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Prepared By:

### **COMMUNICATION SYSTEM EASEMENT**

This Communication System Easement and the rights contained in it are granted by COUNTY OF ALBEMARLE ("Grantor"), whose address is 401 McIntire Road, Charlottesville, VA 22902.

For good and valuable consideration, the receipt and sufficiency of which are acknowledged by Grantor, Grantor, for itself, its successors and assigns, grants to CENTRAL TELEPHONE COMPANY OF VIRGINIA D/B/A CENTURYLINK, a public service company, its successors, assigns, lessees, licensees and agents ("Grantee"), subject to the terms stated in this Communication System Easement, a perpetual easement ("Easement") to install, construct, operate, maintain, expand, replace and remove a communication system that Grantee may from time to time require, consisting of but not limited to underground cables, wires, conduits, manholes, drains, splicing boxes, surface location markers, equipment cabinets and associated wooden or concrete pads, aerial lines or cables, towers, poles, buildings and other facilities or structures as are reasonably necessary for Grantee to exercise the rights granted to it in this Communication System Easement (collectively, "Facilities"), upon, over, through, under and along a parcel of land as described on Exhibit "A" ("Easement Tract") which is attached to and incorporated by reference into this Cable Easement, said Easement Tract being a portion of real property having an address of : \_\_\_\_\_,

in the city of \_\_\_\_\_

in Albemarle County, Virginia,

VDOT Plan number: 0691-002—258, RW-201, Sheet Number(s): 10, 10B

Property parcel number: 33,

Tax Map Number: 055E0-00-00-000A1, on record in the Clerk's office of the Circuit Court, Albemarle County, Virginia ("Property").

The grant of Easement also gives to Grantee the following rights: (a) the right of ingress and egress over and across the Easement Tract and Property and any real property owned or controlled by Grantor that is adjacent to the Easement Tract or Property for the purpose of Grantee exercising the rights granted to it in this Communication System Easement; (b) the right to clear and keep clear all trees, roots, brush and other obstructions from the surface and sub-surface of the Easement Tract that interfere with Grantee exercising the rights granted to it in the Communication System Easement; (c) upon review and approval of the Grantor, the right to permit the carry-in and attachment of the conduit, wires, cables or other such items of any other entity or person to the Facilities; and (d) at Grantee's expense, and upon review and approval of

the Grantor, the right to bring to and to place at the Easement Tract electrical or other utility service for Grantee's use, and if required by the utility, Grantor will grant a separate easement to the utility for the purpose of the utility having access to and bringing service to the Easement Tract.

Grantor will have the right to use and enjoy the Easement Tract so long as Grantor's use does not materially interfere with the rights granted to Grantee in this Communication System Easement. Grantor will not erect any structure or plant trees or other vegetation within the Easement Tract.

Grantor warrants that Grantor is the owner of the Easement Tract and Property and will defend title to the Easement Tract and Property against the claims of any and all persons, and that Grantor has full authority to grant this Communication System Easement according to its terms. Grantor further warrants that to the best of Grantor's knowledge, the Easement Tract and Property are free from any form of contamination and contain no hazardous, toxic or dangerous substances. Grantee will have no responsibility for environmental contamination or liabilities unless caused by Grantee.

Notice to Landowner: You are conveying rights to a public service corporation. A public service corporation may have the right to obtain some or all of these rights through exercise of eminent domain. To the extent that any of the rights being conveyed are not subject to eminent domain, you have the right to choose not to convey those rights and you could not be compelled to do so. You have the right to negotiate compensation for any rights that you are voluntarily conveying.

Signed by Grantor(s) this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_

GRANTOR: \_\_\_\_\_ (Printed)\_\_\_\_\_

GRANTOR: \_\_\_\_\_ (Printed)\_\_\_\_\_

THE STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, before me, a Notary Public in and for said County and State, came \_\_\_\_\_, who is personally known to me to be the same person(s) who signed the herein instrument, and such person duly acknowledged the signing of the same to be his/her act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

\_\_\_\_\_  
Notary Public

My appointment expires:

\_\_\_\_\_

Signed by Grantor(s) this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_

GRANTOR: \_\_\_\_\_ (Printed) \_\_\_\_\_

GRANTOR: \_\_\_\_\_ (Printed) \_\_\_\_\_

THE STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2)\_\_\_\_, before me, a Notary Public in and for said County and State, came \_\_\_\_\_, who is the \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_, and is personally known to me to be the same person who signed the herein instrument, and such person duly acknowledged the signing of the same as the act and deed of the \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

\_\_\_\_\_  
Notary Public

My appointment expires:

\_\_\_\_\_

## **EXHIBIT A TO COMMUNICATION SYSTEM EASEMENT**

### **Description of Easement Tract**

The Easement Tract is a strip of land \_\_\_\_\_ feet (\_\_\_\_') wide being \_\_\_\_\_ feet (\_\_\_\_') on either side of the centerline of the cable and/or facilities as installed ("Centerline"). Notwithstanding the approximate description of the Easement Tract herein, the actual location of the cable facilities as installed will control to determine the length and Centerline of the Easement Tract. Where the Centerline of the Easement Tract intersects the perimeter boundary of the Property, the sidelines of the Easement Tract shall extend to the said perimeter boundary.