



 **South River Electric  
Membership Corporation**

A Touchstone Energy Cooperative 

That the party of the second part and any party that ownership is transferred to in the future will abide by this agreement and prohibit any ground structures, garages, shops, trees, shrubs, pools, fences, or other surface structure without approval by party of the first to be constructed in the right of way effective from the date of this agreement.

That the party of the second part promises to indemnify fully the party of the first part and its personal representatives, collectors, successors and assigns and all of its past, present, and future officers, directors, members, agents, representatives, insurers, predecessors and successors against any and all claims or suits of any nature or description that may be in the future brought by any person or entity on account of damages incurred while the party of the first part, its contractors and representatives, conduct business operations within its Right of Way corridors, granted or prescribed, within the encroachment. This indemnity protection shall include all costs of litigation, including reasonable attorneys' fees in the payment of any damages, whether by way of judgment or settlement.

That the party of the second part hereby agrees that all successors and assigns are bound by this agreement.

IN WITNESS WHEREOF, each of the parties to this agreement has caused the same to be executed the day and year first above written.

SOUTH RIVER EMC

By: Chuck Richardson  
Vice President of Engineering

Chuck Richardson  
Sign

Tony Toro  
Sign

SECOND PARTY Tony Toro Print  
VP  
POSITION

WITNESS \_\_\_\_\_ Print

SEAL (FOR CORPORATION ONLY)

STATE OF North Carolina - COUNTY OF WAKE  
I, Kimberly A Perez, a Notary Public of said State and  
County, do hereby certify that Tony Toro  
personally appeared before me this day and acknowledged the due execution of the foregoing instrument.  
This the 20 day of May, 2019.  
Witness by hand and notarial seal this the 20 day of May, 2019.

(My Commission Expires: September 24, 2023 Kimberly A Perez  
Notary Public

**KIMBERLY A PEREZ**  
NOTARY PUBLIC  
WAKE COUNTY, NC