

FOR REGISTRATION REGISTER OF DEEDS  
KIMBERLY S. HARGROVE  
HARNETT COUNTY, NC  
2004 DEC 15 11:40:12 AM  
BK:2020 PG:700-710 FEE:\$17.00

INSTRUMENT # 2004923237

NORTH CAROLINA  
HARNETT COUNTY

RETURN TO: W. MASON, PROGRESS ENERGY, PO BOX 1551, PER 414 RALEIGH, NC 27602

THIS EASEMENT made this 9<sup>th</sup> day of November, 2004, from Ballard Woods, LLC, 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;

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 Hector's Creek Township of said County and State, described as follows: containing 79.58 acres, more or less, and being the land described in a deed from Wilshar, LLC to Ballard Woods, LLC, dated April 18, 2002, recorded in Book 1691 page 945, Harnett 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, 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.

Ballard Woods, LLC (SEAL)

**Witnesses:**

Jay V. Buffalo

By: [Signature] (SEAL)  
MANAGER Manager

Faye U. Buffalo

By: [Signature] (SEAL)  
Member Manager

By: \_\_\_\_\_ (SEAL)  
Manager

By: \_\_\_\_\_ (SEAL)  
Manager

NORTH CAROLINA, Wake COUNTY

I, Jays V. Buffalo, a Notary Public of Wake County, North Carolina, certify that Beau Harrison Member

, Manager(s) of Ballard Woods, LLC, a limited liability company, personally appeared before me this day and acknowledged the due execution of the foregoing EASEMENT as Manager(s) of the limited liability company.

Witness my hand and notarial seal, this 8<sup>th</sup> day of November, 2004.



Jays V. Buffalo  
Notary Public

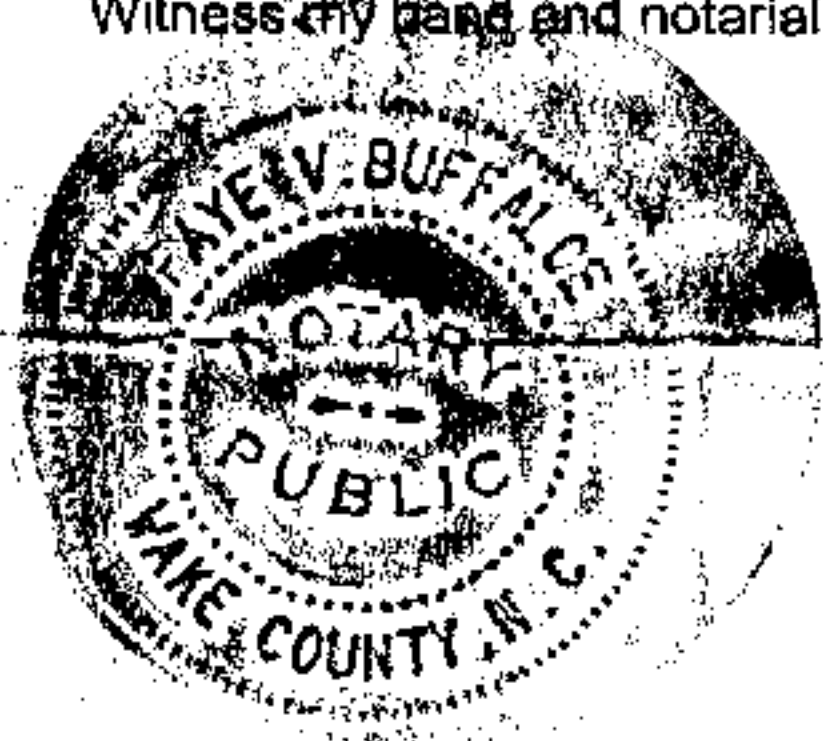
My commission expires: 7/17/2005

NORTH CAROLINA, Wake COUNTY

I, Jays V. Buffalo, a Notary Public of Wake County, North Carolina, certify that Gray A. Wilson personally appeared before me this day, ~~and being duly sworn, stated that, in his(hor) presence~~

Member, Manager(s) of Ballard Woods, LLC, a limited liability company, acknowledged the due execution of the foregoing EASEMENT as Manager(s) of the limited liability company.

Witness my hand and notarial seal, this 8<sup>th</sup> day of November, 2004.



Jays V. Buffalo  
Notary Public

My commission expires: 7/17/2005

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



KIMBERLY S. HARGROVE  
REGISTER OF DEEDS, HARNETT  
305 W CORNELIUS HARNETT BLVD  
SUITE 200  
LILLINGTON, NC 27546

**PLEASE RETAIN YELLOW TRAILER PAGE**

It is part of recorded document, and must be submitted with original for re-recording  
and/or cancellation.

\*\*\*\*\*  
Filed For Registration: 12/15/2004 11:40:12 AM  
Book: RE 2020 Page: 708-710  
Document No.: 2004023237  
EASE 3 PGS \$17.00  
Recorder: ELMIRA MCLEAN  
\*\*\*\*\*

State of North Carolina, County of Harnett

The foregoing certificate of FAYE V. BUFFALO E Notary is certified to be correct. This 15TH of December 2004

KIMBERLY S. HARGROVE , REGISTER OF DEEDS

By: Elmira McLean  
Deputy/Assistant Register of Deeds  
\*\*\*\*\*



2004023237