

EASEMENT

NORTH CAROLINA  
WAKE COUNTY

Prepared By: Name: Terry Williams  
Return To: Duke Energy Progress, LLC  
Attn: Terry Williams  
1825 Old 264 Hwy  
Zebulon, NC 27597

THIS EASEMENT ("Easement") is made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_  
("Effective Date"), from WAKE COUNTY, a body politic and corporate of the State of North Carolina, ("GRANTOR,"  
whether one or more), to Duke Energy Progress, LLC, a North Carolina limited liability company ("DEP"); its successors,  
licensees, and assigns.

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, lessees, licensees, transferees, permittees, apportionees, and assigns, the perpetual right, privilege, and easement to go in and upon the land of GRANTOR situated in Marks Creek Township, described as follows: containing .950 acre, more or less and being the land described in a deed from Battle/Larue Property, LLC and Wendell/Larue, LLC to Wake County, dated May 4, 2016, and recorded in Deed Book 16382, page 1611; and being designated as Tract 1 on a map recorded in Book of Maps 2015, page 2052, both Wake County Registry (the "Property"), LESS AND EXCEPT any prior out-conveyances, and to construct, reconstruct, operate, patrol, maintain, inspect, repair, replace, relocate, add to, modify and remove electric and/or communication facilities thereon including but not limited to, supporting structures such as poles, cables, wires, underground conduits, enclosures/transformers, vaults and manholes and other appurtenant apparatus and equipment (the "Facilities") within an easement area being ten (10) feet wide, together with an area ten (10) feet wide on all sides of the foundation of any DEP enclosure/transformer, vault or manhole (the "Easement Area"), for the purpose of transmitting and distributing electrical energy and for communication purposes of DEP and Incumbent Exchange Carriers. The center line of the Facilities shall be the center line of the Easement Area.

The right, privilege and easement shall include the following rights granted to DEP: (a) ingress and egress over the Easement Area and over adjoining portions of the Property (using lanes, driveways and paved areas where practical as determined by DEP); (b) to relocate the Facilities and Easement Area on the Property to conform to any future highway or street relocation, widening or improvement; (c) to trim and keep clear from the Easement Area, now or at any time in the future, trees, limbs, undergrowth, structures or other obstructions, and to trim or clear dead, diseased, weak or leaning trees or limbs outside of the Easement Area which, in the opinion of DEP, might interfere with or fall upon the Facilities; and (d) all other rights and privileges reasonably necessary or convenient for DEP's safe, reliable and efficient installation, operation, and maintenance of the Facilities and for the enjoyment and use of the Easement Area for the purposes described herein.

The general location of the easement area is shown on the sketch attached hereto as Exhibit A and recorded herewith. The final and definitive location of the easement area shall become established by and upon the final installation and erection of the facilities by PEC in substantial compliance with Exhibit A hereto.

TO HAVE AND TO HOLD said rights, privilege, and easement unto DEP its successors, licensees, and assigns, forever, and GRANTOR, for itself, its heirs, executors, administrators, successors, and assigns, covenants to and with DEP that GRANTOR is the lawful owner of the Property and the Easement Area in fee and has the right to convey said rights and Easement.

IN WITNESS WHEREOF, this EASEMENT has been executed by GRANTOR and is effective as of the Effective Date herein.

WAKE COUNTY

By: \_\_\_\_\_

Sig Hutchinson, Chairman,  
Wake County Board of Commissioners

ATTEST:

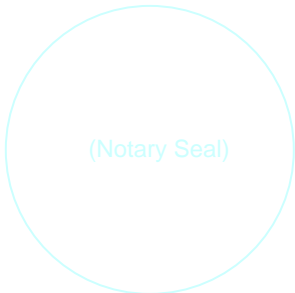
\_\_\_\_\_  
Denise M. Hogan, Wake County Clerk to the Board

(Affix Official Seal)

NORTH CAROLINA, \_\_\_\_\_ COUNTY

I, \_\_\_\_\_, a Notary Public of \_\_\_\_\_ County, North Carolina, certify that Denise M. Hogan personally appeared before me this day and acknowledged that she is Clerk to the WAKE COUNTY BOARD OF COMMISSIONERS, 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 herself as its Clerk.

Witness my hand and notarial seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

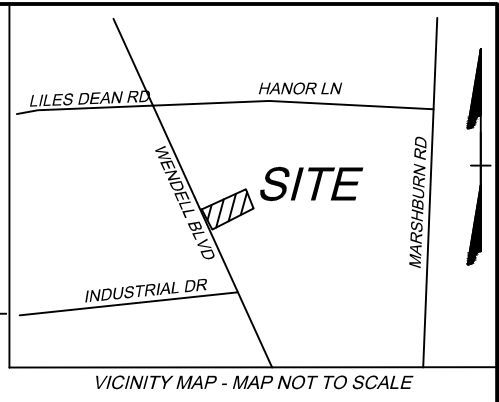


(Notary Seal)

\_\_\_\_\_  
Notary Public

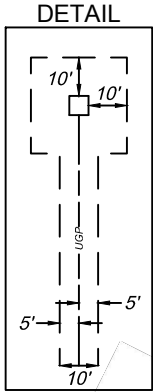
My commission expires: \_\_\_\_\_

"EXHIBIT A"



N/F  
SUNSHINE DEVELOPMENT CORPORATION  
PIN 1784-53-2377  
REID: 132686  
DB 3365, PG 347

N/F  
JAMES E. BRANTLEY HEIRS  
RODNEY L. COOPER TRUSTEE  
PIN 1784-52-3906  
REID: 7890  
WILL FILE 16-E-840



S26°35'16"E 137.64'

