NORTH CAROLINA)
)
IREDELL COUNTY)

SEPTICE EASEMENT AND RIGHT OF WAY

THIS EASEMENT, made this ___ day of December, 2004, by and between **JAMES MICHAEL JULIAN and wife, LAURA H. JULIAN, JOHN C. KEAREY and wife, MARTHA M. KEAREY** hereinafter referred to as "**Grantors**"; and **JOSEPH F. FREEMAN and wife, CAROL G. FREEMAN**, hereinafter referred to as "**Grantees**";

W I T N E S S E T H :

WHEREAS the Grantors, JAMES MICHAEL JULIAN and wife, LAURA H. JULIAN are owners of Lot 128 in Section 7 of Crescent Land & Timber Corp. as the same is platted, planned and recorded in Plat Book 14, Page 79 Iredell County Registry (See Deed Book 1316, Page 1969); and

WHEREAS the Grantors, JOHN C. KEAREY and wife, MARTHA M. KEAREY are owners of Lot 129 in Section 7 of Crescent Land & Timber Corp. as the same is platted, planned and recorded in Plat Book 14, Page 79 Iredell County Registry (See Deed Book 1558, Page 1126); and

WHEREAS the Grantees are owners of Lot 133 in Section 7 of Crescent Land & Timber Corp. as the same is platted, planned and recorded in Plat Book 14, Page 79 Iredell County Registry (See Deed Book 1559, Page 615); and

WHEREAS the Grantees' lot is not suitable for the installation and maintenance of a standard septic tank system; and

WHEREAS the Grantees desire to install a septic tank and associated repair area on Lot 128 in Section 7 of Grantors JAMES MICHAEL JULIAN and wife, LAURA H. JULIAN, but must cross the property of Grantors JOHN C. KEAREY and wife, MARTHA M. KEAREY (Lot 129 in Section 7) to do so; and

WHEREAS the Grantors have agreed to give Grantees an easement to permit them to install a septic tank system and associated repair area on Lot 128 in Section 7 and the right to cross Lot 129 in Section 7 in order to effectuate and connect said septic tank system and repair area with the property of the Grantees.

NOW THEREFORE, in consideration of TEN AND 00/100 ($10.00) DOLLARS to them in hand paid, the Grantors convey unto Grantees, their successors and assigns, a perpetual easement over the property hereinafter described subject to the provisions hereinafter set forth for the purpose of installing a septic tank system and associated repair area, together with the right of way and easement at any time for Grantees, their heirs, successors and assigns, to enter on Lot 128 in Section 7 with equipment and/or personnel to perform necessary installation, maintenance or repairs to said system. Grantors JOHN C. KEAREY and wife, MARTHA M. KEAREY also give, grant and

STATE OF NORTH CAROLINA
COUNTY OF IREDELL

I, _____, a Notary Public for the county and state aforesaid, do hereby certify that JAMES MICHAEL JULIAN and wife, LAURA H. JULIAN, personally appeared before me this date and duly acknowledged the execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and notarial seal, this 20th day of December, 2004.

My Commission Expires: 10-16-06

Notary Public

LYNDI S. McCORMICK NOTARY PUBLIC ROWAN COUNTY, NC

STATE OF NORTH CAROLINA
COUNTY OF IREDELL

I, S Stewart, a Notary Public for the county and state aforesaid, do hereby certify that JOHN C. KEAREY and wife, MARTHA M. KEAREY, personally appeared before me this date and duly acknowledged the execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and notarial seal, this 20 day of ~~December~~ January 2005.

My Commission Expires: 8-27-05

Notary Public

STATE OF NORTH CAROLINA
COUNTY OF IREDELL

I, _____, a Notary Public for the county and state aforesaid, do hereby certify that JOSEPH F. FREEMAN and wife CAROL G. FREEMAN, personally appeared before me this date and duly acknowledged the execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and notarial seal, this _____ day of December, 2004.

My Commission Expires:

Notary Public

convey unto Grantees, their successors and assigns, a right of way and easement to cross the property of Lot 129 in Section 7 as is necessary to connect the septic tank system and associated repair area with the lot thereby served (Lot 133 in Section 7).

The property over which these easements are granted is more particularly described as follows:

> A permanent easement, ten feet (10') in width to be used for all of the purposes set forth above, beginning at a point on Lot 133 in Section 7, adjacent to S.R. 1459 and running over, under and across Lot 129 in Section 7, with said ten feet to be located ten feet from the edge of the Department of Transportation right of way, such that said easement lies within the right of way and running in a northerly direction toward and crossing over Lot 128 in Section 7. On Lot 128 in Section 7, Grantors convey unto Grantees a right to install a septic tank system and repair area, said area being that certain area located to the south of the driveway for said lot and extending 176.00 feet in a westerly direction from the roadway for S.R. 1459.

