136 Tuskarora Pt

Doc ID: 012892910004 Type: CRP
Recorded: 04/09/2010 at 04:47:23 PM
Fee Amt: $23.00 Page 1 of 4
Revenue Tax: $0.00
Iredell County, NC
Brenda D. Bell Register of Deeds
BK 2058 PG 1039-1042

4

Prepared by and return to:
Walter H. Jones, Jr.
Jones, Childers,
McLurkin & Donaldson, PLLC
P. O. Box 3010
Mooresville, NC 28117

NORTH CAROLINA)
)
COUNTY OF IREDELL)

SEWAGE DISPOSAL EASEMENT

THIS EASEMENT, made and entered into this 5th day of ~~March~~ April, 2010, by and between **MICHAEL M. KISER AND WIFE, TRACY LEIGH KISER**, residents of Iredell County, North Carolina, hereinafter referred to as the **"Grantors"**, and **MICHAEL MILAN KISER, TRUSTEE OF THE MICHAEL M. KISER FAMILY TRUST, DATED MAY 28, 2009**, of Iredell County, North Carolina, hereinafter referred to as **"Grantee"**;

WITNESSETH:

THAT WHEREAS, Grantors obtained title to Lot 9 of Tuskarora Point ("Lot 9") as shown on map recorded in Map Book 45 at Page 109 by deed recorded in Book 1872, Page 2500, Iredell County Registry; and

WHEREAS, Grantee obtained title to Lot 274 in Section 6 as shown on map recorded in Map Book 17 at Page 627, Mecklenburg County Registry, by deed recorded in Book 2018, Page 726, Iredell County Registry (hereinafter being referred to as "Property"); and

WHEREAS, the said Property is not suitable for the installation of a sufficiently sized sewage disposal system; and

WHEREAS, the **Grantors** have agreed to convey to the **Grantee** an easement to permit them to install a sewage disposal system or portions thereof on the below described property of the **Grantors**.

NOW, THEREFORE, in consideration of TEN AND 00/100 ($10.00) DOLLARS to them in hand paid, the **Grantors** do herewith convey unto Grantee, its successors and assigns, a perpetual Easement ("Easement") on, over and under a portion of Lot 9 as hereinafter described ("Lot 9 Portion") subject to the provisions hereinafter set forth for the purpose of installing a nitrification field, drainage system, absorption system or such other systems, their components or parts as may be required from time to time by the Iredell County Health

Department or other governmental authorities (the "System") for sewage disposal, together with a right of way and easement at any time for Grantee, its successors and assigns, to enter upon the Lot 9 Portion with equipment and/or personnel to perform necessary installation, maintaining, relocating, repairing and/or replacing ("Work") said System or any of its components. Persons or firms exercising the Easement herein granted shall proceed expeditiously with completion of any such Work on the System, and the persons or firms performing said Work and exercising the said Easement shall immediately repair all damage caused to the said Lot 9 Portion. It is further understood that the System will be placed underground. The Lot 9 portion over which this Easement is granted is more particularly described as follows:

BEGINNING at an existing #4 rebar in the southern margin of the right of way for Sunstede Drive (SR 3080) said rebar marking the common corner of Lots 8 and 9 of Tuskarora Point Subdivision as the same is shown on plat recorded in Plat Book 45, Page 109, Iredell County Registry; and running thence with the common line of Lots 8 and 9 South 15-39-48 West 47.59 feet to a set #4 rebar; thence with a new line of Lot 9 South 81-04-07 West 122.84 feet to a set #4 rebar in the line of Lot 10 of Tuskaraora Point Subdivision; thence with the common line of Lots 9 and 10 North 11-25-49 East 73.39 feet to an existing #4 rebar in the southern margin of the right of way for Sunstede Drive; thence with the southern margin of the right of way for Sunstede Drive the following courses and distances: (1) North 83-08-00 East 18.29 feet to a point and (2) on a curve to the right, said curve having a radius of 243.88 feet for an arc distance of 102.67 feet to the point and place of Beginning, the same containing .174 acre, more or less, which septic easement area is shown on a survey dated August 20, 2009, prepared by R. S. Hollifield, NCPLS, a copy of which survey is attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD said right and Easement to them, the said Grantee, its successors and assigns, it being agreed that the right and Easement hereby granted is appurtenant to and runs with Lot 9 for the benefit of the Property now owned by Grantee as hereinabove set forth.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hand and seal, the day and year first above written.

Michael M. Kiser (SEAL)
Michael M. Kiser

Tracy Leigh Kiser (SEAL)
Tracy Leigh Kiser

STATE OF NORTH CAROLINA -
COUNTY OF IREDELL

I certify that the following person(s), who is/are known to me or proved to me on the basis of satisfactory evidence to be the person(s) described, personally appeared before me this day; each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: MICHAEL M. KISER AND WIFE, TRACY LEIGH KISER.

