Our Septic Easement

1810/968

1810/994

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Iredell County, NC
Brenda D. Bell Register of Deeds
BK 1810 PG 964-967

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NORTH CAROLINA

GRANT OF SEPTIC SYSTEM EASEMENT

IREDELL COUNTY

THIS SEPTIC SYSTEM EASEMENT, made this 18th day of December, 2006, by and between **Ronnie L. Smith and wife, Lee A. Smith (hereinafter "Grantor")**; and **Charles Copeland and Sara Copeland (hereinafter "Grantee")**;

W I T N E S S E T H :

WHEREAS, Grantor is the developer of Whispering Oaks Subdivision as the same is platted, planned and recorded in Plat Book 43 at Page 34 (and revised in Plat Book 44 at Page 21 and Plat Book 44 at Page 92) of the Iredell County Public Registry; and

WHEREAS, Grantee is the owner of Lot 21 of Whispering Oaks Subdivision (hereinafter "Lot 21") as the same is platted, planned and recorded in Plat Book 43 at Page 34 (and revised in Plat Book 44 at Page 21 and Plat Book 44 at Page 92) of the Iredell County Public Registry, having acquired title to said lot by deed recorded in Deed Book 1586 at Page 127; and

WHEREAS, after Grantee acquired title to Lot 21, it was determined that Lot 21 was not sufficient for use as a septic area for the home to be constructed by Grantee upon Lot 21; and

WHEREAS, in the Declaration of Covenants recorded in Deed Book 1471 at Page 2083, Grantor as Declarant therein reserved the right to create certain septic system areas and Grantor further reserved certain utility easements under Section 8 thereof; and

WHEREAS, Grantor is the owner of Lot 31 of Whispering Oaks Subdivision (hereinafter "Lot 31") as the same is platted, planned and recorded in Plat Book 44 at Page 92 of the Iredell County Public Registry; and

WHEREAS, the septic system for Lot 21 is located upon Lot 31; and

WHEREAS, there was never an actual conveyance of an easement for a sewer line or septic system to Grantee and Grantor by this document does herewith convey an easement to Grantee.

NOW, THEREFORE, in consideration of the sum of ONE DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATION to Grantor paid by the Grantee, the receipt whereof is hereby acknowledged, Grantor hereby gives, grants, bargains, releases, sells and conveys unto the Grantee, its successors and assigns, forever, a perpetual and permanent easement described as follows:

1. For a sewer pipe leading from Lot 21 to Lot 31 and for the purpose of clearing, removing of obstructions including trees, bushes, undergrowth, trenching for, laying, construction, using, repairing, and maintaining said sewer pipe appurtenant to Lot 21 with said easement being more fully described as follows:

BEING fifteen foot wide easement, commencing at the common boundary line of Lot 21 and Lot 22 (as depicted in Plat Book 44 at Page 92) with the northern boundary of said easement being located North 17-30-06 East 15.00 feet from the southernmost common corner of Lot 21 and Lot 22; the northern boundary of the easement then extends from said point of beginning South 49-02-11 West approximately 20 feet to a point in the southwesternmost boundary line of Lot 22; the eastern boundary of the easement then runs with the southwesternmost boundary line of Lot 22 in a northerly direction to the northern boundary of the Duke Power Company right of way depicted on Plat Book 44 at Page 92. This is the terminus of the sewer pipe line easement into the septic system easement for Lot 21.

2. For the installation and maintenance of a septic system upon Lot 31 in the following described portion of Lot 31:

BEGINNING at a point, the easternmost corner of Lot 30 of Whispering Oaks (see Plat Book 44 at Page 21); thence with the southern boundary line of Lot 30 South 74-56-40 West 84.05 feet to a point in the line of Lot 30 and a common corner with Lot 25A, a septic lot for Lot 25; thence with said septic lot South 32-55-38 East 47.79 feet to a point; thence further with said septic lot South 30-17-15 East 66.94 feet to a point in the northern margin of the Duke Power Company right of way; thence with the Duke Power Company right of way South 75-15-55 East approximately 80 feet to a point in the southwesternmost boundary line of Lot 22; thence with the southwesternmost boundary line of Lot 22 North 20-49-18 West approximately 150 feet to the point and place of beginning. A map depicting the location of these easements is attached hereto as Exhibit "A" and incorporated by reference herein. The easements are shown in the cross-hatched area on said map.

3. The easements described herein are perpetual in nature and are appurtenant to and run with the title to Lot 21.

4. The septic system easement described herein is subject to the easement for a septic system conveyed to Nicolae Gaboras and Petru Gaboras by deed recorded in Deed Book 1665 at Page 2224.

