

FRENCH BROAD ELECTRIC MEMBERSHIP CORPORATION
Return to: PO Box 9 Marshall, NC 28753
RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT Buncombe County, Grantors, do hereby grant unto the French Broad Electric Membership Corporation (hereinafter called the "Cooperative"), its successors and assigns, the perpetual right, privilege and easement to go in and upon that certain tract of land situated in said County and State containing approximately 600 acres, located approximately 5 miles from the Town of Weaverville in Buncombe County, and bounded by Panther Branch Road, Flint Hill Road, Lower flat Creek Road, and Old Marshall Highway, See Deed Book 1851 Page 97; and in accordance with a staking sheet, work order # 70641, dated December 15, 2015, prepared by Brent Smathers; a copy of which is on file with the Cooperative, and a copy delivered to Grantors, which sheet is incorporated herein by reference, to construct, operate and maintain an electric transmission and/or distribution line or system on or under the above land; to inspect and make such repairs, changes, alterations, improvements, removals from, substitutions and additions to its facilities as Cooperative may from time to time deem advisable, including by way of example and not by way of limitation, the right to increase or decrease the number of conduits, wires, cables, manholes, connection boxes, transformers and transformers enclosures; to cut, trim and control by growth, by chemical means, machinery or otherwise, of trees and shrubbery located within 20' of the center of an overhead line or system and 5' of the center line of an underground line or system. The Cooperative may leave the trees, brush and other vegetation where it has fallen except that the Cooperative will endeavor to remove material in a yard, walkway, driveway or roadway and from fences or streambeds. The Cooperative reserves the right at any angle point of the electric line to install guys and anchors that may extend beyond 20' from the electric line for the support of said lines. Trees or vegetation located beyond the edge of this right-of-way, which threatens to endanger the electric line, may be trimmed or removed at the discretion of the Cooperative. The member agrees to keep the easement clear of all buildings, structures, or other obstructions; and to license, permit or otherwise agree to the joint use of occupancy of the lines, systems, or if any, of said system is placed underground, of the trench and related underground facilities, by any other person, association or corporation.

Notwithstanding anything to the contrary contained herein, the centerline of the facilities shall be the centerline of the said easement area as described in the staking sheet. The Cooperative shall not install facilities outside of said easement area without obtaining another easement.

IN WITNESS WHEREOF, the Grantor has hereunto set their hands and seals, this the ___ day of _____, 20__.

BUNCOMBE COUNTY, a body politic and corporate
of the State of North Carolina

By: _____
David Gantt, Chairman

Attest:

Kathy Hughes, Clerk to the Board

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, _____, Notary Public for said County and State, has personal knowledge of the identity of Kathy Hughes, and hereby certifies that said Kathy Hughes, Clerk to the Board, personally appeared before me this day and acknowledged that she is Clerk to the Board of Commissioners of County of Buncombe and that David Gantt is the Chairman of the Board of Commissioners of Buncombe County, and that by authority duly given and as the act of the County of Buncombe, the foregoing instrument was signed in its name by said Chairman, sealed with its official seal, and voluntarily attested to by herself as its Clerk as the act and deed of the County of Buncombe, all by authority duly given by its governing body.

Witness my hand and notarial seal, this the ___ day of _____, 20__.

Notary Public

My commission expires: