

WAKE COUNTY, NC 128
 LAURA M RIDDICK
 REGISTER OF DEEDS
 PRESENTED & RECORDED ON
 03/29/2006 AT 09:34:15

BOOK:011879 PAGE:01426 - 01427

EASEMENT

NORTH CAROLINA

WAKE COUNTY

THIS EASEMENT made this 20th day of February, 2006, from EDNA SCOTT NESMITH and husband, HENRY J. NESMITH, 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 White Oak Township of said County and State, described as follows: containing 1.71 acres, more or less, and being the land described in a deed from James Edward Scott, widow, to Edna Scott Nesmith and husband, Henry J. Nesmith, dated June 5, 1975, and recorded in Deed Book 2328, Page 101, also shown on a Plat, dated October 29, 2002, entitled "Minor Subdivision Plat, Edna S. and Henry J. Nesmith", and recorded in Book of Maps 2003, Page 517, all Wake County Registry, LESS AND EXCEPT any prior out-conveyances, and to construct, maintain, and operate electric and/or communication facilities thereon consisting of poles, cables, wires, underground conduits, enclosures, and other pertinent facilities within an easement area ten (10) feet wide, 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; and (b) to keep said easement area cleared of trees, shrubs, undergrowth, buildings, structures, and obstructions. The center line of the facilities shall be the center line of said easement area. PEC shall not install facilities outside of said easement area without obtaining another EASEMENT.

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.

Witnesses:

Edna Scott Nesmith (SEAL)
 Edna Scott Nesmith
Henry J. Nesmith (SEAL)
 Henry J. Nesmith

NORTH CAROLINA, WAKE COUNTY

I, Patricia D. Roberts, a Notary Public of DURHAM County,
 North Carolina, certify that Edna Scott Nesmith and Henry J. Nesmith

personally appeared before me this day and acknowledged the due execution