Form 02191 (R5-87)

Frank Smith

0045

Duke Power Company
Transmission Line Division
RIGHTS OF WAY RESTRICTIONS

68' R/W

CASCADE TAP TO STATESVILLE TIE. LINE INDEX # 4C 1613 44,000 VOLT T/L

This list of rights of way restrictions has been developed to answer the most often asked questions about property owner use of transmission rights of way. The list does not intend to cover all possible situations and you should ask additional questions if these answers do not fit your plans.

1. Structures, buildings, mobile homes and trailers, **fire hydrants, satellite signal receiver systems and equipment, swimming pools and associated equipment,** human graves, billboards, signs, wells, septic tanks, absorption pits, storage tanks, (both above and below ground), garbage, trash, rubble, flammable material, building material, junk, and wrecked or disabled vehicles are not allowed within the rights of way limits.
2. Fences shall not be attached to poles or towers. Fences shall be installed at least 10 feet from poles or towers and shall not exceed 8 feet in height. If a fence crosses the rights of way, a gate will be installed so that free access is maintained.
3. Grading or filling will not be allowed on the rights of way at any point where the fill will bring the ground clearance of the bottom conductor to less than 25 feet under 44KV lines, 27½ feet under 100KV lines, 35 feet under 230KV lines and 45 feet under 525KV lines. Grading or filling within the rights of way or near a structure, which will prevent free access, will not be permitted.
4. Grading shall be at least 20 feet from a pole or tower leg, and slope shall not exceed 3:1 on the rights of way.
5. Streets, roads, driveways, **sewer lines, water lines,** or any underground facilities shall not parallel the center line on the rights of way, but may cross at an angle not less than 30 degrees with the center line and cross no closer than 20 feet to any structure. **Man holes** and **underground vaults** will not be allowed within the rights of way limits.
6. Any drainage ditch that allows water to pond or to cause erosion around a structure is prohibited.
7. Contact the power company prior to the construction of lakes or ponds on the rights of way. Dams shall not be constructed within the rights of way limits without proper approval by the Power Company.
8. Duke Power Company shall not relinquish any of its rights conveyed by the rights of way agreements.
9. Duke Power Company does not recommend the practice of using the area under transmission lines for parking, but will not object if the following restrictions are followed:
   a. A barrier adequate to protect the pole or tower shall be erected, by the party constructing the parking area, in such a manner as to restrict parking to at least 5 feet from the structure.
   b. Any access areas, entrances, or exits shall cross the rights of way at or near right angles to the center line, and shall not pass within 20 feet of any structure.
   c. Lighting facilities higher than 8 feet are not to be installed within the rights of way limits.
   d. Signs and other attachments to Duke Power Company structures are prohibited.
10. Duke Power Company will not object to certain beautification programs, such as planting grass, flowers, low growing shrubs, gardens, etc., as long as they do not interfere with the existing structures or interfere with access to structures.
    a. Any plants within the rights of way, such as fruit trees, flowering shrubs, bushes, hedges, or low growing evergreens must not exceed 15 feet in height at maturity. Any plants allowed to exceed this height are subject to being cleared from the rights of way by Duke Power Company.
    b. Tall growing species of trees are not allowed within the rights of way limits. Duke Power Company may exercise the right to cut danger trees outside the rights of way limits as granted by the rights of way agreement and as required to properly maintain and operate the transmission line.

We hope this is useful information; however, if additional questions arise or if you **plan anything not mentioned,** please contact Jimmy D. Freeman at telephone number 704/636-7241.