

DEE-2011-40692
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Office of Register of Deeds, Spartanburg, S.C.
Dorothy Earle, Register



WR No. 2700821 Resp. 5317 Project CSPS-5L
Drawn By: K. Coggins
Project Description: Install OH Primary to
serve New House

Return Address: Duke Energy Carolinas
Attn: Kyle Coggins
808 Duncan Redville Rd
Area 5L 29354

STATE OF SOUTH CAROLINA
COUNTY OF Spartanburg

RIGHT OF WAY AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, That John L and Crystal R Caldwell
hereinafter called "Grantor" (whether one or more), in consideration of the sum of One Dollar (\$1.00), 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:

Map # 4-40-00-009.08 Deed Book 97E Page 19

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 _____ 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 the service door of any transformer or cabinet 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, SCPSC Docket No.2009-226-E, Order No. 2010-79, receipt of a copy of which is acknowledged by Grantor.

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, the said Grantor has caused this instrument to be executed by its duly authorized officials on this 19th day of June 2011.

Kyle Coggins
Witness
Theresa S. Glover
Witness

GRANTOR
John L Caldwell
(Name of Grantor(s))
Crystal R Caldwell
(Name of Grantor(s))
By: John L Caldwell
(Signature of Grantor(s))
By: Crystal Caldwell
(Signature of Grantor(s))

STATE OF SOUTH CAROLINA, Spartanburg COUNTY

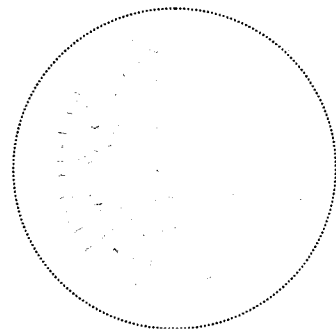
Personally appeared before me Kyle Coggins and made oath that he saw the within named John L. Caldwell and Crystal Caldwell sign, seal and as his/her act and deed deliver the within written instrument, and that he with Theresa S. Glover witnessed the execution thereof.

Kyle Coggins
(Signature of Subscribing Witness)

Sworn to me this 19th day of June
Theresa S. Glover
Notary Public

A.D., 2011
THERESA S. GLOVER
MY COMMISSION EXPIRES
DECEMBER 15, 2015

Office of Register of Deeds
Spartanburg, South Carolina
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Book
Dorothy Earle
Register of Deeds,
Spartanburg, South Carolina



Affix Notary Seal