Date: ~~March~~ April 5, 2010

Selena J. Sawyer
SELENA J. SAWYER, Notary Public

(Official Seal)

My commission expires: April 2, 2011

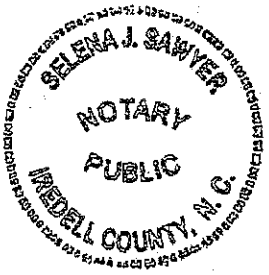
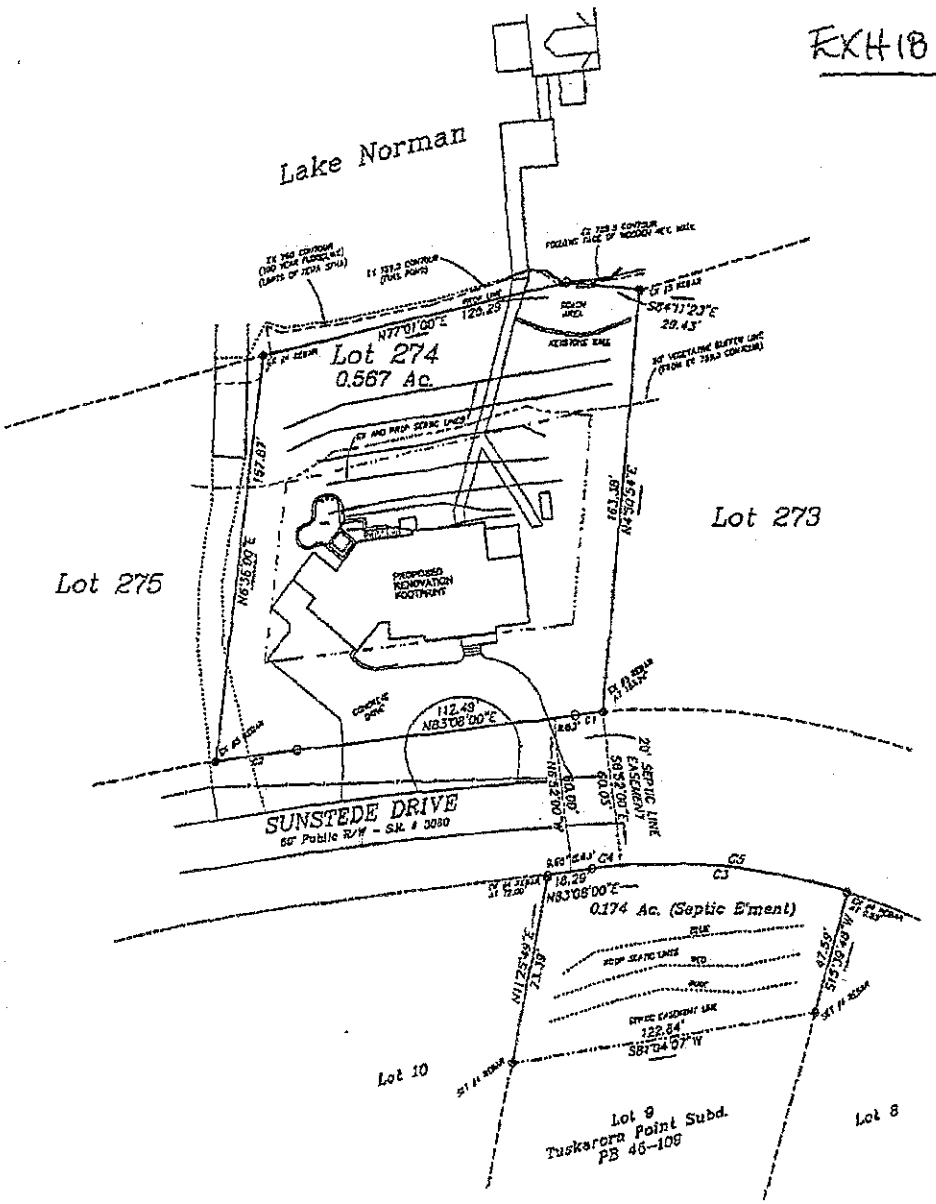


EXHIBIT C



THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH AN APPLICABLE LAND DEVELOPMENT REGULATIONS.

Proposed Site Plan and Off-Site Septic Easement

164 Sunstede Drive
Lot 274 Section 6 of C. L. & T. CORP.
Lake Norman Rec. Lots

Davidson Township Iredell County, NC
Tax PIN 4614-74-9951 ~ D. B. 1574-1062 ~ P. B. 34-31

Prepared for Michael M. Kiser