

Chatham County, North Carolina
REBA G. THOMAS Register of Deeds
The foregoing certificate(s) of
ANDREW T. CLAYTON

FILED
CHATHAM COUNTY
REBA G. THOMAS
REGISTER OF DEEDS

FILED Dec 06, 2004
AT 09:56:56 am
BOOK 01145
START PAGE 0695
END PAGE 0695
INSTRUMENT # 15422

notary/notaries public
is/are certified to be correct.

Caru Langley
Assistant - Register of Deeds

EASEMENT

BOOK 1145 PAGE 695

NORTH CAROLINA

CHATHAM COUNTY

RETURN TO: M. MASON, PROGRESS ENERGY, PO BOX 1551, PEB 414 RALEIGH, NC 27602

3.

THIS EASEMENT made this 9th day of NOVEMBER, 2004, from MICHAEL MALYKIN and wife, GALINA MALYKIN, hereinafter referred to as GRANTOR (whether one or more), to PROGRESS ENERGY CAROLINAS, INC., a North Carolina public service corporation, 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 Center Township of said County and State, described as follows: containing 4.0 acres more or less; being the land shown and described on a plat prepared by Van R. Finch entitled "Final Plat Brooks Creek II - Phase One", revise dated August 20, 1987, and recorded in Plat Book 87, Page 303, Chatham 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, guys, anchors, underground conduits, and other pertinent facilities within an easement area thirty (30) feet wide, 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. PEC shall not install facilities outside of said easement area without obtaining another EASEMENT, except for those facilities that may be installed as set forth in item (d) above.

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:

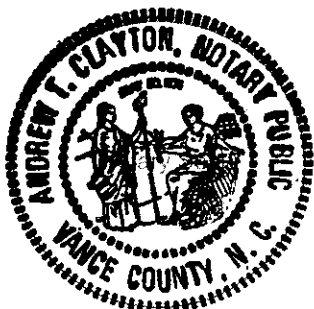
Michael Malykin (SEAL)
MICHAEL MALYKIN

Galina Malykin (SEAL)
GALINA MALYKIN

NORTH CAROLINA, CHATHAM COUNTY

I, ANDREW T. CLAYTON, a Notary Public of VANCE County, North Carolina, certify that Michael Malykin and Galina Malykin personally appeared before me this day and acknowledged the due execution of the foregoing EASEMENT.

Witness my hand and notarial seal, this 9th day of NOVEMBER, 2004.



Andrew Clayton
Notary Public

My commission expires: 3-19-05