TO HAVE AND TO HOLD said right and easement to the Grantees, their successors in title, heirs and assigns, it being agreed that the right and easement hereby granted is appurtenant to and runs with the land now owned by the Grantees and hereinabove referred to.

This easement has been prepared by attorney Kevin C. Donaldson, who has not rendered a title certificate regarding the property over and in which the said easements are located.

IN WITNESS WHEREOF, the Grantors and Grantees have hereunto set their hands and seals the day and year first written.

GRANTORS:

James Michael Julian (SEAL)

Laura H. Julian (SEAL)

John C. Kearey (SEAL)

Martha M. Kearey (SEAL)

GRANTEES:

Joseph F. Freeman (SEAL)

Carol G. Freeman (SEAL)

The Freeman Residence

Studio

2

Site Plan

IREDELL COUNTY HEALTH DEPARTMENT

STATESVILLE 704-878-5305 MOORESVILLE 704-664-5281

IMPROVEMENT PERMIT / AUTHORIZATION TO CONSTRUCT / OPERATION PERMIT / EXISTING SYSTEM INSPEC

DATE 4/5/06

PERMIT# 134915 PIN# 4625 08 7380

OWNER OR APPLICANT RON + LEE SMITH PHONE: Business 704-662 6414 Home

ADDRESS 128 FIRST LN MOORESVILLE, NC 28117

LOCATION 177 OLD ARBORWAY DR., 1160 TR C HUCKLEWOOD TL BARBER LOOP TL OLD ARBORWAY L FORK, LA STONE

SUBDIVISION CL+T BLOCK / SECTION 7 LOT 134 LOT AREA .733 SITE CLASS PS DESIGN FLOW 360 L.T.A.R. .3

Septic Tank: 1000 Gallons: STB 794 Date 4/25/06

Pump Tank: Gallons: PT Date

Pump Make: Model Serial No.

Nitrification Field: No Fields 1 Square Feet 520 Linear Feet 260

No Lines 6 Trench Width 2-3 Max Trench Bottom Depth 3' Gravel Depth N/A

[X] New System [ ] Repair [ ] Expansion System Type: I II [III] IV V VI

System Description: GRAV – 16" PP BPS < 83 Recorded

Repair System Description:

Maintenance Agreement Required: [ ] Yes [X] No

[X] House/Mod. Home No. Bedrooms 3

[ ] Mobile Home No. Persons

[ ] Business No. Employees

[ ] Other

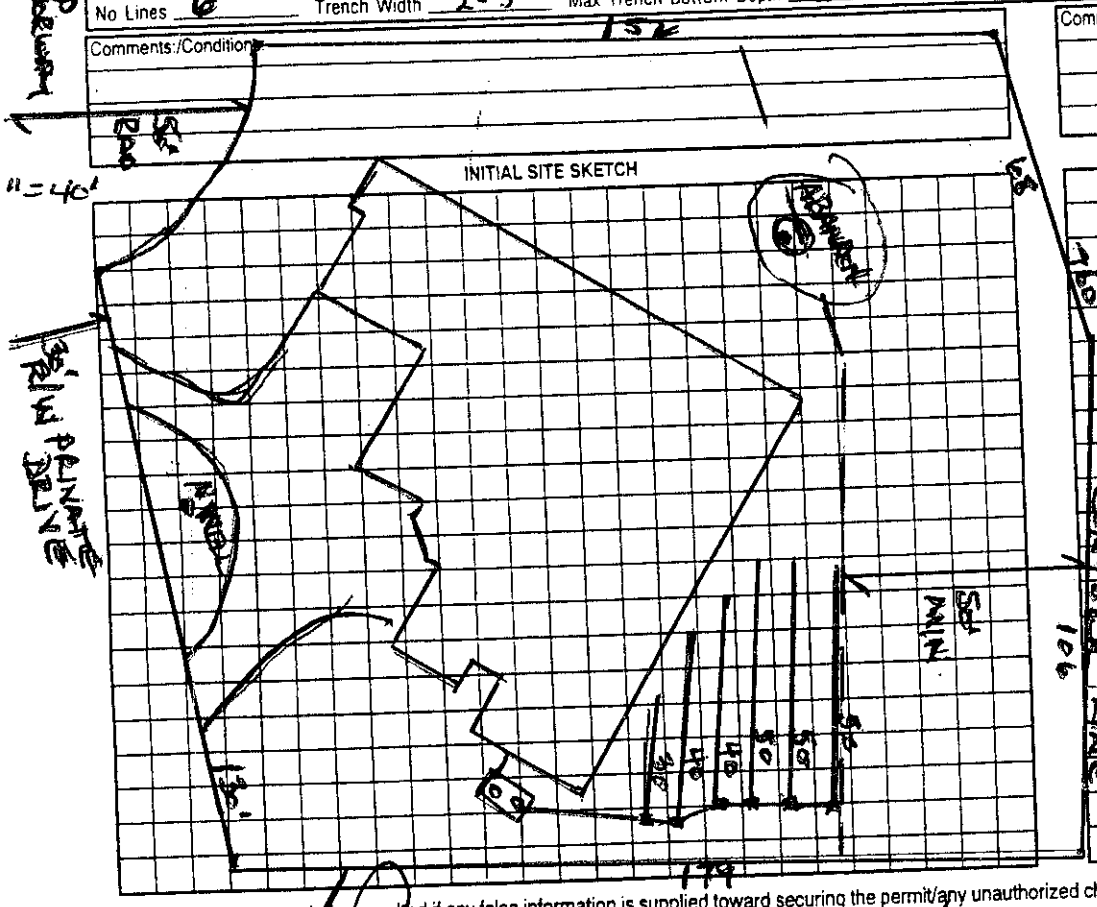
Water Supply: [X] Individual [ ] Public [ ] Community

