

## UTILITY EASEMENT

PREPARED BY: JANE FOY PAINTER, MULLEN HOLLAND & COOPER P.A., ATTORNEYS AT LAW  
RETURN TO: PSNC Energy  
(Attn: Chris Norcross, Engineering Department)  
2451 Schieffelin Road  
Apex, North Carolina 27502

STATE OF NORTH CAROLINA

COUNTY OF CHATHAM

Project No.0053160

Know all men by these presents that for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration paid to **Chatham County, a body corporate and politic** (hereinafter designated "Grantor"), the receipt of which is hereby acknowledged, the Grantor hereby bargains, sells, and conveys unto **Public Service Company of North Carolina, Incorporated**, a South Carolina corporation, dba PSNC Energy (hereinafter designated "Grantee"), and its successors and assigns, a perpetual and exclusive, except as provided herein, utility easement ten (10) feet in width for the purpose of installing, laying, constructing, maintaining, operating, repairing, altering, replacing, and removing gas pipeline equipment for the transportation and control of natural gas under, upon, over, through and across lands of Grantor, or in which Grantor has interest situate in Chatham County, North Carolina as described in that deed recorded in Book 1476 at Page 585 in the Chatham County Registry, together with the rights of ingress and egress over and across the easement area and the remaining lands of the Grantor for the purpose of obtaining access to and from the easement area. The easement shall be generally located as shown on Exhibit "A" drawing attached hereto and incorporated herein by reference. The centerline of the pipeline as installed and/or constructed shall be the centerline of such right of way and easement hereby granted.

The Grantee shall have the right to assign this easement in whole or part at any time.

The Grantee shall have the right to remove all trees, undergrowth, and other obstructions which may be located within the easement area that may injure, endanger, or interfere with the construction, operation, maintenance, and repair of said utility pipeline.

The Grantor for itself, its successors, and assigns agrees to do nothing inconsistent with the rights of the Grantee hereunder, specifically including, but not limited to the following: 1) no structure nor obstruction of a temporary or permanent nature (including, but not limited to, fences and/or walls) shall be constructed or allowed to remain upon the rights of way herein granted; 2) nothing shall be done which would increase or decrease the depth of the pipeline below the surface of the ground; 3) roads, streets and/or public utility crossings may be built or erected by the Grantor or authorized agents over or upon the easement, subject to the above restrictions and so long as a minimum of a two (2) foot horizontal and a one (1) foot vertical separation is maintained from Grantee's facilities by any such public or private facilities.

To have and to hold said utility pipeline easement unto the Grantee, its successors, and assigns, in title forever and the undersigned hereby binds itself, its successors, and assigns to warrant and forever defend all and singular said premises unto the Grantee, its successors, and assigns, against the claims of all persons whomsoever.

It is understood and acknowledged by the undersigned that the person securing this grant is without authority to make any agreement with regard to the subject matter hereof which is not expressed herein, and that no such agreement will be binding on the Grantee.

IN WITNESS WHEREOF this instrument is signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

**Chatham County, a body corporate and politic**

By: \_\_\_\_\_  
Sally Kost, Chair to the Board of  
Commissioners of Chatham County

ATTEST

\_\_\_\_\_  
Sandra B. Sublett, Clerk to the Board

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public of \_\_\_\_\_ County, State of \_\_\_\_\_, do hereby certify that Sandra B. Sublett (the "Signatory"), personally appeared before me this day and acknowledged that she is the Clerk to the Chatham County Board of Commissioners, a body politic and corporate, and that by authority duly given and as the act of Chatham County, the foregoing instrument was signed in its name by its Chair to the Board of Commissioners, sealed with its corporate seal and attested by her as Clerk to the Board of Commissioners.

I certify that the Signatory personally appeared before me this day, and  
(check one of the following)

- \_\_\_\_\_ (I have personal knowledge of the identity of the Signatory); or
- \_\_\_\_\_ (I have seen satisfactory evidence of the Signatory's identity, by a current state or federal identification with the Signatory's photograph in the form of:  
(check one of the following)  
\_\_\_ a driver's license or  
\_\_\_ in the form of \_\_\_\_\_); or
- \_\_\_\_\_ (a credible witness has sworn to the identity of the Signatory).

