

WAKE COUNTY, NC 135
 LAURA M RIDDICK
 REGISTER OF DEEDS
 PRESENTED & RECORDED ON
 11/03/2006 AT 10:36:59

BOOK:012250 PAGE:01324 - 01326

EASEMENT

NORTH CAROLINA

WAKE COUNTY

Return to:
 Progress Energy
 J. I. Corbett - PEC
 P.O. Box 1551
 Raleigh, NC 27602

THIS EASEMENT made this 2nd day of October, 2006, from POGO I, LLC, hereinafter referred to as GRANTOR (whether one or more), to CAROLINA POWER & LIGHT COMPANY, a North Carolina public service corporation, d/b/a PROGRESS ENERGY CAROLINAS, INC., hereinafter referred to as PEC;

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 PEC, its successors and assigns, the right, privilege, and easement to go in and upon the land of GRANTOR situated in Middle Creek Township of said County and State, described as follows: containing 85.83 acres, more or less, and being the land described in deeds to POGO I, LLC from: (1)Jo Carol W. Avent, et al, dated April 29, 2005, recorded in Deed Book 11403 page 836; and, (2)Lynette H. Walters, dated June 1, 2005, recorded in Deed Book 11403 page 842, both of Wake County Registry, also known as Hampton Park Subdivision, LESS AND EXCEPT any prior out-conveyances, and to construct, maintain, and operate electric and/or communication facilities thereon consisting of poles, cables, wires, guys, anchors, underground conduits, enclosures, and other pertinent facilities within an easement area thirty (30) feet wide for the overhead portion of said facilities and ten (10) feet wide for the underground portion of said facilities together with an area ten (10) feet wide on all sides of the foundation of any PEC enclosure, with the right to do all things necessary, including, but not being limited to, the right: (a) to enter said easement area at all times over the adjacent land to inspect, repair, maintain, and alter said facilities; (b) to keep said easement area cleared of trees, shrubs, undergrowth, buildings, structures, and obstructions; (c) to trim or cut any tree adjacent to said easement area that may, in the opinion of PEC, endanger the overhead facilities or hinder the maintenance, operation, and use of the same; and (d) to install, at angle points of the overhead facilities, guy wires and anchors outside of said easement area. The center line of the facilities shall be the center line of said easement area.

Notwithstanding anything to the contrary above, it is understood and agreed that: (1) the EASEMENT herein granted is for facilities to be installed at any point where needed on the above-described land, portions of which facilities may be installed immediately, and other portions installed in the future as the need develops; and (2) said facilities shall be installed at locations mutually agreeable to the parties hereto.

TO HAVE AND TO HOLD said rights, privilege, and easement unto PEC, its successors and assigns, forever. IN WITNESS WHEREOF, this EASEMENT has been executed under seal by GRANTOR, as of the date first above written.

POGO I, LLC (SEAL)

Witnesses:

Stephanus Blum

By: Ronald J. Mikel (SEAL)
 , Manager

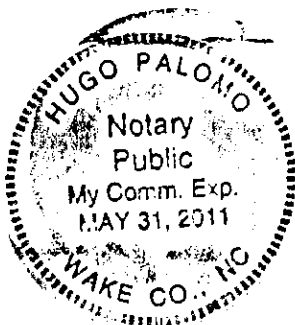
By: _____ (SEAL)
 , Manager

By: _____ (SEAL)
 , Manager

By: _____ (SEAL)
 , Manager

NORTH CAROLINA, WACE COUNTYI, HUGO PALOMO, a Notary Public of WACE County, North Carolina, certify that RONALD MIKESH

_____, Manager(s) of POGO I, LLC, a limited liability company, personally appeared before me this day and acknowledged the due execution of the foregoing EASEMENT as Manager(s) on behalf of the limited liability company.

Witness my hand and notarial seal, this 2ND day of OCTOBER, 2006.

Notary Public

My commission expires: 5/31/11NORTH CAROLINA, WACE COUNTYI, HUGO PALOMO, a Notary Public of WACE County, North Carolina, certify that STEPHANIE BROWN personally appeared before me this day, and being duly sworn, stated that, in his(her) presence RONALD MIKESH

_____, Manager(s) of POGO I, LLC, a limited liability company, acknowledged the due execution of the foregoing EASEMENT as Manager(s) on behalf of the limited liability company.

Witness my hand and notarial seal, this 2ND day of OCTOBER, 2006.

Notary Public

My commission expires: 5/31/11

The foregoing certificate of _____ is certified to be correct.
This EASEMENT and this certificate are duly registered at the date and time and in the book and page shown on the first page hereof.

Register of Deeds for _____ County

By: _____ Deputy/Assistant



BOOK:012250 PAGE:01324 - 01326

**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**

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