[X] Gravity [ ] Pressure [ ] Slab [X] Crawl Space [ ] Basement w/plumbing [ ] Basement wo/plumbing

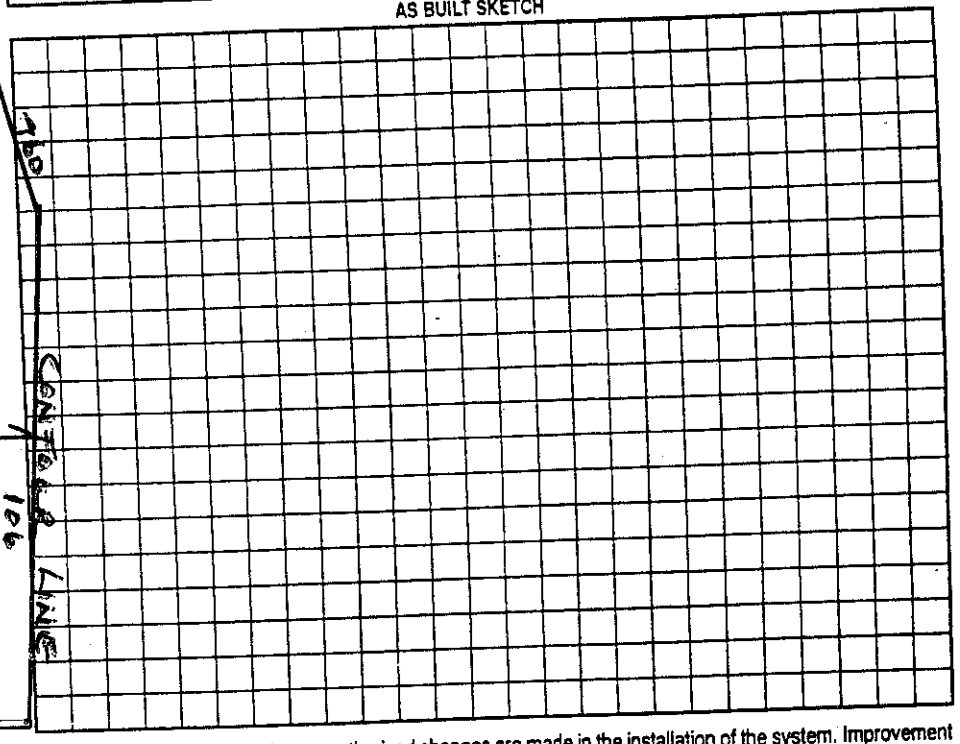
Comments:/Conditions:

Comments:/Conditions:

INITIAL SITE SKETCH



AS BUILT SKETCH



Permit can be suspended or revoked if any false information is supplied toward securing the permit/any unauthorized changes are made to the site/any unauthorized changes are made in the installation of the system. Improvement Permit with plat valid without expiration ☐ Improvement Permit with site plan valid for sixty months ☐ Authorization to Construct is valid for a period equal to that of Improvement Permit – not to exceed sixty months.

Signed: [signature] date 4/4/06

Improvement Permit by: Wesley Sparks R.S. date 4/5/06

Authorization to Construct by: Wesley Sparks R.S. date 4/5/06

Installed by: Victory Construction

Operation Permit by: Wesley Sparks R.S. date 12/6/06

Existing System Inspection by: date

HEALTH DEPT. COPY: WHITE OWNER COPY (FINAL): YELLOW OWNER COPY (INITIAL): PINK