

NO FINANCIAL CONSIDERATION

STATE OF NORTH CAROLINA
COUNTY OF FORSYTHDUKE POWER CO.
Drawer AD, Salem St.
Winston-Salem, NC 27108

93

Project No. 4141-37607
Drawn By Robert J. Comer
JOB NAME: HARPERS CROSSING
WORK ID NO: 4221-0410140AC142KNOW ALL MEN BY THESE PRESENTS, That S & E ASSOCIATES, A NORTH CAROLINA GENERAL PARTNERSHIP

hereinafter called "Grantor" (whether one or more), in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, does hereby grant unto DUKE POWER COMPANY, its successors and assigns, hereinafter called "Grantee", the right, privilege and easement to go in and upon that certain land of Grantor (hereinafter "premises") situated in said County and State, bounded by lands of:

CANNON E. HARPER JR. ON THE NORTH, WADE W. WISHON & OTHERS ON THE EAST, WADE W.WISHON & OTHERS ON THE SOUTH, AND HARPER ROAD ON THE WEST. (TAX BLOCK 4401 LOT 33F)FOR A MORE PARTICULAR DESCRIPTION SEE DEED BOOK 1636 PAGE 3721 AS RECORDED IN
THE OFFICE OF THE REGISTER OF DEEDS OF FORSYTH COUNTY,and over and across said premises within a right-of-way strip having a width of 10 feet on each side of a centerline determined by the centerline of the electrical facilities as installed, to (check applicable):

☒ construct, maintain and operate with poles, crossarms, wires, guys, anchors, cables, transformers and other necessary apparatus and appliances, overhead lines for the purpose of transporting electricity and for the communications purposes of Grantee and regulated telephone utilities. The following rights are also granted to Grantee: to enter said premises to inspect said lines, to perform necessary maintenance and repairs, and to make alterations and additions thereto; to remove from the right of way strip, now or at any time in the future, trees, structures or other obstructions that may endanger the proper maintenance and operation of said lines and trees of any species that Grantee determines will grow at maturity to a height that will endanger the proper maintenance and operation of said lines; to trim or remove and to keep trimmed or removed dead, diseased, weak or leaning trees or limbs outside of the right of way strip which, in the opinion of Grantee, might interfere with or fall upon the electric or communication facilities within the right of way strip; and to install guy wires and anchors extending beyond the limits of the right of way strip when determined necessary by Grantee.

☒ construct, maintain and operate underground lines and conduits with other necessary apparatus and appliances, either above ground or below ground, to include transformers and service connections, for the purpose of transporting electricity and for the communications purposes of Grantee and its licensees. The following rights are also granted to Grantee: to enter said premises to inspect said lines, to perform necessary maintenance and repairs, and to make alterations and additions thereto; and to clear the land within the right of way strip and to keep it clear of trees, structures or other obstructions; and to clear that land outside the right-of-way strip within ten feet of the service door of any transformer or cabinet located within the right-of-way strip and to keep the area within ten feet of said door clear of trees, structures or other obstructions. All underground facilities are to be installed in accordance with the provisions of Grantee's Underground Distribution Installment Plan, NCUC Docket E-7, Sub 421, receipt of a copy of which is acknowledged by grantor.

This right-of-way is given to permit the construction of electrical facilities presently proposed. Facilities at other locations and future extensions of presently constructed facilities are not permitted by this agreement. The foregoing notwithstanding, Grantee may relocate its electrical facilities and right-of-way strip over the premises to conform to any future highway or street relocation, widening or improvement.

1658-2197

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, this 23 day of November, 1988

Witness: Robert J. Comer

Barter B. Slaughter III (SEAL)
S&E ASSOCIATES, PARTNERSHIP (SEAL)
(SEAL)
(SEAL)

(Corporate Name)

ATTEST: _____ By _____
Secretary President

STATE OF NORTH CAROLINA, FORSYTH COUNTY

I, STEVEN M. HALL, a Notary Public for the above State and County, hereby certify that ROBERT J. COMER personally appeared before me this day and being duly sworn, stated that in his/her presence BARTER B. SLAUGHTER III signed the foregoing instrument. Witness my hand and official seal, this the 23rd day of NOVEMBER, 1988.
My Commission Expires APRIL 7, 1992

Steven M. Hall NOTARY
Notary Public
FORSYTH COUNTY, N.C.

STATE OF NORTH CAROLINA, _____ COUNTY

I, _____, a Notary Public for the above State and County, hereby certify that _____ personally came before me this day and acknowledged that _____ he is Secretary of _____, a corporation, and that by authority duly given and as the act of said corporation, the foregoing and annexed instrument was signed in its name by _____, its _____ President, sealed with its corporate seal and attested by _____ as its _____ Secretary. Witness my hand and official seal, this the _____ day of _____, 19____.
My Commission Expires _____

Notary Public

STATE OF NORTH CAROLINA, _____ COUNTY

I, _____, a Notary Public for the above State and County, hereby certify that _____ and wife _____ personally came before me this day and acknowledged the due execution of the foregoing and annexed instrument. Witness my hand and official seal, this the _____ day of _____, 19____.

My Commission Expires _____

Notary Public

STATE OF NORTH CAROLINA, _____ COUNTY

I, _____, a Notary Public in and for said County and State, do hereby certify that _____, General Partner of _____, a partnership, personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the _____ day of _____, 19____. My Commission Expires _____

PRESENTED FOR
REGISTRATION
AND RECORDED

Notary Public

The foregoing Certificate(s) of Steven M. Hall is/are certified to be correct. This 9 day of Jan, A.D. 1989

L. E. SPEAS, REGISTER OF DEEDS FORSYTH COUNTY

By Joan Deputy/Assistant Register of Deeds.