The Signatory acknowledged to me that she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

Witness my hand and official stamp or seal this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Notary Public  
Print Name: \_\_\_\_\_  
*[Note: Notary Public must sign exactly as on notary seal]*  
My Commission Expires: \_\_\_\_\_

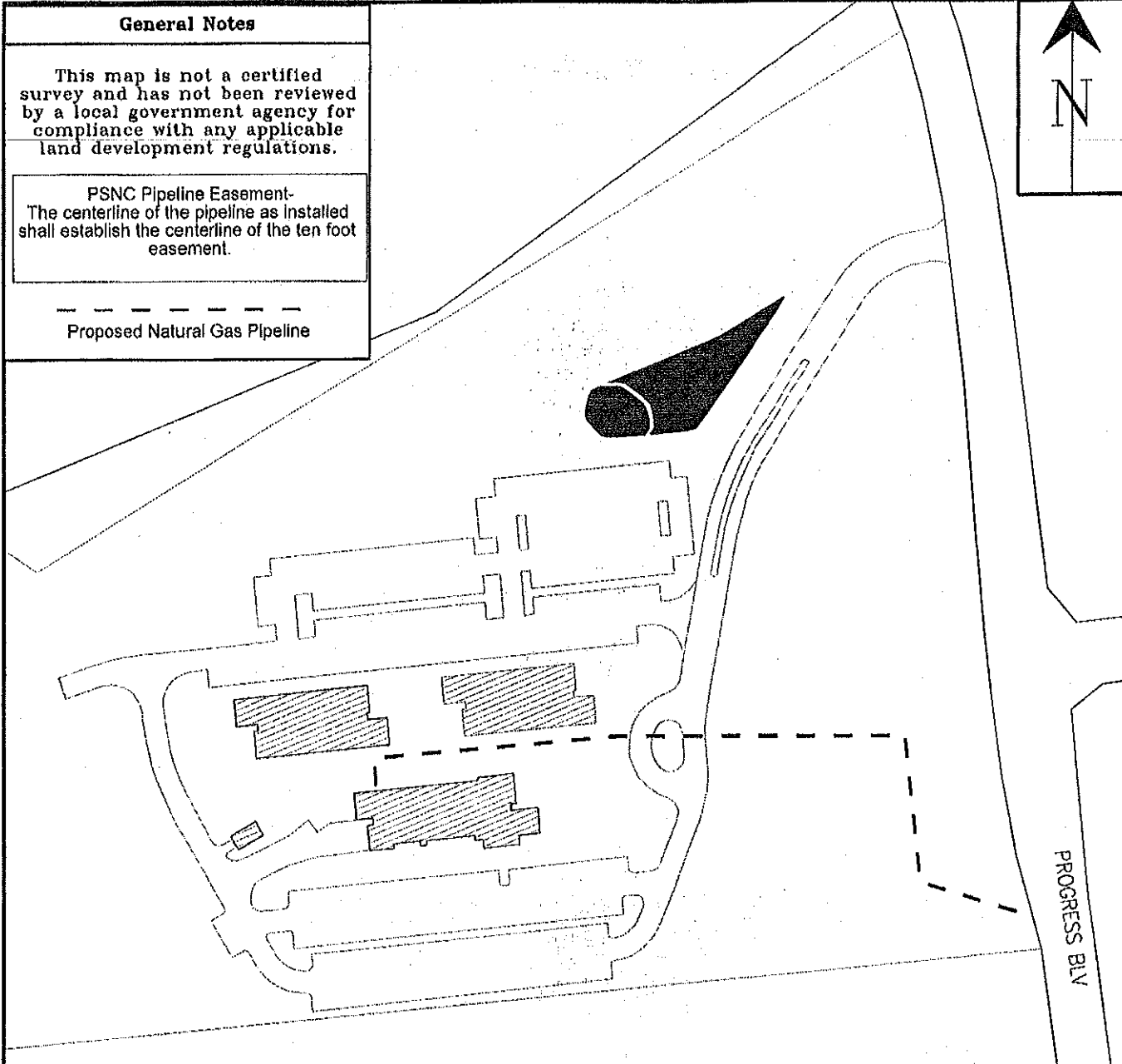
Ⓢ [NOTARY SEAL] (MUST BE FULLY LEGIBLE)

**General Notes**

This map is not a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations.

**PSNC Pipeline Easement-**  
The centerline of the pipeline as installed shall establish the centerline of the ten foot easement.

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Proposed Natural Gas Pipeline



**Proposed Utility Easement  
County of Chatham  
Chatham County, North Carolina**

|                  |                |         |
|------------------|----------------|---------|
| Author:          | Chris Norcross |         |
| Checked By:      |                |         |
| Approved By:     |                |         |
| Date: 05/26/2010 | Project Number |         |
| Page 1 of 1      |                |         |
| City No.         | Key No.        | 0053160 |
| 184              | 14             |         |
| Grid             | Sheet No.      |         |
| J-13             | 4              |         |

Exhibit "A"