Type: CONSOLIDATED REAL PROPERTY
Recorded: 3/20/2015 1:37:07 PM
Fee Amt: $34.00 Page 1 of 17
Revenue Tax: $0.00
Iredell County, NC
Matthew J. McCall Register of Deeds

BK 2346 PG 1482 - 1498

DOCUMENT COVER SHEET

Document Title(s) (or transactions contained therein): **SEPTIC EASEMENT AND RIGHT OF WAY**
GRANTOR: **ANTHONY J. KRALOVIC AND WIFE, ROBERTA M. KRALOVIC; SUDIPTA CHAKI AND WIFE NABANEETA CHAKI; HAROLD P. HOPE III, TRUSTEE FOR THE HOPE CHILDRENS IRREVOCABLE GST TRUST DATED U/A/D 12-10-93; TOBY WAYNE ROBERTSON AND WIFE BETH ABBOTT ROBERTSON; HOWARD WINFORD LEWIS, JR. AND WIFE JUDY R. LEWIS; 2014-3 IH BORROWER LP, A DELAWARE LIMITED PARTNERSHIP**
GRANTEE: **TODD GORDON AND AMY GORDON**
Legal Description: **1. County:** **2. Township:** **3. Lot Number/or Acreage:** **4. Subdivision Name:** **5. Additional Legal is on page ___ of document.**
Assessor's Property Tax Parcel/Account Number(s)
Document Prepared by: **Kevin C. Donaldson, Attorney at Law** **Jones, Childers, McLurkin & Donaldson, PLLC** **149 Welton Way, P. O. Box 3010, Mooresville, NC 28117**
Return Original Document To: **Kevin C. Donaldson, Attorney at Law** **Jones, Childers, McLurkin & Donaldson, PLLC** **149 Welton Way, P. O. Box 3010, Mooresville, NC 28117**

ROTC

Page Count 17
NS PQ SI

NORTH CAROLINA

SEPTIC EASEMENT AND RIGHT OF WAY

IREDELL COUNTY

THIS EASEMENT, made this 16th day of February, 2015, by and between **ANTHONY J. KRALOVIC and wife ROBERTA M. KRALOVIC, SUDIPTA CHAKI and wife NABANEETA CHAKI, HAROLD P. HOPE III, TRUSTEE FOR THE HOPE CHILDRENS IRREVOCABLE GST TRUST U/A/D 12-10-93, TOBY WAYNE ROBERTSON and wife BETH ABBOTT ROBERTSON, HOWARD WINFORD LEWIS, JR. and wife JUDY R. LEWIS, 2014-3 IH BORROWER LP, a Delaware limited partnership** hereinafter referred to as **"Grantors"**; and **TODD GORDON and wife, AMY GORDON**, hereinafter referred to as **"Grantees"**;

W I T N E S S E T H :

WHEREAS the Grantors, **ANTHONY J. KRALOVIC and wife ROBERTA M. KRALOVIC** are owners of .95 acres at the corner of Digh Circle and Langdon Road as the same is platted, planned and recorded in Plat Book 15, Page 74 Iredell County Registry (See Deed Book 964, Page 1963) having tax parcel 4627-50-0709 and an address of 202 Digh Circle, Mooresville, North Carolina; and

WHEREAS the Grantors, **SUDIPTA CHAKI and wife NABANEETA CHAKI** are owners of Lot 393 in Section 8 as the same is platted, planned and recorded in Plat Book 15, Page 74 Iredell County Registry (See Deed Book 1823, Page 1203) having tax parcel 4627-50-2849 and an address of 119 Langdon Road, Mooresville, North Carolina; and

WHEREAS the Grantor, **HAROLD P. HOPE III, TRUSTEE FOR THE HOPE CHILDRENS IRREVOCABLE GST TRUST U/A/D 12-10-93** is the owner of Lot 396 in Section 8 as the same is platted, planned and recorded in Plat Book 15, Page 74 Iredell County Registry (See Deed Book 926, Page 1306) having tax parcel 4627-50-2633 and an address of 123 Langdon Road, Mooresville, North Carolina; and

WHEREAS the Grantors, **TOBY WAYNE ROBERTSON and wife BETH ABBOTT ROBERTSON** are owners of Lot 397 in Section 8 as the same is platted, planned and recorded in Plat Book 15, Page 74 Iredell County Registry (See Deed Book 1823, Page 1203) having tax parcel 4627-50-0589 and an address of 108 Langdon Road, Mooresville, North Carolina; and

