

Prepared by: Duke Energy Carolinas, LLC
Return to: Duke Energy Carolinas, LLC
Attn: Karin Silverthorn
4412 Hillsborough Rd
Durham, North Carolina 27705

Parcel # 0821-98-8700
0821-98-4499

EASEMENT

State of North Carolina
County of Durham

THIS EASEMENT (“**Easement**”) is made this ____ day of _____ 20 ____, from **COUNTY OF DURHAM**, a political subdivision of the State of North Carolina (“**Grantor**”, whether one or more), to **DUKE ENERGY CAROLINAS, LLC**, a North Carolina limited liability company (“**Grantee**”).

Grantor, for and in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto Grantee a perpetual and non-exclusive easement, to construct, reconstruct, operate, patrol, maintain, repair, replace, relocate, add to, modify, and remove electric and communication lines including, but not limited to, all necessary supporting structures, and all other appurtenant apparatus and equipment for the transmission and distribution of electrical energy, and for technological purposes related to the operation of the electric facilities and for the communication purposes of Incumbent Local Exchange Carriers (collectively, “**Facilities**”).

Grantor is the owner of that certain property described in that instrument recorded in **Deed Book 3529, Page 277, and Deed Book 4379, Page 795**, Durham County Register of Deeds (“**Property**”).

The Facilities may be both overhead and underground and located in, upon, over, along, under, through, and across a portion of the Property within an easement area described as follows:

A strip of land thirty feet (30') in uniform width for the overhead portion of said Facilities and a strip of land twenty feet (20') in uniform width for the underground portion of said Facilities, lying equidistant on both sides of a centerline, which centerline shall be established by the center of the Facilities as installed, along with an area ten feet (10') wide on all sides of the foundation of any Grantee enclosure/transformer, vault and/or manhole, (hereinafter referred to as the "Easement Area").

The rights granted herein include, but are not limited to, the following:

1. Grantee shall have the right of ingress and egress over the Easement Area, Property, and any adjoining lands now owned or hereinafter acquired by Grantor (using lanes, driveways, and adjoining public roads where practical as determined by Grantee).
2. Grantee shall have the right to trim, cut down, and remove from the Easement Area, at any time or times and using safe and generally accepted arboricultural practices, trees, limbs, undergrowth, other vegetation, and obstructions.
3. Grantee shall have the right to trim, cut down, and remove from the Property, at any time or times and using safe and generally accepted arboricultural practices, dead, diseased, weak, dying, or leaning trees or limbs, which, in the opinion of Grantee, might fall upon the Easement Area or interfere with the safe and reliable operation of the Facilities.
4. Grantee shall have the right to install necessary guy wires and anchors extending beyond the boundaries of the Easement Area.
5. Grantee shall have the right to relocate the Facilities and Easement Area on the Property to conform to any future highway or street relocation, widening, or alterations.
6. Grantor shall not place, or permit the placement of, any structures, improvements, facilities, or obstructions, within or adjacent to the Easement Area, which may interfere with the exercise of the rights granted herein to Grantee. Grantee shall have the right to remove any such structure, improvement, facility, or obstruction at the expense of Grantor.
7. Excluding the removal of vegetation, structures, improvements, facilities, and obstructions as provided herein, Grantee shall promptly repair or cause to be repaired any physical damage to the surface area of the Easement Area and Property resulting from the exercise of the rights granted herein to Grantee. Such repair shall be to a condition which is reasonably close to the condition prior to the damage, and shall only be to the extent such damage was caused by Grantee or its contractors or employees.
8. Notwithstanding anything to the contrary above, the general location of the Facilities is shown on the sketch attached hereto as Exhibit A and incorporated herein by reference. The final and definitive location of the Easement Area shall become established by and upon the final installation and erection of the Facilities by Grantee in substantial compliance with Exhibit A.
9. All other rights and privileges reasonably necessary, in Grantee's sole discretion, for the safe, reliable, and efficient installation, operation, and maintenance of the Facilities.