TO HAVE AND TO HOLD said easement to said Grantee, its successors and assigns, forever, for the uses and purposes herein described.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be signed by its duly authorized officers, all as of the day and year first written.

(SEAL)
Ronnie L. Smith

(SEAL)
Lee A. Smith

STATE OF NORTH CAROLINA

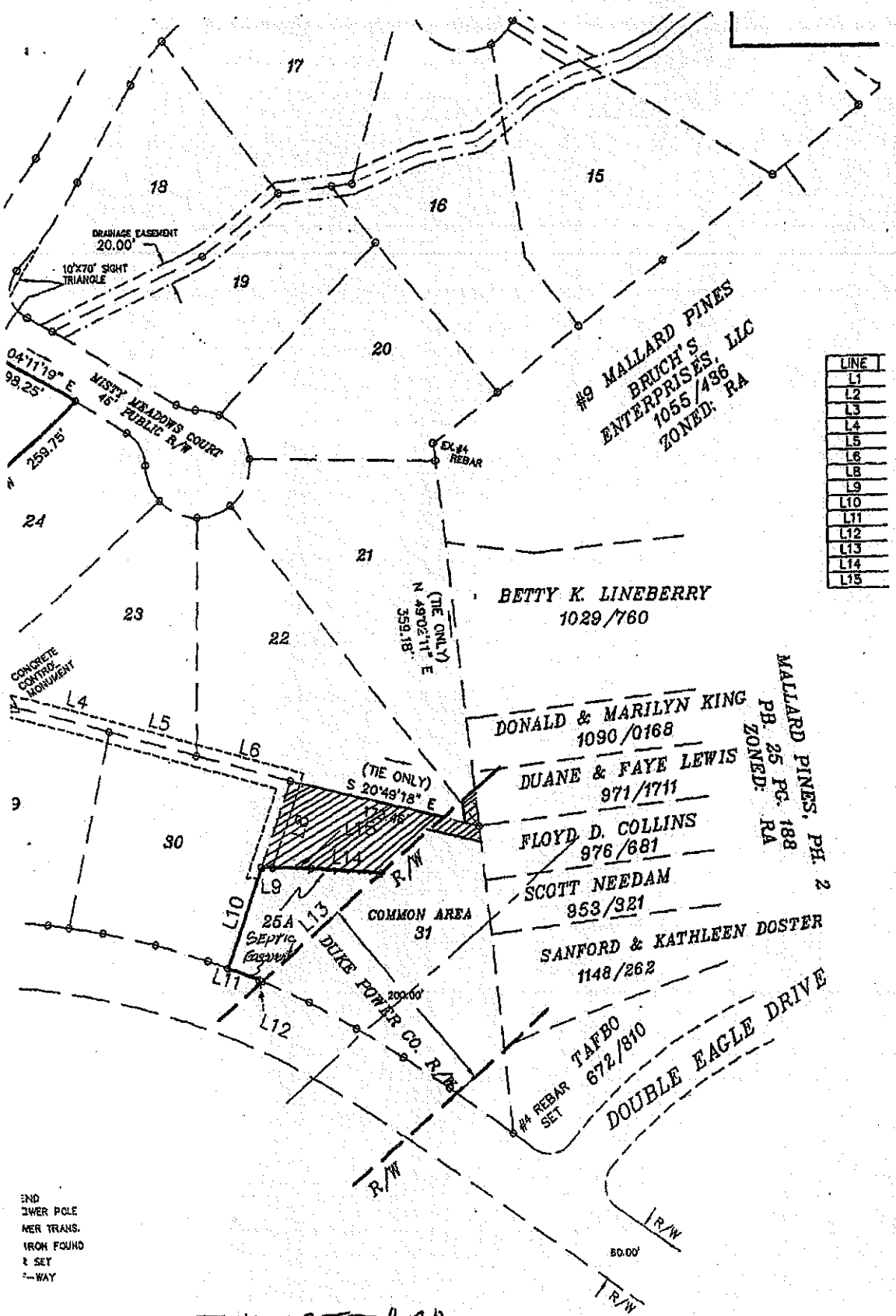
COUNTY OF Iredell

I, Angela D. Leonard, a Notary Public for the county and state aforesaid, do hereby certify that Ronnie L. Smith wife, Lee A. Smith, 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 19 day of December, 2016.

My Commission Expires: 2008

Notary Public



END
POWER POLE
POWER TRANS.
IRON FOUND
SET
-WAY

EXHIBIT "A"

400

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.

SEPTIC EASEMENT
FOR LOT 25 OF
WHISPERING OAKS
DAVIDSON TWSP., IREDELL
SCALE: 1" = 100' DATE:
OWNER: RONNIE L. &