

WAKE COUNTY, NC 152
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
10/08/2008 AT 12:20:17

BOOK:013268 PAGE:00635 - 00640

RETURN TO:

Charles Gentry

Contractor- Real Estate Specialist

Embarq Corporation

717 McGilvary St.,

Fayetteville, NC 28301

CABLE EASEMENT

This Cable Easement and the rights contained herein are granted by **POGO 1, LLC** ("Grantor"), whose address is **5801 Lease Lane, Raleigh, NC 27617.**

For the sum of Ten Dollars (\$10.00) and other valuable consideration, Grantor, for itself, its successors and assigns, grants to **Carolina Telephone and Telegraph Company, LLC, DBA Embarq**, its successors, assigns, lessees, licensees and agents ("Grantee"), subject to the terms stated herein, a perpetual and exclusive easement ("Easement") to install, construct, operate, maintain, expand, replace and remove underground cables and related facilities or structures as are reasonably necessary for Grantee to exercise the rights granted to it in herein, upon, over, through, under and along a parcel of land legally described on Exhibit "A" ("Easement Tract") attached hereto and incorporated by reference herein.

The grant of Easement also gives to Grantee the following rights:

- (A) the right of reasonable ingress and egress over and across the Easement Tract and Property or any real property owned or controlled by Grantor that is adjacent to the Property or Easement Tract for the purpose of Grantee exercising the rights granted to it herein;
- (B) the right to clear and keep clear all trees, roots, brush and other obstructions from the surface and sub-surface of the Easement Tract that interfere with Grantee exercising the rights granted to it herein;

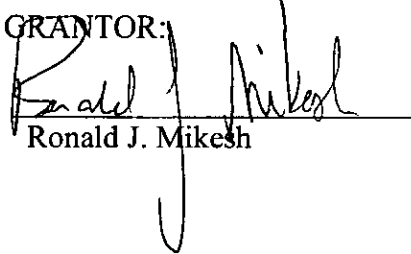
- (C) the right to permit the carry-in and attachment of the conduit, wires, cables or other such items of any other entity or person as may be required by law; and
- (D) at Grantee's expense, the right to bring to and place at the Easement Tract electrical or other utility service for Grantee's use.

Grantor will have the right to use and enjoy the Easement Tract so long as Grantor's use does not materially interfere with the rights granted to Grantee herein. Grantor will not erect any structure or plant trees or other vegetation within the Easement Tract that interferes with the rights granted to Grantee herein.

Grantor warrants that Grantor is the owner of the Property and Easement Tract and will defend title to the Property and Easement Tract against the claims of any and all persons, and that Grantor has full authority to grant this Easement according to its terms. Grantor further warrants that to the best of Grantor's knowledge, the Property and Easement Tract are free from any form of contamination and contain no hazardous, toxic or dangerous substances.

Signed by Grantor this 23 day of September, 2008

POGO 1, LLC

GRANTOR:

Ronald J. Mikes

THE STATE OF North Carolina)
COUNTY OF Wake)

BE IT REMEMBERED, that on this 23rd day of September, 2008, before me, a Notary Public in and for said County and State, came Ronald J. Mikesk, who is the manager of Pogo I, a limited liability company, and is personally known to me to be the same person who signed the herein instrument, and such person duly acknowledged the signing of the same as the act and deed of the _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

