

FILED

BK 3423PG017

PENDER COUNTY NC 03/11/2008

08 MAR 11 PM 3:36

\$70.00



Real Estate Excise Tax

JOYCE M. SWICEGOOD
REGISTER OF DEEDS
PENDER COUNTY, NC



Mail to: SANDY OGINT
Piedmont Natural Gas Co., Inc.
Post Office Box 33068
Charlotte, North Carolina 28233

NC Excise Tax: \$70.00

TAX ID# 3233-30-5437-0000
STATE OF NORTH CAROLINA
COUNTY OF PENDER

LINE : 139
R/W NO. 6A

RIGHT OF WAY AGREEMENT

Know all men by these presents that for and in consideration of the sum of \$ 35,000.00 paid to ROBERT C. MASSENGILL and TRESSIE H. MASSENGILL (hereinafter designated GRANTOR), the receipt of which is hereby acknowledged, the GRANTOR hereby bargains, sells and conveys unto Piedmont Natural Gas Company, Inc., (hereinafter designated GRANTEE), and its successors and assigns, a right of way and easement, fifty (50) feet in width, for the purpose of constructing, maintaining and operating from time to time one or more pipelines and appurtenances for the transportation of natural or manufactured gases or other substances over, under and across the lands of GRANTOR situate in Rocky Point Township, Pender County, NC which lands are more particularly described in that certain instrument recorded in Deed Book 422, Pages 18, in the office of the Register of Deeds of Pender County, which right of way is more particularly described on that certain survey of McKim&Creed, dated December 15, 2007 bearing the designation Pend- 6A, which survey are attached hereto and made a part hereof.

The GRANTEE shall have all rights necessary or convenient for the full uses and enjoyment of the rights herein granted. including without limitation reasonable access to the right of way and the right from time to time to cut or remove all trees, underbrush or other obstructions within the right of way which may interfere with the rights granted herein.

Subject to the rights granted herein, the GRANTOR may cultivate the soil and may construct roads which cross but in no event shall any roads be constructed that are laterally along and over the right of way. The GRANTOR shall not change the grade of, flood or obstruct the right of way.

To have and to hold said right of way and easement and all privileges and appurtenances "hereunto belonging to said GRANTEE, its successors and assigns, to its and their only use and behoove forever. And the GRANTOR, for himself, his executors and administrators, covenants with the said GRANTEE, its successors and assigns, that the GRANTOR is seized of the premises in fee, and has the right to convey the foregoing easement and right of way; that the same are free and clear of all encumbrances and that the GRANTOR hereby warrants and agrees to defend said title to the same against the lawful claims of all persons whosoever.

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.

Prepared for Piedmont Natural Gas Company, Inc. by John. R. Carter

Page 1 of 2

Recorded and Verified
Joyce M. Swicegood
Register of Deeds
Pender County, NC

RCM
2-12-08

3

TAX ID# 3233-30-5437-0000
STATE OF NORTH CAROLINA
COUNTY OF PENDER

IN WITNESS WHEREOF this instrument is signed and sealed this 12th day of February 2008
~~2007.~~

Robert C. Massengill (SEAL)
ROBERT C. MASSENGILL

Tressie H. Massengill (SEAL)
TRESSIE H. MASSENGILL

RCM

This document is only valid when accompanied by a canceled check in the amount of \$35,000.00 to the above named.

STATE OF NORTH CAROLINA
COUNTY OF PENDER

I, Cathy Martin do hereby certify that

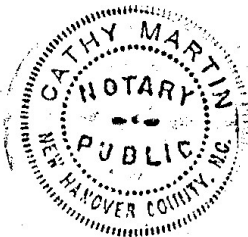
ROBERT C. MASSENGILL and TRESSIE H. MASSENGILL personally appeared before me this day and each acknowledged the due execution of the foregoing instrument.

Witness my signature and official seal this the 12th day of February, 2008

Cathy Martin
Notary Public

My Commission expires:

8/22/09
(seal)

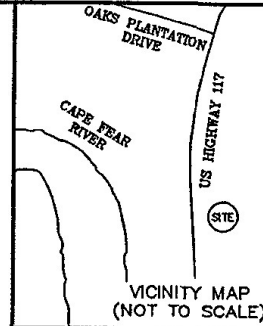




TYPICAL EASEMENT LAYOUT NOT TO SCALE

- NOTES:
- FOR SOURCE OF TITLE REFER TO DEEDS AND PLATS REFERENCED HEREON.
 - ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
 - AREA BY COORDINATE COMPUTATION.
 - PROPERTY SUBJECT TO ANY VALID & ENFORCEABLE EASEMENTS, RESTRICTIONS & RIGHTS OF WAY OF RECORD.
 - GRID COORDINATES ESTABLISHED USING VRS.

