

Easement from the south

This instrument prepared by:
Gilbert R. Key, II
Jones, Key, Melvin & Patton, P.A.
19 East Main Street
Franklin, North Carolina 28734

NORTH CAROLINA
MACON COUNTY

EASEMENT DEED

THIS DEED, made this the 6th day of April, 1995, by HERITAGE MOUNTAIN ESTATES, LIMITED, A North Carolina Limited Partnership of Macon County, State of North Carolina, party of the first part, and GILBERT R. KEY, II and EUGENE W. LAWRENCE D.D.S., P.A., PROFIT SHARING PLAN AND TRUST, parties of the second part; whether one or more; the neuter gender shall be deemed to include the masculine and the feminine and the singular number the plural, and vice versa;

WITNESSETH, that the said party of the first part, in consideration of Ten Dollars and other valuable consideration, the receipt of which is hereby acknowledged, has bargained and sold and by these presents does bargain, sell and convey unto said parties of the second part, their heirs and assigns, easements over a certain tract or parcel of land in Smithbridge Township, Macon County, State of North Carolina, being more particularly described as follows:

FIRST EASEMENT FOR ROAD RIGHT OF WAY:

Party of the first part conveys to parties of the second part, their heirs and assigns, that certain easement for a roadway described and reserved in the Deed to Richard Slitz and wife, dated June 7, 1991, recorded in Deed Book D-19, Pages 1644-1648, and described therein as follows:

"Party of the first part further conveys to parties of the second part, their heir [heirs] and assigns, the right to use in common with party of the first part, its successors and assigns and others who have the right to use the same, an easement for a roadway 30-feet in width, the center line of which runs with the center line of the existing roadway and runs through Tracts 7A and 7B as follows: BEGINNING at the point of intersection of the center lines of two access roads, said point of intersection being at the South portion of Tract 7A and being the eighth corner of the land described herein; runs thence with the center line of the existing access road, North 60 degrees 41 minutes 55 seconds West 84.87

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feet to a point, North 37 degrees 50 minutes 35 seconds West 36.84 feet to a point, North 06 degrees 17 minutes 35 seconds West 32.99 feet to a point, North 09 degrees 59 minutes 25 seconds East 78.98 feet to a point, North 22 degrees 53 minutes 55 seconds West 28.46 feet to a point, North 72 degrees 26 minutes 40 seconds West 20.01 feet to a point, South 68 degrees 31 minutes 05 seconds West 41.31 feet to a point, South 88 degrees 11 minutes 05 seconds West 32.44 feet to a point, North 72 degrees 05 minutes 15 seconds West 32.63 feet to a point, North 59 degrees 58 minutes 55 seconds West 44.99 feet to a point in the center line of said access road, said point being a corner common to Tracts 6A, 7B; thence continuing with the center line of the access road, North 19 degrees 37 minutes 20 seconds East 136.25 feet to a point in the South boundary of Tract 1 of Unit V, provided, however, party of the first part specifically reserves for itself, its successors and assigns, and for others who have the right to use the same, the right to use any portion of said road and road right of way and particularly any portion thereof falling within the boundaries of the lands described herein, in common with said parties of the second part, their heirs and assigns."

SECOND EASEMENT FOR ROAD RIGHT OF WAY:

Party of the first part conveys to parties of the second part, their heirs and assigns, that certain easement for a roadway described and reserved in the Deed to Richard Slitz and wife, dated June 7, 1991, recorded in Deed Book D-19, Pages 1644-1648, and described therein as follows:

"Party of the first part specifically reserves for itself, its successors and assigns, an easement for a roadway 30 feet in width, the East margin of which runs as follows: BEGINNING on an iron pipe, said point being the beginning corner of the land described herein; runs thence from said point of beginning, with the East boundary of Tract 7A, South 00 degrees 05 minutes 35 seconds West, passing an iron pipe at 53.99 feet, whole distance 89.77 feet to a point in the center line of the existing 30-foot wide road and road right of way as shown on Unit IV of Heritage Mountain Estates, Limited property as shown on plat thereof recorded in Plat Cabinet 1, Slide 369, at Page 1, Macon County Registry."

TO HAVE AND TO HOLD the aforesaid easements over a tract or parcel of land and all privileges and appurtenances thereunto belonging, or in anywise thereunto appertaining, unto the said parties of the second part, their heirs, successors, and assigns, to their only use and behoof, in fee simple forever, subject to those exceptions, reservations and limitations following the description hereinabove set forth.

IN TESTIMONY WHEREOF, the said party of the first part has hereunto set its hand(s) and seal(s), the day and year first above written.

HERITAGE MOUNTAIN ESTATES, LIMITED
By: [Signature] (SEAL)
HENRY WOLTZ, General Partner

STATE OF PENNSYLVANIA
COUNTY OF NORTHUMBERLAND

I, HARRY D. MOYER, a Notary Public of the aforesaid County and State, hereby certify that HENRY WOLTZ, General Partner, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purpose therein expressed.

WITNESS my hand and Notarial seal, this the 22ND day of MAY April, 1995.

[Signature]
Notary Public
My Commission Expires
[Notary Seal]

(NOTARIAL SEAL)

STATE OF NORTH CAROLINA, COUNTY OF Macon

The foregoing or annexed certificate(s) of Harry D. Moyer a Notary Public of Northumberland county, State of PA; attested by his (Seal) is certified to be correct.

Presented for registration and recorded in this office in Book W-20, Page/s 1925-1927, this the 31ST day of May, 1995, at 4:53 o'clock P. M.

[Signature] By: Regina
Register of Deeds
Macon County, North Carolina Parish (Dep)

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