

2004031226 00035

FORSYTH CO, NC FEE \$17.00
PRESENTED & RECORDED:

05-04-2004 09:25 AM

DICKIE C WOOD
REGISTER OF DEEDS

By: PATSY RUTH DAVIS DPTY

BK:RE 2467

PG:2758-2759

WR No.: 380636 Resp: 5216 Project: CSPI
 Drawn By: BOBBY KERNSTINE
 Project Description: INST. UG/PRI AND T.X.

Return Address: Duke Energy Corporation

Attn: Duke Power Company
 8700 Circle Dr.
 Rural Hall, NC 27045

**STATE OF NORTH CAROLINA
 COUNTY OF FORSYTH**

RIGHT OF WAY AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, That V SALEM DEVELOPMENT

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 ENERGY CORPORATION, and its successors and assigns, subsidiaries and divisions, hereinafter called "Grantee," the perpetual right, privilege and easement to go in and upon that certain land of Grantor (hereinafter "premises") situated in said County and State, property described as:

BEING LOCATED IN TAX BLOCK 6398 003, FORSYTH COUNTY REGISTER OF DEEDS:
 BOOK/PAGE:2328/1937

N: RUNNYMEDE RD

S: EAST COAST CAPITAL, LARRY WENDELL FERGUSON, AND CHADWICK DAVIS

E: WALTER G. AND CYNTHIA B. ROTHSCHILD

W: INTERNATIONAL INVESTMENTS

and over and across said premises within a right-of-way strip (check applicable):

☐ having a width of ____ feet on each side of a centerline determined by the centerline of the electrical facilities as installed, to construct, maintain and operate with poles, crossarms, wires, guys, anchors, cables, transformers and other apparatus and appliances, overhead lines for the purpose of transporting electricity and for the communications purposes of the Grantee and regulated telephone utilities. The following rights are also granted to Grantee: to enter said premises to inspect said lines, to perform 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 remove dead, diseased, weak or leaning trees or limbs outside of the right-of-way strip which, in the opinion of the Grantee, might interfere with or fall upon the electric or communications facilities within the right-of-way strip; and to install guy wires and anchors extending beyond the limits of the 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 construct, maintain and operate underground lines and conduits with other 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 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 552, receipt of a copy of which is acknowledged by Grantor.

This right-of-way is given to permit the construction of 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 facilities and right-of-way strip over the premises to conform to any future highway or street relocation, widening or improvement.

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 hereunto affixed by authority of its Board of Directors, this 6th day of April, A.D., 2004.

Witness:

Connie Anderson

[Signature] (SEAL)
____ (SEAL)
____ (SEAL)
____ (SEAL)

STATE OF NORTH CAROLINA, Forsyth COUNTY

I, Sherry Y. Dowell, a Notary Public for said State and County, do hereby certify that Connie Anderson personally appeared before me this day and being duly sworn, stated that in his/her presence Vahid Salem signed the foregoing instrument. Witness my hand and official seal, this the 6th day of April, A.D., 2004.

My Commission Expires

10-28-07

Sherry Y. Dowell

Notary Public

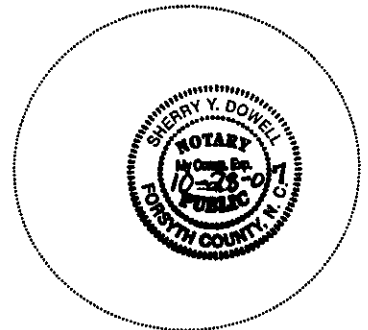
STATE OF NC - FORSYTH CO

The foregoing certificate(s) of:

Sherry Y. Dowell

NP(s)

is certified to be correct at the date of recordation shown on the first page thereof,
Dickie C. Wood, Register of Deeds by: [Signature] Deputy/Asst.



Affix (Notary or Corporation) Seal

The foregoing certificate(s) of _____ is/are certified to be correct. This _____ day of _____, A.D., _____.

By _____ REGISTER OF DEEDS FOR _____ COUNTY
Deputy/Assistant-Register of Deeds.