AREA OF:	SQ. FT.	ACRE
PROPOSED EASEMENT	34,593	0.79



VICINITY MAP (NOT TO SCALE)

10" GAS LINE 692.81 LINEAR FEET (TOTAL)

LEGEND

- 10" GAS LINE
- CP CALCULATED POINT
- CMF CONCRETE MONUMENT FOUND

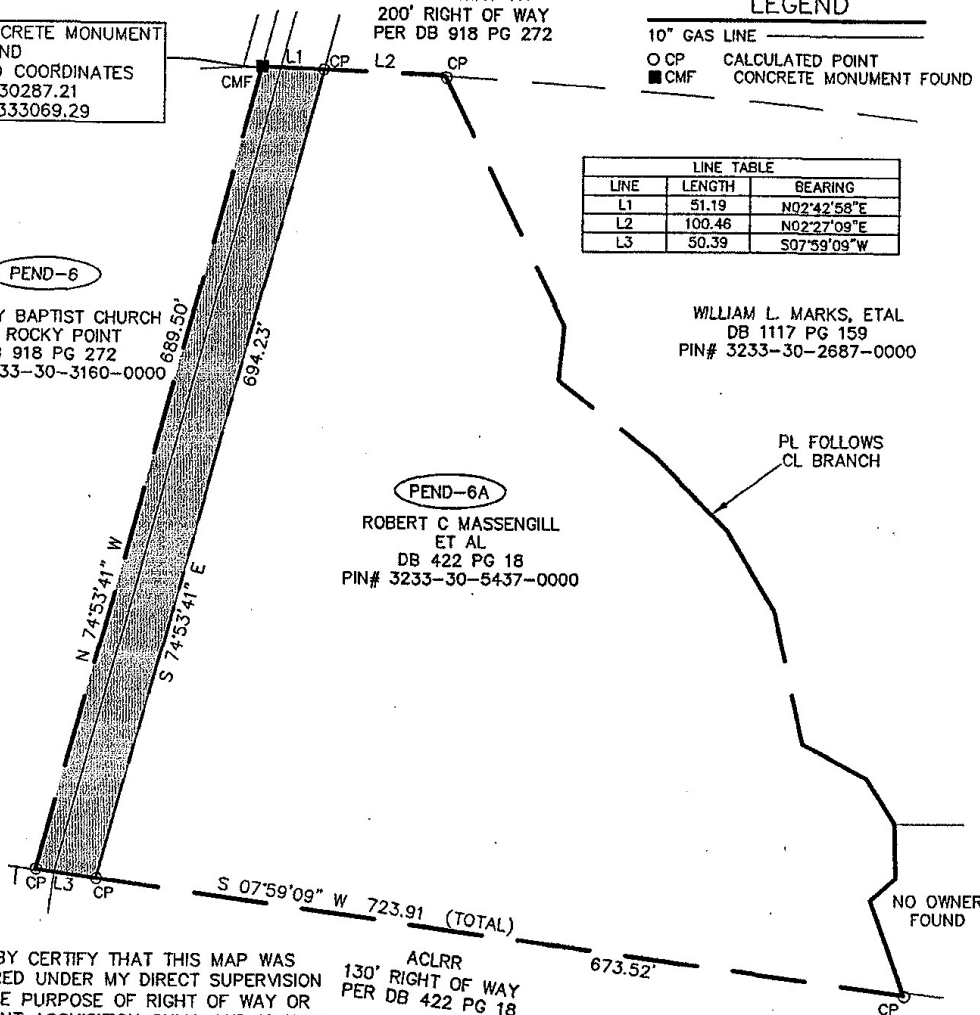
CONCRETE MONUMENT FOUND
GRID COORDINATES
N 230287.21
E 2333069.29

LINE TABLE		
LINE	LENGTH	BEARING
L1	51.19	N02°42'58"E
L2	100.46	N02°27'09"E
L3	50.39	S07°59'09"W

PEND-6
VICTORY BAPTIST CHURCH OF ROCKY POINT
DB 918 PG 272
PIN# 3233-30-3160-0000

WILLIAM L. MARKS, ETAL
DB 1117 PG 159
PIN# 3233-30-2687-0000

PEND-6A
ROBERT C MASSENGILL
ET AL
DB 422 PG 18
PIN# 3233-30-5437-0000

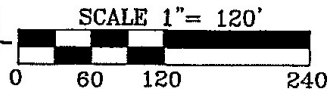
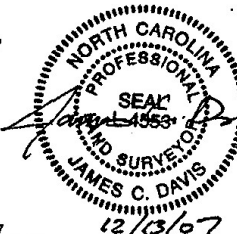


I HEREBY CERTIFY THAT THIS MAP WAS PREPARED UNDER MY DIRECT SUPERVISION FOR THE PURPOSE OF RIGHT OF WAY OR EASEMENT ACQUISITION ONLY, AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN.

James C. Davis 12/13/07
JAMES C. DAVIS, PLS L-4553

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

ACLRR
130' RIGHT OF WAY
PER DB 422 PG 18



REVISION: MODIFIED PIPELINE LOCATION 12/13/07

EASEMENT SURVEY PREPARED FOR		LINE 139
PIEDMONT NATURAL GAS COMPANY		
EASEMENT TO BE ACQUIRED FROM		
ROBERT C. MASSENGILL		
US HIGHWAY 117 S		
PEND-6A	ROCKY POINT TOWNSHIP PENDER COUNTY, NORTH CAROLINA	



ENGINEERS, PLANNERS, SURVEYORS
8020 TOWER POINT DRIVE
CHARLOTTE, NORTH CAROLINA 28227
PHONE (704) 841-2588
FAX (704) 841-2567
DECEMBER 3, 2007