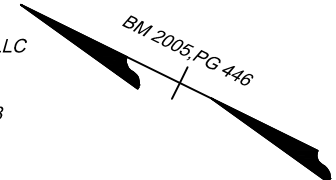
CMF

IPF

N/F  
WAKE COUNTY  
PIN 1784-43-9030  
REID: 60376  
DB 16382, PG 1611  
BM 2016, PG 1896  
ZONED CMX  
39,121 SF, 0.898 AC

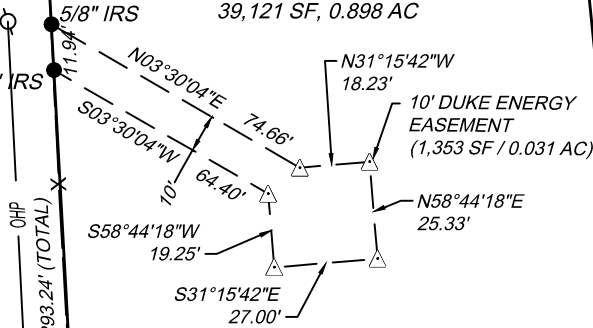
\*THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS\*

N/F  
WENDELL / LARUE, LLC  
PIN 1784-52-0834  
REID: 436564  
DB 15225, PG 1478  
BM 2015, PG 2052



N/F  
TANT & POPE, LLC  
PIN 1784-43-8156  
REID: 124645  
DB 10540, PG 719

CHAIN LINK FENCE  
±0.4' FROM  
PROPERTY LINE



**NOTES:**

1. THE PURPOSE OF THIS EXHIBIT IS TO ILLUSTRATE AN EASEMENT TO DUKE ENERGY ON THE PROPERTY OF WAKE COUNTY BEARING NC PIN: 1784-43-9030 & REID: 60376; WITH A DEED REFERENCE OF BOOK 16382 PAGE 1611 RECORDED IN THE WAKE COUNTY REGISTRY.
2. NO TITLE REPORT FURNISHED, ALL ENCUMBRANCES MAY NOT BE SHOWN.
3. AREAS COMPUTED BY COORDINATE METHOD.
4. PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF RECORD.
5. ALL DISTANCES SHOWN ON SURVEY ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
6. BOUNDARY INFORMATION SHOWN HEREON IS BASED IN PART, ON DEEDS AND MAPS OF RECORD, AND IN PART, BY AN ACTUAL FIELD SURVEY BY THIS FIRM.

**ABBREVIATIONS**

- AC ACRES
- BM BOOK OF MAPS
- DB DEED BOOK
- IPF IRON PIPE FOUND
- IRS IRON REBAR SET
- N/F NOW OR FORMERLY
- PG PAGE
- R/W RIGHT-OF-WAY
- SF SQUARE FEET

**LEGEND**

- PROPERTY LINE SURVEYED ————
- LINE NOT SURVEYED - - - - -
- RIGHT OF WAY LINE ———— R/W
- EXISTING FENCE ———— X
- OVERHEAD POWER LINE ———— OHP
- EASEMENT LINE ————
- EXISTING IRON PIPE FOUND ● IPF
- IRON REBAR SET ● IRS
- CONCRETE MONUMENT FOUND □ CMF
- COMPUTED EASEMENT POINT △
- PROPERTY ADDRESS (XXXX)

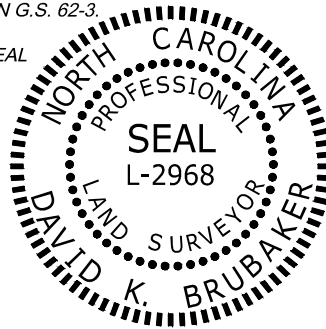
I, DAVID K. BRUBAKER, PLS, HEREBY CERTIFY THAT THIS SURVEY IS OF A PROPOSED EASEMENT FOR A PUBLIC UTILITY AS DEFINED IN G.S. 62-3.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 24TH DAY OF JULY, A.D., 2017

*[Signature]*  
7/24/2017

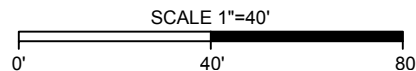
L-2968

PROFESSIONAL LAND SURVEYOR LICENSE NUMBER



(3001)  
S31°15'47"E 149.86'  
WENDELL BLVD  
US 64 BUSINESS  
VARIABLE WIDTH PUBLIC R/W  
(BM 2016 PG 1896)

DUKE ENERGY PROGRESS, LLC  
EASEMENT AREA EXHIBIT  
ON THE PROPERTY OF  
WAKE COUNTY - DB 16382, PG 1611  
WENDELL, NORTH CAROLINA



THIS DRAWING PREPARED AT THE  
**RALEIGH OFFICE**  
5410 TRINITY ROAD, SUITE 102 | RALEIGH, NC 27607  
TEL 919.866.4937 FAX 919.859.5663 www.timmons.com  
NORTH CAROLINA LICENSE NUMBER C-1652  
YOUR VISION ACHIEVED THROUGH OURS

MARKS CREEK TOWNSHIP	WAKE COUNTY
Date: 06/28/17	Scale: 1" = 40'
Sheet 1 of 1	J.N.: 38842
Drawn by: CTC	Checked by: MW

**TIMMONS GROUP**