The terms Grantor and Grantee shall include the respective heirs, successors, and assigns of Grantor and Grantee. The failure of Grantee to exercise or continue to exercise or enforce any of the rights herein granted shall not be construed as a waiver or abandonment of the right thereafter at any time, or from time to time, to exercise any and all such rights.

TO HAVE AND TO HOLD said rights, privilege, and easement unto Grantee, its successors, licensees, and assigns, forever. Grantor warrants and covenants that Grantor has the full right and authority to convey to Grantee this perpetual Easement, and that Grantee shall have quiet and peaceful possession, use and enjoyment of the same.

IN WITNESS WHEREOF, Grantor has signed this Easement under seal effective this ____ day of _____, 20 ____.

COUNTY OF DURHAM

a political subdivision of the State of North Carolina

Nida Allam, Chair of the Board of Commissioners (SEAL)

Attest:

Monica Wallace, Clerk to the Board

STATE OF _____

COUNTY OF _____

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

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



Notary Public: _____

Commission expires: _____

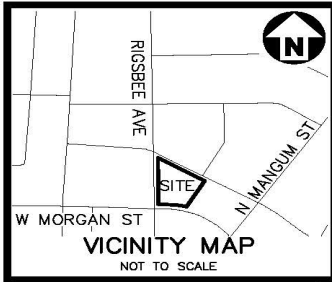


EXHIBIT A
SHEET 1



- GPS METADATA
- (1) CLASS OF SURVEY: A
 - (2) POSITIONAL ACCURACY: HORIZONTAL 0.067' VERTICAL 0.027'
 - (3) TYPE OF GPS FIELD PROCEDURE: RTK NETWORK
 - (4) DATES OF SURVEY: 03-17/2022
 - (5) DATUM/EPOCH: NAD83 (2011)
 - (6) PUBLISHED/FIXED-CONTROL USE: NCGS CHARLES
 - (7) GEOID MODEL: 18
 - (8) COMBINED GRID FACTOR(S): 0.99994402
 - (9) UNITS: U.S. FEET

NOTE: 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.

W. SEMINARY STREET
46' PUBLIC R/W
P.B. 164, PG. 151

GENERAL NOTES

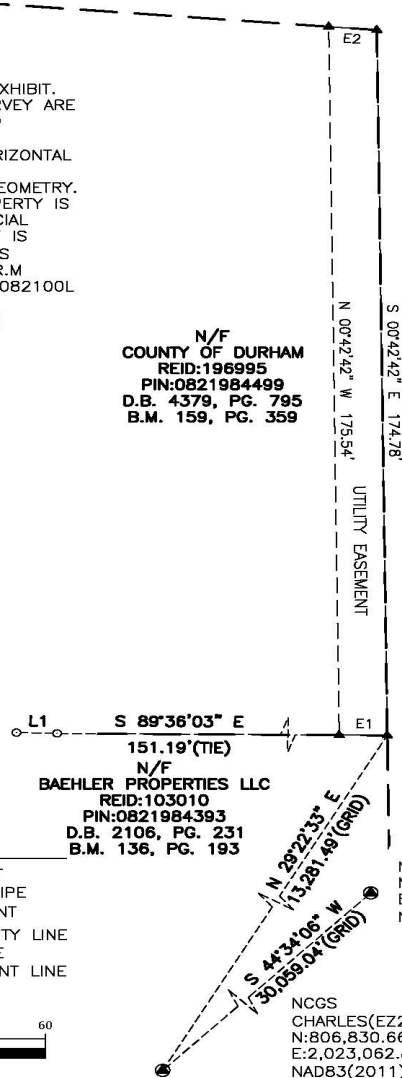
1. THIS IS AN EASEMENT EXHIBIT.
2. BEARINGS FOR THIS SURVEY ARE BASED ON NC GRID NAD 83(2011).
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
4. AREA BY COORDINATE GEOMETRY.
5. FLOOD NOTE: THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE "X" AS DEFINED BY F.E.M.A F.I.R.M COMMUNITY PANEL 3720082100L DATED 10/19/2018.
6. REFERENCES: AS SHOWN