WHEREAS the Grantors, **HOWARD WINFORD LEWIS, JR. and wife JUDY R. LEWIS** are owners of Lot 398 in Section 8 as the same is platted, planned and recorded in Plat Book 15, Page 74 Iredell County Registry (See Deed Book 727, Page 897) having tax parcel 4627-40-9545 and an address of 102 Langdon Road, Mooresville, North Carolina; and

WHEREAS the Grantor, **2014-3 IH BORROWER LP, a Delaware limited**

partnership is the owner of Lot 1593 in Section 8 as the same is platted, planned and recorded in Plat Book 17, Page 46 Iredell County Registry (See Deed Book 2327, Page 2380) having tax parcel 4627-40-7541 and an address of 186 Digh Circle, Mooresville, North Carolina; and

WHEREAS the Grantees are owners of Lot 395 in Section 8 as the same is platted, planned and recorded in Plat Book 15, Page 74 Iredell County Registry (See Deed Book 2305, Page 2417) having tax parcel 4627-50-3752 and an address of 121 Langdon Road, Mooresville, North Carolina (**"House Lot"**) and are owners of Lot 1 as the same is platted, planned and recorded in Plat Book 62, Page 90 Iredell County Registry (See Deed Book 2332, Page 2259) having tax parcel 4627-40-5412 (**"Septic Lot"**); and

WHEREAS the House Lot is not suitable for the installation and maintenance of a standard septic tank system, but the Septic Lot is suitable; and

WHEREAS the Grantees desire to install a septic tank and associated repair area on the Septic Lot, but must connect the House Lot to the Septic Lot through a force main and septic line to do so (**"Septic Line"**); and

WHEREAS the Grantees shall install the Septic Line in the rights-of-way for Langdon Road and a portion of Digh Circle to connect the House Lot to the Septic Lot;

WHEREAS the Grantors to this Agreement have agreed to and have consented to Grantees' installation of the Septic Line in the right-of-way as an easement to permit the installation of the Septic Line connecting the House Lot and Septic Lot in order to effectuate and connect said septic tank system and repair area on the Septic Lot with the House Lot of the Grantees.

NOW THEREFORE, in consideration of TEN AND 00/100 ($10.00) DOLLARS to them in hand paid, the Grantors consent to and otherwise convey unto Grantees, their successors and assigns, a perpetual easement over the property hereinafter described, (the rights-of-way for Langdon Road and Digh Circle) subject to the provisions hereinafter set forth for the purpose of installing the Septic Line, together with the right of way and easement at any time for Grantees, their heirs, successors and assigns, to enter onto the Septic Line with equipment and/or personnel to perform necessary installation, maintenance or repairs to said Septic Line.

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

SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION

SEE ATTACHED EXHIBIT B FOR SITE MAP DEPICITING THE SEPTIC LINE

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.

(SEAL)
Anthony J. Kralovic

(SEAL)
Roberta M. Kralovic

(SEAL)
Sudipta Chaki

(SEAL)
Nabaneeta Chaki

Hope Childrens Irrevocable GST Trust
U/A/D 12-10-93

By: (SEAL)
William R. Culp, Jr., Trustee

(SEAL)
Toby Wayne Robertson

(SEAL)
Beth Abbott Robertson

(SEAL)
Howard Winford Lewis, Jr.

(SEAL)
Judy R. Lewis

2014-3 IH BORROWER L.P., a Delaware limited partnership

By: (SEAL)
Name:
Title:

Todd Gordon (SEAL)

Amy Gordon (SEAL)

STATE OF North Carolina
COUNTY OF Iredell

I, certify that the following persons, who are known to me or proved to me on the basis of satisfactory evidence to be the persons described, personally appeared before me this day; each acknowledging to me that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **Anthony J. Kralovic and wife, Roberta M. Kralovic.**

Date: 2/16/15

Krista L. Honeycutt, Notary Public

(Official Seal)

My commission expires: January 21, 2018

KRISTA L HONEYCUTT NOTARY PUBLIC IREDELL COUNTY, NC

STATE OF _____
COUNTY OF _____

I, certify that the following persons, who are known to me or proved to me on the basis of satisfactory evidence to be the persons described, personally appeared before me this day; each acknowledging to me that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **Sudipta Chaki and wife, Nabaneeta Chaki.**

Date: _____

_____, Notary Public

(Official Seal)

