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FILED
YADKIN COUNTY, NC
ARIC WILHELM
REGISTER OF DEEDS

FILED Aug 23, 2013
AT 11:00:15 am
BOOK 01099
START PAGE 0473
END PAGE 0474
INSTRUMENT # 03705

WR No. 3753678 Resp. 5243 Project CSPINC
Drawn By: William A. Wheeler
Project Description: To Build Hse @ 2229 New Rd
infrastructure

Return Address: Duke Energy Carolinas
Attn: BILL WHEELER
461 WINSTON RD
JONESVILLE NC 28642

STATE OF NORTH CAROLINA

RIGHT OF WAY AGREEMENT

COUNTY OF YADKIN

KNOW ALL MEN BY THESE PRESENTS, That MARK & SUZANNE COETZER
hereinafter called "Grantor" (whether one or more), in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, does hereby grant unto DUKE ENERGY CAROLINAS, LLC, and its successors and assigns, subsidiaries and divisions, hereinafter called "Grantee," the perpetual right, privilege and easement to go in and upon that certain land of Grantor (hereinafter "premises") situated in said County and State, property described as:

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and over and across said premises within a right-of-way strip (check applicable):

☒ having a width of 15 feet on each side of a centerline determined by the centerline of the electrical facilities and/or the lighting facilities, as installed, to construct, maintain and operate with poles, lighting fixtures, crossarms, wires, guys, anchors, cables, transformers and other apparatus and appliances, overhead lines for the purpose of transporting electricity and/or providing lighting services and for the communications purposes of the Grantee and regulated telephone utilities. The following rights are also granted to Grantee: to enter said premises to inspect said lines, equipment and facilities, to perform maintenance and repairs, and to make alterations and additions thereto, to remove from the right-of-way strip, now or at any time in the future, trees, structures or other obstructions that may endanger the proper maintenance and operation of said lines or other facilities or equipment and trees of any species that Grantee determines will grow at maturity to a height that will endanger the proper maintenance and operation of said lines or other facilities or equipment ; to trim or remove and to keep trimmed or remove dead, diseased, weak or leaning trees or limbs outside of the right-of-way strip which, in the opinion of the Grantee, might interfere with or fall upon the electric, lighting, telecommunications or other communications facilities within the right-of-way strip; and to install guy wires and anchors extending beyond the limits of the right-of-way strip.

☒ having a width of 10 feet on each side of a centerline determined by the centerline of the electrical facilities and/or the lighting facilities, as installed, to construct, maintain and operate underground lines and conduits with other apparatus and appliances, either above ground or below ground, to include transformers and service connections, for the purpose of transporting electricity, providing lighting services and for the communications purposes of Grantee. The following rights are also granted to Grantee: to enter said premises to inspect said lines, equipment and facilities, to perform maintenance and repairs, and to make alterations and additions thereto; and to clear the land within the right-of-way strip and to keep it clear of trees, structures or other obstructions; and to clear that land outside the right-of-way strip within ten feet of said door clear of trees, structures or other obstructions located within the right-of-way strip and to keep the area within ten feet of said door clear of trees, structures or other obstructions. Grantor, for itself and its successors and assigns, agrees to hold Grantee, its successors and assigns, harmless for replacement and/or repair of paving, landscaping and fences as a result of future system maintenance and repair. All underground facilities are to be installed in accordance with the provisions of Grantee's Underground Distribution Installment Plan, NCUC Docket E-7, Sub 828, receipt of a copy of which is acknowledged by Grantor.

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This right-of-way is given to permit the construction or modification of facilities presently proposed. Facilities at other locations and future extensions of presently constructed facilities are not permitted by this agreement. The foregoing notwithstanding, Grantee may relocate its facilities and right-of-way strip over the premises to conform to any future highway or street relocation, widening or improvement.

IN WITNESS WHEREOF, this instrument is executed on this _____ day of _____,

GRANTOR

MARK A. COETZER

(Name of Grantor(s))

SUZANNE COETZER

(Name of Grantor(s))

By: _____

(Signature of Grantor(s))

By: _____

(Signature of Grantor(s))

STATE OF NORTH CAROLINA

COUNTY OF FORSYTH

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: MARK A. COETZER AND SUZANNE COETZER

Date: 2.9.13

My Commission Expires: JUNE 15, 2015

MEL M. M.

Notary Public

MICHAEL M MARION
NOTARY PUBLIC
FORSYTH COUNTY
NORTH CAROLINA
MY COMMISSION EXPIRES JUNE 15, 2015

Affix (Notary or Corporation) Seal