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FORSYTH CO, NC FEE \$26.00

NO TAXABLE CONSIDERATION

PRESENTED & RECORDED:

09-10-2015 03:02:52 PM

C. NORMAN HOLLEMAN

REGISTER OF DEEDS

BY: RANDY L SMITH
DPTY

BK: RE 3249

PG: 3296-3298

EASEMENT AND MEMORANDUM OF AGREEMENT

DOCUMENT PREPARED BY:

Time Warner Cable Enterprise LLC

AFTER RECORDING, RETURN TO:

Time Warner Cable Enterprises LLC

Jacob Sullivan

3140 W. Arrowood Road

Charlotte, NC 28273

ENVELOPE

1. Grant of Easement

In consideration of the covenants and agreements in the Agreement (defined below), for \$10, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **N & N Properties of the Triad Inc. ("Grantor")** grants to **Time Warner Cable Enterprises LLC ("Grantee")** a non-exclusive, perpetual easement on, over, under, across and through Grantor's property and all its improvements (as described in the attached *Attachment 1*) (the "**Property**"), together with all rights of access, ingress and egress for the purposes stated hereafter (the "**Easement**"). The Easement is for the purposes of permitting Grantee and its affiliates and contractors to (i) install, operate, maintain, upgrade, repair, replace, and/or remove a system (including wiring, poles, conduit, molding, pipes, antennas, servers, switch equipment, software, central processing units and other facilities and equipment ("**System**")) for the delivery of video, entertainment, high-speed data, phone and phone replacement, and other services ("**Services**") to the Property and any other properties that can be served by such System; and (ii) market, offer and provide such Services to residents of the Property, all as more fully provided in the System Installation and Service Agreement between Grantor and Grantee with respect to the Property (the "**Agreement**"). The location of the Easement shall be five feet on either side of the System as actually built. Grantor has granted to Grantee the exclusive right to access, control, maintain, upgrade and operate, the System, regardless of whether any System components are in use at any given time. This Easement and other rights granted to Grantee run with the title to the Property and are binding on Grantor, all subsequent owners of the Property, and others who may claim an interest

Brown's Place

in the Property. Grantor reserves the right to grant other easements on or rights of access to the Property, but will not allow such other grants to interfere with this Easement.

2. Memorandum of Agreement

In addition to the rights granted above, the Agreement grants to Grantee certain exclusive and/or non-exclusive rights to market and provide multi-channel video services, high-speed data services, phone or phone replacement services, and other services to residents of the Property. During the Term, Owner shall not enter into any bulk billed, bulk provision (regardless of whether for a fee), bulk or volume discount, Owner-guaranteed payment, Owner-subsidized (e.g., construction reimbursement or subsidy), or any other similar arrangement with any other provider for multi-channel video service, Internet access service, or voice service.

DATED EFFECTIVE AS OF: _____, 2015

Grantor: N & N Properties of the Triad Inc.

By: Norman C. Noah Jr.

Printed Name: Norman C. Noah Jr

Title: President

State of NC

County of Forsyth

This instrument was acknowledged before me by Norman C. Noah Jr. as the President of N & N Properties of the Triad Inc. on July 17th, 2015.

Witness my hand and official seal.

Amy Thompson

[SEAL]

Notary Public

AMY THOMPSON
Notary Public
Surry County, NC

My commission expires: 3-9-18

ATTACHMENT 1
TO
EASEMENT AND MEMORANDUM OF AGREEMENT

Parcel ID # 6827-54-5503.00

As recorded in the Forsyth County NC Register of Deeds Office