

EASEMENT

NORTH CAROLINA

BUNCOMBE COUNTY
PIN# 9648-39-4758-00000

THIS EASEMENT made this _____ day of _____, 20____, from COUNTY OF BUNCOMBE, a body corporate and politic, hereinafter referred to as GRANTOR (whether one or more), to DUKE ENERGY PROGRESS, INC., a North Carolina public service corporation, hereinafter referred to as DEP;

WITNESSETH:

THAT GRANTOR, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto DEP, its successors and assigns, the right, privilege, and easement to go in and upon the land of GRANTOR situated in Asheville Township of said County and State, described as follows: containing 1.91 acres, more or less, and being the land described in a deed from First Commercial Bank, a North Carolina Corporation, to County of Buncombe, A Body Corporate and Politic, dated December 21, 1989, and recorded in Deed Book 1589, Page 156, also shown as Tracts 1 and 2 on a Plat, dated November 1, 2008, entitled "County of Buncombe", and recorded in Plat Book 120, Page 164, all Buncombe County Registry, LESS AND EXCEPT any prior out-conveyances, and to construct, maintain, and operate electric and/or communication facilities thereon consisting of poles, cables, wires, underground conduits, enclosures, and other pertinent facilities within an easement area ten (10) feet wide, together with an area ten (10) feet wide on all sides of the foundation of any enclosure, with the right to do all things necessary, including, but not being limited to, the right: (a) to enter said easement area at all times over the adjacent land to inspect, repair, maintain, and alter said facilities; and (b) to keep said easement area cleared of trees, shrubs, undergrowth, buildings, structures, and obstructions. The center line of the facilities shall be the center line of said easement area. **PEC shall not install facilities outside of said easement area without obtaining another EASEMENT.**

It is understood and agreed that said (overhead and underground) facilities shall be approximately located as shown on the attached "Exhibit A".

TO HAVE AND TO HOLD said rights, privilege, and easement unto DEP, its successors and assigns, forever. IN WITNESS WHEREOF this EASEMENT has been executed under seal by GRANTOR, as of the date first above written.

BUNCOMBE COUNTY

By: _____
_____, Chairman,
Board of Commissioners

ATTEST:

, _____ Clerk

(Affix Official Seal)

NORTH CAROLINA, _____ COUNTY

I, _____, a Notary Public of _____
County, North Carolina, certify that _____ personally appeared
before me this day and acknowledged that he/she is _____ Clerk of BUNCOMBE COUNTY, and that by authority
duly given and as the act of said COUNTY, the foregoing EASEMENT was signed in its name by its _____ Chairman,
sealed with its official seal, and attested by _____ self as its _____ Clerk.

Witness my hand and notarial seal, this _____ day of _____, 20____.

Notary Public

(Notary Seal)

My commission expires: _____