

THIS DEED, made and entered into this the 11th day of

August, 1978, by and between VELMA E. AUSTIN, a/k/a V. E. AUSTIN and BLANCHIE B. AUSTIN, his wife, parties of the first part, and AUBON WATER CO., a Virginia corporation, party of the second part.

W I T N E S S E T H:

THAT FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS (\$10.00), and other valuable considerations, cash in hand paid, the receipt of which is hereby acknowledged, the parties of the first part, do hereby bargain, sell, grant and convey unto the said AUBON WATER CO., a Virginia corporation, party of the second part, with General Warranty of Title, all those certain lots or parcels of land hereinafter described with all buildings thereon and all improvements thereon including the wells, water lines, easements, pipe lines and all the attachments and equipment used in operating the old Franklin Water Company, Inc., which was dissolved and taken over by the Grantors, lying and being in the Franklin Heights Subdivision, just Northeast of the Town of Rocky Mount, in Franklin County, Virginia, described as follows:

ITEM NO. 1: All of the interests acquired by the said corporation in a deed dated April 18, 1958, and recorded in the Clerk's Office of the Circuit Court of Franklin County, Virginia, in Deed Book No. 161, at Page 34, and by the Deed of Correction dated January 14, 1968, from V. E. Austin to the said corporation recorded in said Clerk's Office in Deed Book No. 243, at Page 481; but only such real estate, easements, and equipment now located and used in the Franklin Heights water system.

ITEM NO. 2: All a certain lot or parcel of land designated by survey which included Lot No. 1 and an additional unnumbered lot the same width and 150 feet long adjoining the said lot and set out by survey in the deed dated August 6, 1957, recorded in said Clerk's Office in Deed Book 152 at Page 155, and designated on the plat of the subdivision as the wellhouse lot and conveyed by

V. E. Austin to said corporation as ITEM NO. 2 by deed dated September 8, 1958, and recorded in said Clerk's Office in Deed Book No. 161, at Page 31, and designated as Parcel No. 2 in said deed.

ITEM NO. 3: All a certain lot or parcel of land conveyed to said corporation from V. E. Austin as Lot No. 13 and part of Lot No. 14, by deed dated September 23, 1957, and of record in said Clerk's Office in Deed Book No. 154, at Page 95.

ITEM NO. 4: Being all the rights, title and interest conveyed to V. E. Austin as an easement for the purpose of installing, operating, and maintaining water lines to supply water to Lots No. 1 through Lot No. 21 of Franklin Heights Addition according to map and survey made by Thomas F. Fralin, dated June 28, 1960, and of record in said Clerk's Office, in Map Book No. 2, at page 176, with all rights, included therein, to install, operate, maintain and remove water lines from said lots, as shown in the deed dated November 18, 1960, and recorded in the said Clerk's Office, just prior to this deed from George A. Mattox and wife, et. al., to V. E. Austin and to be recorded just prior to this deed.

ITEM NO. 5: Parcel No. 1: All those two certain lots or parcels of land being designated as Lots 26 and 27, Section A of the Alton Park Subdivision of the lands of Alton Sink, lying and being in Brown Hill Magisterial District, Franklin County, Virginia, and being as shown by a plat and survey dated December 13, 1956, made by T. F. Fralin, and of record in the Clerk's Office of the Circuit Court of Franklin County, Virginia, and being Lots 26 and 27 of the land conveyed to V. E. Austin by deed dated July 29, 1957, from Alton Sink and wife, which deed is of record in the said Clerk's Office in Deed Book 155, at Page 304. This conveyance is identical to the conveyance by Deed dated August 11, 1978, from Franklin Water Company, Inc. to Aubon Water Co., there being some question as to the ownership of these lots and its inclusion herein is to insure a conveyance to Aubon Water Co. whether heretofore owned by V. E. Austin or Franklin Water Company, Inc.

ITEM NO. 6: All that certain tract, parcel and piece of land, lying and being in Rocky Mount Magisterial District, Franklin County, Virginia, and being designated as Lot No. 82, according to map showing additional lots of Franklin Heights Subdivision made by Thomas F. Fralin, C. L. S., dated January 14, 1958, of record in Map Book 2.

The 20 foot roadway leading from Hilltop Drive to Lot No. 82 is also being conveyed to the party of the second part as part of Lot 82.

