

EASEMENT

NORTH CAROLINA
WAKE COUNTY
REID: 0000121

Return To: Duke Energy Progress, LLC
Attn: Mary Beth McRainery
1020 West Chatham Street
Cary, NC 27511

THIS EASEMENT ("Easement") is made this _____ day of _____, 2019 ("Effective Date"), from WAKE COUNTY (aka COUNTY OF WAKE), a body politic and corporate, ("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), the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto DEP, its successors, licensees, and assigns, the perpetual right, privilege, and easement to go in and upon the land of GRANTOR situated in Holly Springs Township, described as follows: being the land described in a deed from Frank M. Keenan et al. to the County of Wake, dated January 29, 1993, and recorded in Deed Book 5489, Page 413, 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 Local Exchange Carriers underground for service to a traffic signal box located within the NCDOT NC-55 Bypass existing Right of Way. The centerline of the Facilities shall be the centerline 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. Notwithstanding the above, the existing fence may not be removed or relocated.

It is understood and agreed that said underground facilities shall be approximately located as shown on the attached Exhibit A entitled "Duke Energy Progress, LLC UG for NCDOT", and dated October 2, 2019.

[Left blank intentional]

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: _____
Jessica N. Holmes, Chair
Wake County Board of Commissioners

ATTEST:

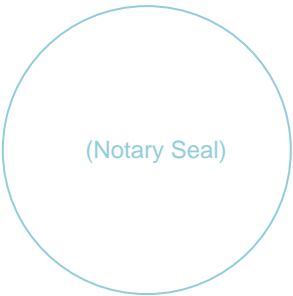
Denise Hogan, Clerk to the Board

(Affix Official Seal)

NORTH CAROLINA, _____ COUNTY

I, _____, a Notary Public of _____ County, North Carolina, certify that Denise Hogan personally appeared before me this day and acknowledged that she is Clerk to the Board of WAKE COUNTY, and that by authority duly given and as the act of said COUNTY, the foregoing EASEMENT was signed in its name by its Chair, sealed with its official seal, and attested by herself as its Clerk.

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



Notary Public

My commission expires: _____