4. GRANTOR agrees for himself and his heirs, administrators, executors, successors, and assigns not to construct or place any structure or fill on or over the permanent easement herein granted without the prior written consent of the GRANTEE nor to endanger the structural integrity of the areation line easement facilities and appurtenances thereto, by any construction activities of otherwise.

5. These easements, agreements, and conditions are appurtenant to and run with the land and are binding upon his heirs, administrators, executors, successors, and assigns of the GRANTOR.

6. This deed of easement contains the entire agreement and understanding between the GRANTOR and the GRANTEE: there are no oral understandings, terms, or conditions, and neither the GRANTORS nor the GRANTEE has relied upon any representation, express or implied, not contained herein:

TO HAVE AND TO HOLD said easements to said GRANTEE, its successors and assigns, forever, for the uses and purposes herein described.

And the said GRANTOR, for himself and his heirs, administrators, executors, successors, and assigns, hereby covenants to and with the said GRANTEE, his successors and assigns, that he is seized of said premises in fee, that he solely has the right to grant these easements; and that he will forever defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said GRANTOR has hereunto set his hand and seal, the day and year first above written.

Alton Ernest Mitchell (SEAL)

WITNESS:

Karen M. Nash

* * * * * * * * * * *

NORTH CAROLINA)
IREDELL COUNTY)

I, Linda C. Cook, a Notary Public of the said State and County, do hereby certify that ALTON ERNEST MITCHELL personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal, this 29th day of July, 1985.

Linda C. Cook
Notary Public

My commission expires: 2-27-90