Duke Electric Transmission
A Duke Energy Company

Duke Electric Transmission
526 South Church Street
P.O. Box 1006
Charlotte, NC 28201-1006

(704) 594-0887

August 26,1999

Ms. Brenda Hunter
C/o Hunter Properties
309 Rocky River Rd
Charlotte, NC 28213

Re: Lot 155 Shavenders Bluff

Dear Brenda,

Duke Energy, Electric Transmission, has decided to allow the use of the transmission right-of-way for the septic system on Lot 155 Shavenders Bluff. This lot is located on Ashbury Circle and is adjacent to an unoccupied transmission line right of way.

This agreement is subject to the following conditions.

- In not objecting to the use of the right-of-way for septic lines, Duke Energy is not relinquishing the right to control and maintain the right-of-way as specified in the agreements.
- Duke Energy shall not be responsible for any damage to the septic system caused by Duke Energy installing a grounding system for its electric transmission line, or its general or emergency maintenance of its lines, towers, or equipment.
- A right of way encroachment agreement be completed and filed with the deed within a reasonable period of time.

We have reviewed this right of way and tried to determine the best location for the septic system. With the knowledge that we presently have about the future use of the right of way, we are requiring that the septic system be placed as close to Ashbury Circle as allowed by the county and centered in the right of way. Our expectation at this time is that if a line is built, it will be built on the sides of the right of way rather than in the middle. For that reason, the possibility of this system interfering with our needs is reduced.

Assuming all other county requirements are met, Duke Energy does not object to issuing permits for this lot. If you have any questions, please call me at 704-382-3504.

Sincerely,

Douglas A. Gould
Senior Engineer
Asset Protection

cc/ Tony Jacobs
Eddie Hilton