N/F
COUNTY OF DURHAM
REID:196995
PIN:0821984499
D.B. 4379, PG. 795
B.M. 159, PG. 359

RIGSBEE AVENUE
50' PUBLIC R/W
P.B. 159, PG. 359

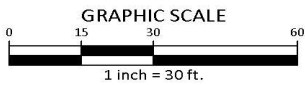
ESMT. LINE TABLE		
LINE	BEARING	DISTANCE
E1	N 89°37'13" W	10.00'
E2	S 85°17'49" E	10.04'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 88°36'28" E	8.45'



LEGEND

- NCGS MONUMENT
- EXISTING IRON PIPE
- ▲ CALCULATED POINT
- PROPERTY LINE
- - - TIE LINE
- - - EASEMENT LINE



NCGS GULF(FY2131)
N:828,245.11
E:2,044,157.08
NAD83(2011)

NCGS CHARLES(EZ2748)
N:806,830.66
E:2,023,062.84
NAD83(2011)

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The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713
phone 919.361.5000
fax 919.361.2269
license number: C-0293, C-187
www.mcadamsco.com

APPROXIMATE LOCATION OF DISTRIBUTION RIGHT OF WAY ACROSS THE PROPERTY OF:
COUNTY OF DURHAM
215 W. SEMINARY STREET
CITY OF DURHAM, DURHAM COUNTY, NORTH CAROLINA

PLAN INFORMATION

PROJECT NO. TRG22001
FILENAME TRG22001-E1
CHECKED BY JBT
DRAWN BY DJM
SCALE 1"=30'
DATE 02.13.2024

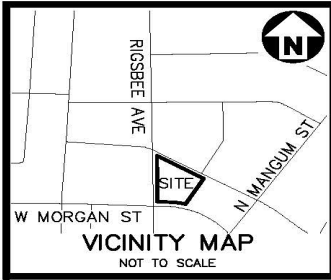
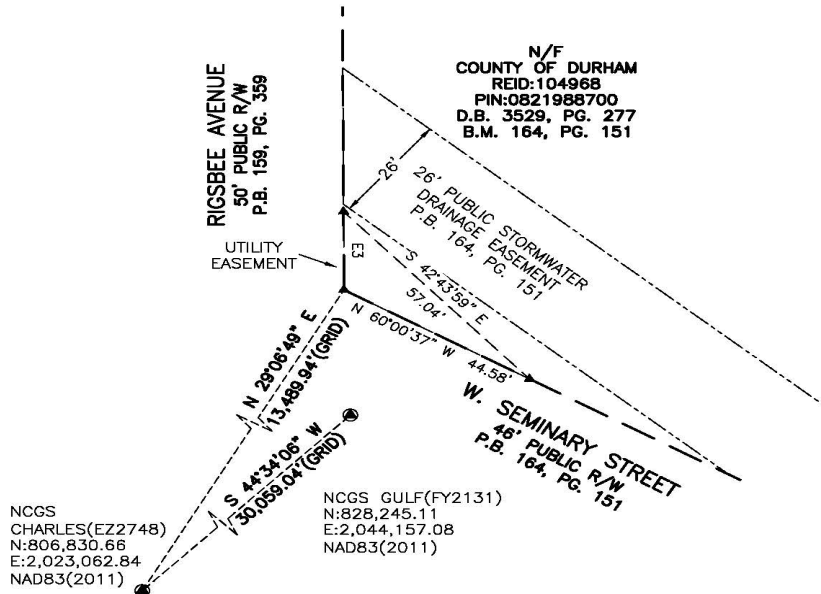


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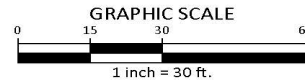
ESMT. LINE TABLE		
E3	N 00°16'09" W	19.61'

GENERAL NOTES

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LEGEND

- NCGS MONUMENT
- EXISTING IRON PIPE
- CALCULATED POINT
- PROPERTY LINE
- TIE LINE
- EASEMENT LINE



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FILENAME TRG22001-E1
CHECKED BY JBT
DRAWN BY DJM
SCALE 1"=30'
DATE 02.13.2024