My appointment expires: 5-25-13

Notary Public

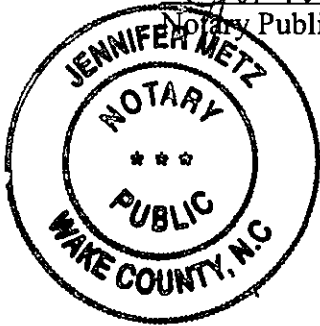


EXHIBIT A TO CABLE EASEMENT
EASEMENT TRACT – LEGAL DESCRIPTION

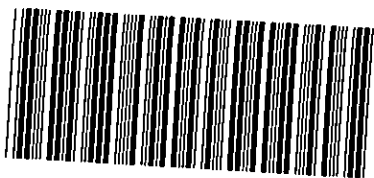
BEGINNING at an existing iron pipe located in the northeastern 60' public right-of-way of Angier Road (SR 2770) , said point also being the northwesternmost corner of Lot 6, Fairview Subdivision, Phase 2 as shown on a map recorded in Book of Maps 1997, Page 675, Wake County Registry; running thence from said beginning point along the eastern right-of-way of SR 2770 the following five (5) calls and distances to computed points: (1) North 30° 41' 27" West 46.05 feet; (2) North 32° 16' 10" West 60.81 feet; (3) North 36° 16' 22" West 77.60 feet; (4) North 38° 56' 06" West 120.61 feet; and (5) North 43° 05' 39" West 89.48 feet to the intersection of the northeastern right-of-way of SR 2770 and the eastern 60' public right-of-way of SR 1301/(Purfoy Road); running thence along the eastern right-of-way of SR 1301 the following ten (10) calls and distances to computed points: (1) North 08° 33' 19" East 84.50 feet; (2) North 10° 14' 36" East 97.86 feet; (3) North 16° 41' 13" East 96.00 feet; (4) North 25° 42' 05" East 96.34 feet; (5) North 30° 03' 00" East 88.46 feet; (6) North 30° 35' 52" East 114.70 feet; (7) North 30° 36' 49" East 129.91 feet; (8) North 30° 38' 55" East 64.97 feet; (9) North 29° 59' 42" East 100.61 feet; and (10) North 28° 06' 48" East 136.14 feet to an iron pipe set at the southwestern corner of the property now or formerly owned by Eric D. Uhler & Brenda F. King as described in a deed recorded in Deed Book 11134, Page 1515, Wake County Registry; running thence along the southern line of the now or formerly Davy H. Dickens and Larry Sherron heirs properties North 89° 56' 26" East 2912.78 feet to an existing concrete monument in Neills Creek; thence running along the western property lines of the now or formerly Hidden Valley Investment Group property as described in Deed Book 2625, Page 153, Wake County Registry and the now or formerly Able Ventures Ltd property as described in Deed Book 3986, Page 29, Wake County Registry the following seven (7) calls and distances to iron pipes set: (1) South 18° 38' 13" East 69.05 feet; (2) South 14° 06' 45" West 81.20 feet; (3) South 24° 30' 16" East 87.49 feet; (4) North 58° 10' 20" West 41.03 feet; (5) South 59° 30' 54" West 62.68 feet; (6) North 75° 47' 56" West 37.79 feet; and (7) South 04° 56' 00" West 173.19 feet; running thence North 71° 29' 09" East 53.83 feet to an existing iron pipe; running thence the following seven (7) calls and distances to computed points: (1) South 44° 40' 32" East 96.96 feet; (2) South 59° 08' 58" West 103.42 feet; (3) South 00° 32' 01" West 178.57 feet; (4) South 44° 02' 14" East 73.84 feet; (5) South 35° 43' 23" West 162.20 feet; (6) South 04° 51' 47" East 156.32 feet; and (7) South 16° 04' 07" East 190.01 feet to an existing iron pipe, the northeastern corner of "OPISP" of Fairview Subdivision, Phase 8 as shown on a map recorded in Book of Maps 1999, Page 2296, Wake County Registry; running thence North 89° 56' 22" West 2659.67 feet to an existing concrete monument; running thence South 86° 25' 30" West 375.33 feet to the point and place of BEGINNING and being a tract of land containing 85.83 acres as shown on the plat entitled "Survey for Pogo 1, Inc." by Southwind Surveying and Engineering, Inc. dated April 29, 2005.

SAVE AND EXCEPT the below-described property having Wake County PIN #0665632595:

BEGINNING at a stake on the eastern right of way of SR 1301 (Pnrfoy Road), this point being located S. b° 00' 23" W'. 244.33 feet from an existing blade on the western right of way in the line of formerly Walters as shown in Book of Maps 198s, page 1895, said blade having NC Grid Coordinates of N=653,798.136 and E =2,066,234.154 and runs thence a new line with Walters North 87° 46' 22" East 156.26 feet to an iron pipe; thence South 05° 35' 11" West 190.46 feet to an iron pipe; thence North 87° 57' 51" West 242.03 feet to a new iron pipe corner with Walters on the eastern right of way of SR 1301; thence along the right of way of said SR1301 North 30° 48' 24" East 203.61 feet to the point of BEGINNING and containing 0.834 of an acre according to a survey by Mauldin-Watkins Surveyors.

Subject to easements, rights-of-way, protective covenants, ad valorem taxes and other matters of public record.

See: Book 8315, page 1013; Will of Lacy W. Walters in 98 E 2019 and Book 2638, page 109.



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Yellow probate sheet is a vital part of your recorded document.
Please retain with original document and submit for rerecording.



Wake County Register of Deeds
Laura M. Riddick
Register of Deeds

This Customer Group _____
of Time Stamps Needed

This Document _____
New Time Stamp
of Pages *6*

ACR