NORTH CAROLINA)
)
IREDELL COUNTY)

EASEMENT

10

THIS EASEMENT, made and entered into this the 4th day of August, 1993, by and between Mallard Head Development Corp., a North Carolina corporation with its office located in Iredell County, North Carolina, hereinafter referred to as the "Corporation", and Bobby D. Lineberger Jr. and wife, Tammy M. Lineberger of Iredell County, North Carolina, hereinafter referred to as the "Linebergers";

WITNESSETH:

THAT WHEREAS, the Linebergers have purchased Lot No. 170 of Mallard Head Subdivision, Davidson Township, Iredell County, North Carolina, and

WHEREAS, the said lot is not suitable for the installation of a standard septic tank system; and

WHEREAS, the Corporation has agreed to give the Linebergers an easement to permit them to install a sewage disposal system or portions thereof on the below described property of the Corporation.

NOW, THEREFORE, in consideration of TEN AND 00/100 ($10.00) DOLLARS to it in hand paid, the Corporation does herewith convey unto the Linebergers, 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 nitrification field or other drainage system or absorption systems for sewage disposal, together with the right of way and easement at any time for the Linebergers their heirs, successors and assigns, to enter on said tract with equipment and/or personnel to perform necessary installation, maintenance or repairs to said system. Persons or firms exercising the easement herein contained shall proceed expeditiously with completion of any maintenance or installation to avoid unnecessary inconvenience to Mallard Head Country Club, its member or guests, and the persons or firms exercising said easement shall repair all damage caused to the golf course located on said property immediately. It is further understood that all nitrification fields or other installation placed on said property under this easement will be placed underground and in such a manner that the installation will not interfere with the operations of the golf course. The property over which this easement is granted is more particularly described as follows:

Lying and being in Davidson Township, Iredell County, North Carolina and described as follows:

BEING the sanitary sewer easement located to the rear of Lot

Prepared by and return to:
Homesley, Jones, Gaines & Fields
P. O. Box 1235
Mooresville, N. C. 28115
Attn: Walter H. Jones, Jr.

HOMESLEY, JONES, GAINES
& FIELDS
ATTORNEYS AT LAW
STATESVILLE
MOORESVILLE
NORTH MECKLENBURG
NORTH CAROLINA

NORTH CAROLINA
IREDELL COUNTY

I, Patricia B. Allen, a Notary Public of Iredell County North Carolina, do hereby certify that William W. Skeen personally appeared before me this date and acknowledged that he is Corporate Secretary of Mallard Head Development Corp., a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its corporate President, sealed with its corporate seal, and attested by him as its Corporate Secretary.

WITNESS my hand and Notarial Seal, this 4th day of August, 1993.

Patricia B. Allen
Notary Seal

My Commission Expires:

6-17-97

STATE OF NORTH CAROLINA — Iredell County

The foregoing certificate(s) of Patricia B. Allen, NP

is (are) certified to be correct. This instrument was presented for registration this day and hour and duly recorded in the office of the Register of Deeds of Iredell County, North Carolina in Book 891, Page 1733.

This 5 day of August, A.D., 19 93 at 4:07 o'clock P. .M.

Brenda D. Bell
REGISTER OF DEEDS

By: Teresa L. Campbell
ASST./DEPUTY/REGISTER OF DEEDS

IC-1

Bec-Car Printing Co., Inc.
Statesville & Mooresville

OMESLEY, JONES, GAINES
& FIELDS
ATTORNEYS AT LAW
STATESVILLE
MOORESVILLE
NORTH MECKLENBURG
NORTH CAROLINA

No. 170 of Mallard Head Country Club Subdivision, said easement being more particularly described as follows:

BEING all of Lot 170, Section 2B of MALLARD HEAD COUNTRY CLUB SUBDIVISION as the same is shown on a map thereof recorded in Plat Book 16, at page 52 in the Iredell County Public Registry. In the line of Mallard Head Development Corporation Fairway 2; thence with the line of Lot 170 South 32 degrees 19 minutes 39 seconds West 137.25 feet to a point; thence a new line with Mallard Head Development Corporation South 54 degrees East 50.00 feet to a point; thence another new line with Mallard Head Development Corporation North 32 degrees 19 minutes 39 seconds East 137.25 feet to a point; thence another new line with Mallard Head Development Corporation North 57 degrees 37 minutes 44 seconds West 50.00 feet to the point and place of beginning.

TO HAVE AND TO HOLD said right and easement to them, the said Linebergers, 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 Linebergers and hereinabove referred to.

THIS EASEMENT HAS BEEN PREPARED BY WALTER H. JONES, JR., ATTORNEY AT LAW, AND NO TITLE OPINION HAS BEEN IMPLIED OR OTHERWISE RENDERED BY THE SAID ATTORNEY REGARDING THE SAID PROPERTY UPON WHICH THIS EASEMENT IS LOCATED.

IN WITNESS WHEREOF, the said Corporation has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

MALLARD HEAD DEVELOPMENT CORP.

By John P. Campbell
John P. Campbell
Executive Vice President

ATTEST:

William W. Skeen
William W. Skeen, Secretary

(CORPORATE SEAL)

FILED
IREDELL COUNTY
93 AUG -5 PM 4:07
BRENDA D. BELL
REGISTER OF DEEDS

OMESLEY, JONES, GAINES & FIELDS
ATTORNEYS AT LAW
STATESVILLE
MOORESVILLE
NORTH MECKLENBURG
NORTH CAROLINA