And being a portion of the same property conveyed to the parties of the first part by Deed of record in said Clerk's Office in Deed Book 156 at Page 329.

ITEM NO. 7: All that certain lot or parcel of land in Hills Creek Magisterial District, Franklin County, Virginia, containing 0.84 of an acre according to a survey prepared by T. P. Parker, State Certified Engineer, dated October 20, 1969, described as follows:

BEGINNING at a point at the intersection of the north side of Virginia Secondary Route No. 678 with the west side of Long Island Drive; thence with the north side of Route 678, S. 85° 44' W. 72.83 feet to a point; thence S. 74° 48' W. 124.41 feet to a point; thence with a new division line through the property of H. G. Weeks and Earl E. Bland, N. 20° 03' W. 62.07 feet to an iron; thence N. 21° 00' E. 72.41 feet to an iron; thence N. 9° 24' E. 94.85 feet to an iron at a 12" maple; thence crossing the end of the easement leading to the lake, N. 8° 20' E. 10.27 feet to an iron; thence with still another new division line, S. 63° 57' E. 190.38 feet to a point on the west side of Long Island Drive; thence with the line of same due South 108.00 feet to the BEGINNING and containing 0.84 acre. The parties of the first part do also grant and convey unto the party of the second part a ten (10) foot wide access and drainage easement leading from said lot to Smith Mountain Lake as shown on map of record. Reference to same being hereby made for a more particular description.

It being a portion of the property conveyed to H. G. Weeks and Earl Bland, Trustees, from H. G. Weeks, et al, by deed bearing date September 12, 1960, of record in the Clerk's Office of the Circuit Court of Franklin County, Virginia, in Deed Book 182 at Page 4.

ITEM NO. 8: All that certain lot or parcel of land situate, lying and being approximately five (5) miles west of the Town of Rocky Mount in Rocky Mount Magisterial District (according to the 1970 Land Book), Franklin County, Virginia, lying a few hundred feet north of State Highway No. 40 and fronting on the northeasterly side of State Secondary Road 756, containing 0.04 of an acre, more or less, and being described as follows, to-wit:

BEGINNING at an iron rod on 50 foot right of way of Virginia Route 756 opposite lot corners 32 and 33 of the Mattie L. Waid, deceased, subdivision; thence with the northerly right of way of Route 756, N. 54° 51' W. 85.89 feet to an iron rod on the northerly right of way of Route 756; thence N. 25° 46' E. 12.15 feet to an iron rod in centerline of old Route 756; thence with centerline of old Route 756, S. 63° 09' E. 94.44 feet to an iron rod in centerline of old Route 756; thence S. 47° 26' W. 26.22 feet to the point of BEGINNING, containing 0.04 acre (Four One-Hundredths of an acre) or 1,674 square feet.

It being a portion of the property conveyed to J. O. Bowling from Larmie M. Bowling and Glenn Bowling, her husband, by deed dated September 26, 1949, which deed is of record in the Clerk's Office of the Circuit Court of Franklin County, Virginia, in Deed Book 115, at Page 491.

And being the same property conveyed to V. E. Austin by Deed dated December 2, 1971, which Deed is of record in the aforesaid Clerk's Office, in Deed Book 276, at Page 945.

ITEM NO. 9: All those certain lots or parcels of land lying and being on the northeast side of State Highway No. 756, approximately 350 feet northeast of Highway No. 40, described as follows:

BEGINNING at a point in the right of way line of said State Secondary Road No. 756, said point being a corner to Lot No. 29, and

running with the north side of Lot No. 29, approximately N. $49^{\circ}19'$ E. 169 feet to a point in the land of Mattie L. Waid, thence N. $18^{\circ}57'$ E. 85.80 ft. to a point; thence N. $35^{\circ}30'$ W. 184.47 ft. to a point in the right of way line of the N & W Railway; thence with the right of way line of said railway, N. $69^{\circ}55'$ W. 90 feet to a point in said right of way line, which point is the northeast corner of Lot No. 40; thence with the southeast line of Lot No. 40, S. $22^{\circ}05'$ W. 235 ft. to a point in the right of way line of State Secondary Road No. 756; thence with the right of way line of State Secondary Road, S. $63^{\circ}59'$ E. 75 feet to a point; thence S. $60^{\circ}43'$ E. 100 ft., thence S. $18^{\circ}57'$ E. 75 feet to the point of BEGINNING, being lots Nos. 33, 34, 35 and 36, and fronting on State Secondary Road No. 756, of the subdivision of the Mattie L. Waid property as shown by plat and survey made by A. G. Prall, S. C. S., October 25th, 1956, and recorded in the Clerk's Office of the Circuit Court of Franklin County, Virginia, in Map Book No. 2.

