APPLICATION FOR
ASSIGNMENT OF OCCUPANCY & USE PERMIT

Dear Smith Mountain and Leesville Lake Property Owners:

As licensee for the Smith Mountain Pumped Storage Project (Project), Appalachian Power Company (Appalachian) has the responsibility and authority to regulate, permit, and monitor uses within the Project boundary (800-foot elevation contour at Smith Mountain Lake; 620-foot elevation contour at Leesville Lake.)

In order to be considered valid, a permit for **Occupancy and Use** must be assigned to any new property owner(s) upon the sale of transfer of property ownership. Failure to assign an Occupancy and Use Permit to the new owners will result in a revocation of the permit.

Attached are the necessary forms to complete this process. Please note the following requirements:

1. The Assignment of Permit must be signed by the current deeded property owner(s) and the new property owner(s) whose names will appear on the deed after transfer of the property. The current property owner(s) (i.e. the sellers) must sign as the "Assignor." The new property owner(s) (i.e. the buyers) must sign as the "Assignee."
2. All signatures must be notarized.
3. The Assignment of Permit will be recorded with the Clerk of the Circuit Court in which the property is located. Please enclose a check made payable to one of the following Clerks of Court in the amount shown below depending upon the county in which the property is located.
    a. Clerk of the Circuit Court of Bedford County $34.00
    b. Clerk of the Circuit Court of Franklin County $29.00
    c. Clerk of the Circuit Court of Campbell County $29.00
    d. Clerk of the Circuit Court of Pittsylvania County $34.00

The form and the check should be mailed to:

Appalachian Power Company
Shoreline Management
P.O. Box 2021
Roanoke, VA 24022-2121

Should you have any additional questions, you may contact Appalachian's Shoreline Management staff at 540-985-2579.

Sincerely,

Appalachian Power Company

Application for Assignment of
Occupancy and Use Permit
Smith Mountain and Leesville Lakes

Please provide the following contact information for the new property owner(s):

PROPERTY OWNER CONTACT INFORMATION

Property Owner Name(s): _____ and _____

Mailing Address: _____ _____ _____ _____
(Street) (City) (State) (Zip)

Telephone: _____ _____
(Mobile/home) (e-mail)

PROPERTY INFORMATION

Permit Activity Location: _____ _____
(Lake) (County)

_____ _____
(Tax Map/ Parcel ID Number) (Legal Description)

Permit Activity
Lake Address (the "Site"):_____
(street) (city) (state) (zip)

Deed Book and Page No. or Document/Instrument No.:_____

ASSIGNMENT OF PERMIT
Prepared by Appalachian Power Company

This **ASSIGNMENT** made this _____ day of _____, _____, by and between _____(name) , a _____ _____(type & state of entity if a corporation, LLC, etc.), **ASSIGNOR**, to be indexed as **GRANTOR,** whose address is _____; _____, (name), a _____ (type & state of entity if a corporation, LLC, etc.), **ASSIGNEE**, to be indexed as **GRANTEE,** whose address is _____ _____ and **APPALACHIAN POWER COMPANY (APCO)**, a Virginia corporation, to be indexed as **GRANTOR,** whose address is 40 Franklin Road, S.W., Roanoke, Virginia 24011.

WITNESSETH

THAT, WHEREAS, APCO granted Assignor a Permit Number _____, dated _____ (the "Permit"), for property identified as Tax Map and Parcel Number _____ according to the _____ County Real Estate Records, by which Assignor was permitted the use and occupancy of the Project's lands and waters (as defined in the Permit) for the Permitted Facility (as defined in the Permit) upon the terms and conditions as set forth in the Permit; and

WHEREAS, the Permit provides that it is a personal right and that nothing therein shall be construed to create any easement or other property interest in the Permittee and that the status of the Permittee is that of a licensee; and

WHEREAS, the Permit further provides that it may be assigned only upon certain terms and conditions as set forth in the Permit; and

WHEREAS, Assignor wishes to assign the Permit to Assignee, which assignment is within the terms and conditions of the Permit; and

WHEREAS, APCO has inspected the Permitted Facility and finds that as of the date of this Assignment it is in compliance with the Permit and that the assignment of the Permit is a permissible assignment under the terms of the Permit.

NOW, THEREFORE, in consideration of the Premises, the parties agree as follows:

1. Assignment. Assignor hereby assigns all its right, title and interest in the Permit to the Assignee, which assignment Assignee hereby accepts.

2. Assumption of Obligations. Assignee hereby assumes and agrees to perform all of Assignee's obligations under the Permit arising after the date hereof.

3. **<u>Acknowledge and acceptance</u>.** Assignee warrants and represents to APCO that it acknowledges, accepts and will fully comply with all of the terms and conditions of the Permit.

4. **<u>Consent of APCO</u>.** APCO herewith grants its consent to this Assignment.

WITNESS the following signatures:

ASSIGNOR:

_____

_____

By:_____
Its:_____

STATE OF _____)
) To-wit:
_City/County_OF_____)

The foregoing Permit was acknowledged before me this _____ day of _____, _____, by _____, _____ of _____, a _____ company, on behalf of the company.

_____
Notary Public
My commission expires: _____

ASSIGNEE:

_____

_____

By:_____
Its:_____

STATE OF _____)
) To-wit:
_City/County_OF_____)

The foregoing Permit was acknowledged before me this _____ day of _____, _____, by _____, _____ of _____, a _____ company, on behalf of the company.

_____
Notary Public
My commission expires: _____

APPALACHIAN POWER COMPANY,
a Virginia corporation

By:_____
Authorized Signer

STATE OF VIRGINIA)
) To-wit:
_____ OF _____)

The foregoing Permit was acknowledged before me this _____ day of _____, _____, by _____ Authorized Signer for Appalachian Power Company, on behalf of the Company.

_____
Notary Public
My commission expires: _____