

FILED  
GREENVILLE CO. S. C.

File No. 7503-3  
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NEW YORK  
STATE OF ~~SOUTH CAROLINA~~  
NEW YORK  
~~GREENVILLE~~ COUNTY

AUG 31 3 35 PM '76  
DONNIE S. TANKERSLEY  
R.M.C.

RIGHT OF WAY AGREEMENT

THIS INDENTURE, made and entered into this 6<sup>th</sup> day of August, 1976,  
by and between

UNION CARBIDE CORPORATION, a New York corporation having  
offices at 270 Park Avenue, New York, New York 10017

For True Consideration See Affidavit  
Book 39 Page 1227

hereinafter called "Grantor" (whether one or more), and DUKE POWER COMPANY, a North Carolina corporation, hereinafter called "Grantee";

WITNESSETH:

That Grantor, in consideration of Ten Dollars and other valuable considerations paid by Grantee, the receipt of which is hereby acknowledged, does grant and convey unto Grantee, its successors and assigns, subject to the limitations hereinafter described, the right to erect, construct, reconstruct, replace, maintain and use towers, poles, wires, lines, cables, and all necessary and proper foundations, footings, crossarms and other appliances and fixtures for the purpose of transmitting electric power and for Grantee's communication purposes, together with a right of way, on, along and in all of the tract (s) of land lying and being in the ~~Greenville County~~, as shown on map of Duke Power Company Rights of Way dated GREENVILLE County, S.C.

April 29, 1976, Rev. May 5, 1976, marked file No. 35-72-A, copy of which is attached hereto and made a part hereof.

Subject to all existing rights, easements and encumbrances.

The land of the Grantor over which said rights and easements are granted is a part of the property which was acquired by:

- Deed recorded in Book 748 at page 455
- Deed recorded in Book at page
- Deed recorded in Book at page
- Will recorded in Book at page
- Intestate succession from

By its acceptance of this easement, Grantee agrees to indemnify and hold harmless Grantor from all claims, damages, liability, loss, suits, actions, causes of action, judgments, fines and penalties, including reasonable attorneys' fees, for personal injury, death or property damage arising out of or in any way connected with Grantee's exercise of the rights granted hereunder.

The right of way and easement herein granted by Grantor to Company, its successors and assigns, consist of the following: - 145 - 400.1 - 1 - 2

1. The right to enter Grantor's land above described, and on, in, and along the strip(s) above described, the right to construct, reconstruct, inspect, maintain, alter, remove, and replace electric transmission lines and parts and components of such lines. A "transmission line" shall consist of a line of towers, poles, or other supporting structures (all of which shall be hereinafter called "Company's structures") spaced at necessary and proper intervals, for holding, either above or below ground level, wires, cables, conductors, pipes, lines, conduits, together with guy wires, structure foundations, crossarms, insulators, fixtures, and appropriate hardware for the purpose of transmitting electric energy and for Company's communication purposes.



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