And being the same property conveyed to V. L. Austin by Deed dated June 6, 1957, and of record in the Clerk's Office of the Circuit Court of Franklin County, Virginia, in Deed Book 150, at Page 307.

ITEM NO. 10: All those certain lots or parcels of land lying and being on the north side of State Highway No. 40, approximately six miles west of Rocky Mount, in Rocky Mount Magisterial District, Franklin County, Virginia, described as follows:

BEGINNING at a point in the intersection of State Highway No. 40 right of way and State Secondary Road No. 756 and running thence with State Secondary Road No. 756, N. $42^{\circ}55'$ W. 150 ft., N. $18^{\circ}57'$ E. 200 ft. to a point in said right of way line, which is the southwest corner of Lot No. 30; thence approximately N. $49^{\circ}19'$ E. 169 ft. to the line of Mattie L. Waid land; thence a new line, S. $18^{\circ}57'$ E. 228.07 ft. to a point; thence S. $61^{\circ}34'$ W. 50 ft.; thence S. $42^{\circ}55'$ E. 150 ft. to the right of way line of State Highway No. 40; thence with said right of way line,

S. 61° 34' W. 100 ft. to the point of BEGINNING, being designated as Lots Nos. 22, 23 and 24 inclusive of the subdivision of the Mattie L. Wald property as shown by plat and survey made by A. G. Fralin, S. C. S., dated October 25th, 1956, shown as fronting on the north side of State Highway No. 40, which plat is of record in the Clerk's Office of the Circuit Court of Franklin County, Virginia, in Plat Book No. 2.

And being the same property conveyed to V. E. Austin by Deed dated October 29, 1956, which Deed is of record in the aforesaid Clerk's Office in Deed Book 146, at Page 194.

ITEM NO. 11: All that certain tract, parcel and piece of land, lying and being in Gills Creek Magisterial District, Franklin County, Virginia, and being the remaining portion of Lot 20, Long Island Estates, as conveyed to the parties of the first part by Deed of record in Deed Book 220, at Page 412.

ITEM NO. 12: Any and all rights of way and easements granted to or owned by the parties of the first part, their successors or assigns, as to the laying, installing, maintaining or removing water line or lines, meters, etc. and any rights granted to the parties of the first part over, across or through any lots, streets or highways to make connections to water lines, etc., heretofore conveyed to the parties of the first part to supply water in Franklin Heights Subdivision, Franklin Heights Addition, Long Island Estates, Mattie Wald Subdivision, and Alton Park Subdivision, which are not set out herein in full and to which reference is hereby made to such deeds in the Clerk's Office, it being the intention of the parties of the first part to convey unto the party of the second part all rights, rights of way, easements, rights of ingress and egress to the hereinabove conveyed lots heretofore conveyed to the parties of the first part.

TO HAVE AND TO HOLD, unto them, the said AUBON WATER CO., a Virginia corporation, their successors and assigns forever.

WITNESS the following signatures and seals.

Velma E. Austin (SEAL)
VELMA E. AUSTIN, a/k/a
V. E. AUSTIN

Blanche B. Austin (SEAL)
BLANCHE B. AUSTIN

STATE OF VIRGINIA

COUNTY OF FRANKLIN, to-wit:

The foregoing Deed was acknowledged before me this the 7th day of ^{Sept} August, 1978, by Velma E. Austin, a/k/a V. E. Austin and Blanche B. Austin, his wife.

My commission expires: 1-13-79

Ray W. Le June
NOTARY PUBLIC

In the Clerk's Office of the Circuit Court of Franklin County, Virginia, this Instrument is admitted to record on the 20 day of November, 1978, at 10:20 A M, and with the certificate of acknowledgment thereto annexed. The fees imposed by Sec. 58-54 and Sec. 58-54.1 of the Code of Virginia, in the amount of \$1.50 have been paid.

Stanley H. Hatcher, Jr.
Clerk