My commission expires: _____

STATE OF North Carolina
COUNTY OF Iredell

I, certify that the following persons, who are known to me or proved to me on the basis of satisfactory evidence to be the persons described, personally appeared before me this day; each acknowledging to me that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **Howard Winford Lewis, Jr. and wife, Judy R. Lewis.**

Date: Feb 16, 2015

Krista L. Honeycutt, Notary Public

(Official Seal)

My commission expires: January 21, 2018

KRISTA L HONEYCUTT NOTARY PUBLIC IREDELL COUNTY, NC

STATE OF _____
COUNTY OF _____

I, certify that the following persons, who are known to me or proved to me on the basis of satisfactory evidence to be the persons described, personally appeared before me this day; each acknowledging to me that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

_____(Name) _____(Title)
of 2014-3 IH BORROWER L.P., a Delaware limited partnership.

Date: _____

_____, Notary Public

(Official Seal)

My commission expires: _____

STATE OF NC
COUNTY OF Iredell

I, certify that the following persons, who are known to me or proved to me on the basis of satisfactory evidence to be the persons described, personally appeared before me this day; each acknowledging to me that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **Todd Gordon and wife, Amy Gordon.**

Date: 3/17/2015

Lori L. Berry, Notary Public

(Official Seal)

My commission expires: June 17, 2018

Lori L. Berry
Notary Public
Iredell County
North Carolina

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.

_____(SEAL)
Anthony J. Kralovic

_____(SEAL)
Roberta M. Kralovic

Sudipta Chaki (SEAL)
Sudipta Chaki

N. Chaki (SEAL)
Nabaneeta Chaki

Hope Childrens Irrevocable GST Trust
U/A/D 12-10-93

By:_____(SEAL)
William R. Culp, Jr., Trustee

_____(SEAL)
Toby Wayne Robertson

_____(SEAL)
Beth Abbott Robertson

_____(SEAL)
Howard Winford Lewis, Jr.

_____(SEAL)
Judy R. Lewis

2014-3 IH BORROWER L.P., a Delaware limited partnership

By:_____(SEAL)
Name:_____
Title:_____

_____(SEAL) _____(SEAL)
Todd Gordon Amy Gordon

STATE OF _____
COUNTY OF _____

I, certify that the following persons, who are known to me or proved to me on the basis of satisfactory evidence to be the persons described, personally appeared before me this day; each acknowledging to me that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **Anthony J. Kralovic and wife, Roberta M. Kralovic.**

Date:_____

_____
_____, Notary

Public
(Official Seal)

My commission expires:_____

STATE OF Connecticut
COUNTY OF Hartford

I, certify that the following persons, who are known to me or proved to me on the basis of satisfactory evidence to be the persons described, personally appeared before me this day; each acknowledging to me that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **Sudipta Chaki and wife, Nabaneeta Chaki.**

Date: 3/6/15

_____
_____, Notary

Public
(Official Seal)

JORGE TERRONT NOTARY PUBLIC CONNECTICUT

My commission expires:

JORGE IVAN TERRONT
Notary Public, State of Connecticut
My Commission Expires Dec. 31, 2018

SEE ATTACHED EXHIBIT B FOR SITE MAP DEPICITING THE SEPTIC LINE

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.

_____(SEAL)
Anthony J. Kralovic

_____(SEAL)
Roberta M. Kralovic

_____(SEAL)
Sudipta Chaki

_____(SEAL)
Nabaneeta Chaki

Hope Childrens Irrevocable GST Trust
U/A/D 12-10-93

By: _____ (SEAL)
Harold P. Hope III, Trustee

_____(SEAL)
Toby Wayne Robertson

_____(SEAL)
Beth Abbott Robertson

_____(SEAL)
Howard Winford Lewis, Jr.

_____(SEAL)
Judy R. Lewis

2014-3 IH BORROWER L.P., a Delaware limited partnership

STATE OF NEW YORK
COUNTY OF NEW YORK

I, certify that the following persons, who are known to me or proved to me on the basis of satisfactory evidence to be the persons described, personally appeared before me this day; each acknowledging to me that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **Harold P. Hope III, Trustee for the Hope Childrens Irrevocable GST Trust U/A/D 12-10-93.**

Date: 3/6/2015 Caroline Redmond _____, Notary Public
(Official Seal)

My commission expires: May 16, 2017

Caroline Redmond
NOTARY PUBLIC - STATE OF NEW YORK
No. 01RE6127108
Qualified in New York County
My Commission Expires May 16, 2017

STATE OF _____
COUNTY OF _____

I, certify that the following persons, who are known to me or proved to me on the basis of satisfactory evidence to be the persons described, personally appeared before me this day; each acknowledging to me that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **Toby Wayne Robertson and wife, Beth Abbott Robertson.**

Date:_____ _____, Notary Public
(Official Seal)

My commission expires:_____

SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION

SEE ATTACHED EXHIBIT B FOR SITE MAP DEPICITING THE SEPTIC LINE

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.

