual covenants contained herein and other good and valuable considerations, have bargained and sold and by these presents do grant, bargain, sell and convey unto the said party of the second part, her heirs and assigns, all of that certain tract of land situate, lying and being in Catawba County, State of North Carolina, said land being more particularly described as follows:

Being that portion of the land of the parties of the first part lying between contour at elevation 838.0 feet, U.S.G.S. sea level datum, (sometime referred to as full pond elevation 157) and contour of elevation 851.0 feet, U.S.G.S. sea level datum, (sometime referred to as contour elevation 170) and lying adjacent to the property of party of the second part described in the following deed(s):

From	Date	Book	Page
Jeff D. Setzer & wf Susan Setzer	7 October 1940	382	217

recorded in the office of the Register of Deeds for the aforesaid county.

Duke Power Company reserves from this conveyance and Crescent Land & Timber Corp. and the party of the second part, in consideration of the mutual covenants contained herein, have granted, bargained, sold and released and by these presents do grant, bargain, sell and release unto Duke Power Company the following rights, privileges and easements:

The permanent right, privilege and easement to flood intermittently the waters of the Catawba River and its tributaries in, over or upon the land described above whenever and to whatever extent such flooding occurs by reason of maintaining the Lookout Shoals Dam at its present elevation (838.0 feet, U.S.G.S. sea level datum), together with the right of ingress and egress to maintain the Lookout Shoals Reservoir.

TO HAVE AND TO HOLD the aforesaid land and all privileges and appurtenances thereto belonging to the said party of the second part, and their heirs and assigns, to their only use and behoof forever, subject to the reservation and conveyance of the flood easement above set out.