_____(SEAL)
Anthony J. Kralovic

_____(SEAL)
Roberta M. Kralovic

_____(SEAL)
Sudipta Chaki

_____(SEAL)
Nabaneeta Chaki

Hope Childrens Irrevocable GST Trust
U/A/D 12-10-93

By:_____(SEAL)
William R. Culp, Jr., Trustee

_____(SEAL)
Toby Wayne Robertson

Beth Abbott Robertson (SEAL)
Beth Abbott Robertson

GARY T. TOLSON NOTARY PUBLIC CABARRUS COUNTY

_____(SEAL)
Exp 4-17-2016

GARY T. TOLSON NOTARY PUBLIC CABARRUS COUNTY

_____(SEAL)
Exp 4-17-21

STATE OF North Carolina
COUNTY OF Iredell

I, certify that the following persons, who are known to me or proved to me on the basis of satisfactory evidence to be the persons described, personally appeared before me this day; each acknowledging to me that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **Toby Wayne Robertson and wife, Beth Abbott Robertson.**

Date: 3-9-2015

Gary T. Tolle, Notary Public

(Official Seal) My commission expires: 4-17-2016

GARY T. TOLLE NOTARY PUBLIC CABARRUS COUNTY

STATE OF _____
COUNTY OF _____

I, certify that the following persons, who are known to me or proved to me on the basis of satisfactory evidence to be the persons described, personally appeared before me this day; each acknowledging to me that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **Howard Winford Lewis, Jr. and wife, Judy R. Lewis.**

Date: _____

_____, Notary Public

(Official Seal) My commission expires: _____

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.

_____(SEAL)
Anthony J. Kralovic

_____(SEAL)
Roberta M. Kralovic

_____(SEAL)
Sudipta Chaki

_____(SEAL)
Nabaneeta Chaki

Hope Childrens Irrevocable GST Trust
U/A/D 12-10-93

By:_____(SEAL)
William R. Culp, Jr., Trustee

_____(SEAL)
Toby Wayne Robertson

_____(SEAL)
Beth Abbott Robertson

_____(SEAL)
Howard Winford Lewis, Jr.

_____(SEAL)
Judy R. Lewis

2014-3 IH BORROWER L.P., a Delaware limited partnership

By:_____(SEAL)
Name: Robert Hogan
Title: Director of Acquisitions

STATE OF _____
COUNTY OF _____

I, certify that the following persons, who are known to me or proved to me on the basis of satisfactory evidence to be the persons described, personally appeared before me this day; each acknowledging to me that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **Howard Winford Lewis, Jr. and wife, Judy R. Lewis.**

Date: _____ _____

_____, Notary Public

(Official Seal) My commission expires: _____

STATE OF North Carolina
COUNTY OF Mecklenburg

I, certify that the following persons, who are known to me or proved to me on the basis of satisfactory evidence to be the persons described, personally appeared before me this day; each acknowledging to me that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Robert Hagan **(Name)** Director of Acquisitions **(Title)** **of 2014-3 IH BORROWER L.P., a Delaware limited partnership.**

Date: 3-19-15 _____

Jonathan D Muller, Notary Public

(Official Seal) My commission expires: 4-7-18

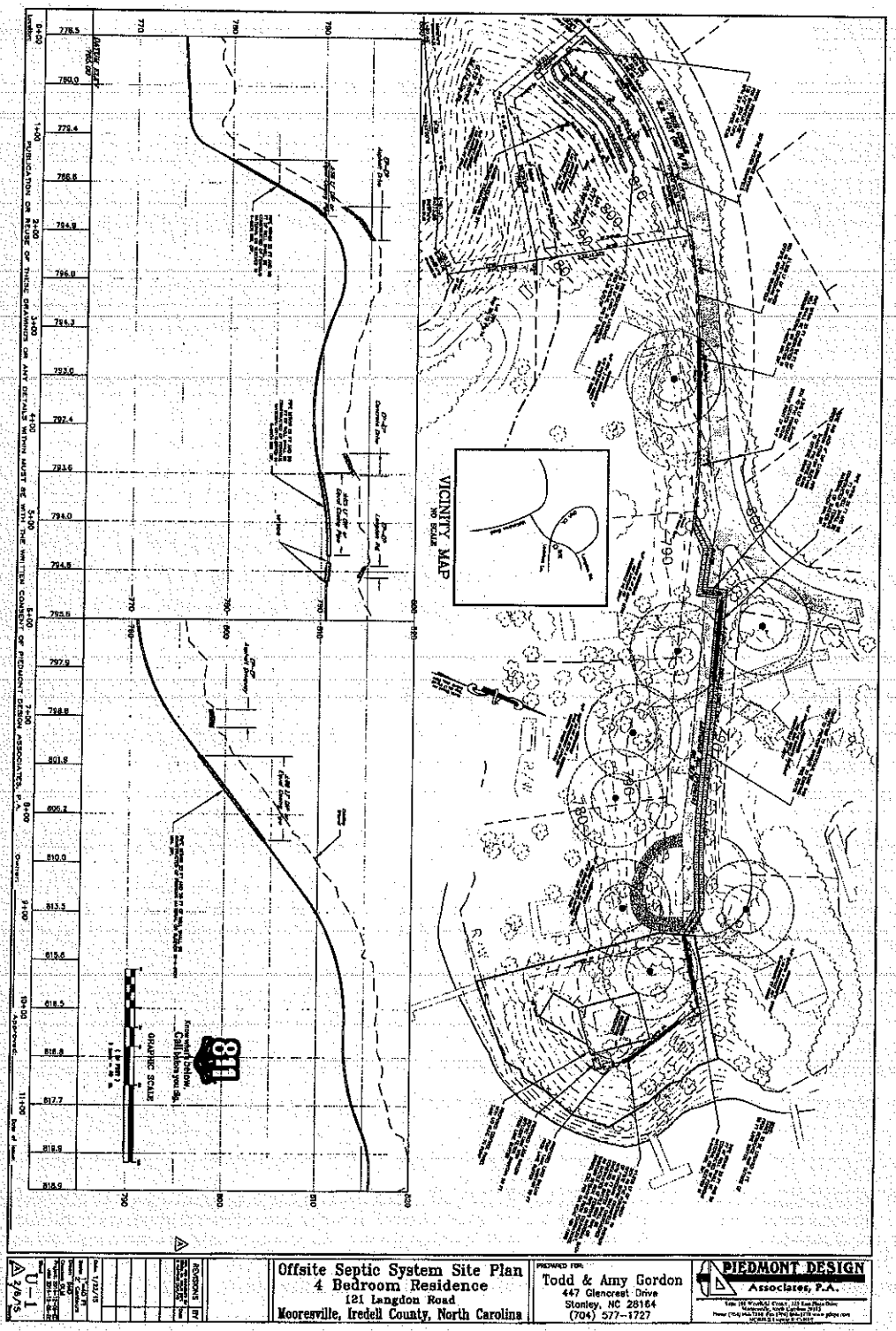
JONATHAN D. MULLER
NOTARY PUBLIC
MECKLENBURG COUNTY, NC

EXHIBIT A

This permanent sewer easement shall extend at a width of 10 feet of the boundary line of the easement more particularly described below:

TO LOCATE THE BEGINNING POINT begin at an iron pin set located in the southern margin of the right of way for Digh Circle at a common corner with Lot 1 (formerly Lot 1592) (See Plat Book 62, Page 90 and Plat Book 17, Page 46) and Lot 1593 of Crescent Land and Timber Corp. (See Plat Book 17, Page 46); said sewer easement shall run the following four courses and distances: 1) running at a width of 10 ft. North of the property line of Lot 1593 described as follows: North 68-09-49 East 285.24 feet to a #5 rebar located in the southern margin of the right of way for Digh Circle at a common corner between Lot 1593 and Lot 398, Section 8 (See Plat Book 15, Page 74); 2) thence leaving said Southern margin of Digh Circle and running at a width of 10 ft. South of the following line: North 45-00-00 East 60 feet more or less to a point located in the Northern margin of Langdon Road the southwestern most corner of Anthony J. Kralovic (See Deed Book 964, Page 1963); 3) thence running at a width of 10 ft. South of the property line of Kralovic described as follows: North 74-24 East 235.14 feet to a point; 4) thence leaving said point and crossing the center of the cul-de-sac for Langdon Road at a width of 10 ft. for an approximate distance of 100 feet more or less to a point located at a common corner of Lots 395 and 393, Section 8 (See Plat Book 14, Page 74).

EXHIBIT "B"



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